



Greater
Hume
Council

Ordinary Meeting of Greater Hume Council

Wednesday, 14 August 2024

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Council Chambers, 40 Balfour Street, Culcarin, commencing at 6.00pm. The meeting commences with a Public Forum.

Persons wishing to address Council in the forum must register by 5pm Monday, 12 August 2024. The conduct of the forum is governed by the Council's Code of Meeting Practice.

Council live streams meetings so that the public may view the proceedings of the meeting in real time or later. View the recording of the meeting at <https://bit.ly/35uKFxX>

A handwritten signature in blue ink, appearing to read 'E Arnold', with a horizontal line extending to the right.

Evelyn Arnold
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Ordinary Meeting of Greater Hume Council

Wednesday, 14 August 2024

In accordance with Council's Code of Meeting Practice, this Council Meeting is being recorded and will be placed on Council's webpage for public information. All present today are reminded that by speaking you are agreeing to your view and comments being recorded and published. You are also reminded that, if or when speaking, you are to be respectful to others and use appropriate language. Greater Hume Council accepts no liability for any defamatory or offensive remarks or gestures during this Council Meeting.

BUSINESS:

1. OPENING THE MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

"I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people, and pay my respect to elders both past, present and emerging".

4. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 17 July 2024

6. ACTION REPORT FROM THE MINUTES

7. DISCLOSURES OF INTERESTS

8. MAYORAL MINUTE(S)

9. NOTICES OF MOTIONS

10. REPORTS FROM OFFICERS

PART A For Determination

- Environment and Planning
- Governance
- Corporate and Community Services
- Engineering

ITEM REFERRED TO CLOSED COUNCIL

- Environment and Planning
- Governance
- Engineering

PART B To Be Received and Noted

- Governance
- Corporate and Community Services
- Environment and Planning

PART C Items For Information

- Governance
- Corporate and Community Services
- Engineering
- Environment and Planning

PART D Items for Information

11. MATTERS OF URGENCY

12. COMMITTEE OF THE WHOLE – CONFIDENTIAL CLOSED COUNCIL REPORT

13. CONCLUSION OF THE MEETING

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ORDINARY MEETING OF GREATER HUME COUNCIL
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MAYORAL MINUTE

1. MAYORAL MINUTE – GEROGERY WEST CEMETERY

Report prepared by Mayor Tony Quinn

RECOMMENDATION

That:

Council write to Mr and Mrs Peoples and ask them to act as caretakers for the Gerogery West Cemetery paddock. They can graze sheep, cattle, horses or goats abiding with good agricultural practices, taking care of fences and weeds.

NOTICE OF MOTIONS

1 NOTICE OF MOTION- TO PROVIDE COUNCILLORS WITH INFORMATION REGARDING COUNCIL STAFF

Notice of Motion submitted by CR Jenny O'Neill

That the General Manager provide as a matter of urgency, a report to the next Ordinary Meeting of Council the following information concerning Council Staff

1. The number of all resignations from Council's employment since the 1st July 2022
2. The number of all workers' compensation claims since 1st July 2022.
3. The number of all sick leave taken in excess of five days at a time since July 1st 2022.
4. The number of issues referred by staff to the Union, resulting in Union/Council interaction since 1st July 2022
5. The number of staff dismissed and the reason of such dismissal since 1st July 2022
6. The number of staff where disciplinary issues or performance management issues have occurred since 1st July 2022

We note that under Sections 223 and 232 of the Local Government Act we have a responsibility to be an active and contributing member of the Governing Body.

We note that we have a responsibility to contribute to the control of council affairs and to review council performance.

We believe we need the above information to enable us to perform our role.

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OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. CLEANAWAY COMMERCIAL KERBSIDE COLLECTION CONSULTATION WITH BUSINESSES IN GREATER HUME

Report prepared by Approvals Coordinator – Barbara Campbell

REASON FOR REPORT

To notify Councillors of the outcome of the commercial consultation process undertaken and the received responses for the two options proposed by Cleanaway for businesses within Greater Hume Shire, to determine the new kerbside collection frequency in each town based on the consultation feedback.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective	Our leadership and communication cultivate confidence in our future direction
Outcome L3	Our decision making is inclusive, collaborative and encourages ownership of the future

DISCUSSION

At the commencement of the new ten (10) year contract entered into by Council with Cleanaway on 1 July 2024, Council received various calls from businesses across the shire about the new collection schedule and it was found that there was a historical arrangement in place with businesses, hospitals and aged care facilities within Greater Hume, where many had been receiving a twice weekly kerbside collection of general waste by Cleanaway. The new kerbside contract meant business had moved to a fortnightly collection in line with residential properties, which caused concern for many businesses who were part of the twice weekly historical arrangement and weekly arrangement as per the previous ten (10) year contract that ceased on 30 June 2024.

After meetings with Cleanaway, it was advised that a weekly service would be possible for businesses within Greater Hume and Council was provided with pricing of such a collection. The cost for a weekly collection would increase pricing to approximately \$400.00 per year, per bin, should a business wish to have a weekly kerbside collection service. The \$400.00 pricing proposed by Cleanaway for collection, is based on \$15.00 per lift per bin and is based on the current amount of bins included in the twice weekly service historically carried out. This price may vary based on the number of businesses that opt in to a weekly service if implemented.

The decision was then made to consult businesses in Greater Hume in the towns of Culcairn, Henty, Holbrook, Jindera and Walla Walla, for those businesses that have been part of the historical arrangement of twice weekly collection, as well as those businesses who indicated they needed a weekly collection. The below two options were sent out to businesses via both email and post in a consultation letter (**ANNEXURE 1**) which also included a preferred option form (**ANNEXURE 2**) to be completed and returned to Council;

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CLEANAWAY COMMERCIAL KERBSIDE COLLECTION CONSULTATION WITH BUSINESSES IN GREATER HUME [CONT'D]

Option 1

- Weekly collection by Cleanaway of general waste red lidded bins – this will add approximately \$400.00 to annual rates and charges to have the waste collected each week *per bin*. This is in addition to the Business Garbage collection of \$470.00 for businesses in the 2024-2025 rating period.

Option 2

- Continue with the new fortnightly only collection under the new Cleanaway contract. If additional bins are required, businesses can request additional Red Lidded General Waste Bin/s at \$200 *per additional bin per year*, in addition to the Business Garbage collection of \$470.00 for businesses in the 2024-2025 rating period.

Council received thirty seven responses from businesses within the towns of Culcairn, Henty, Holbrook, Jindera and Walla Walla, from the sixty four consultation letters that were issued. Results varied from town to town. Preferred options submitted to Council by the businesses who responded to the consultation letters are contained in **(ANNEXURE 3)**.

Council also received a letter from Murrumbidgee Health **(ANNEXURE 4)** which outlined their needs and reasons to have a weekly or twice weekly service at Culcairn, Henty and Holbrook Hospitals.

Each of the consultation responses have been reviewed and the decision was made to approach the requirements for kerbside collection for each town individually, rather than a shire wide approach.

BUDGET IMPLICATIONS

There are no direct budget implications resulting from the option to be implemented, as these costs are to be charged to the business with the weekly service implemented.

CONCLUSION

The responses for kerbside collection frequency received from businesses, hospitals and aged care facilities have all been taken in to consideration on a town by town basis, with consideration of health and sanitary needs being taken in to account for Culcairn, Henty and Holbrook Hospitals and/or aged care facilities located throughout Greater Hume. After consideration of the above, it would be recommended the best option for the towns of Culcairn, Henty and Holbrook is to implement an opt in weekly waste collection for businesses, hospitals and aged care facilities only and that the towns of Jindera and Walla Walla remain on the contracted fortnightly kerbside collection schedule. Businesses will have further correspondence issued by Council of the outcome of the consultation process and option decided for their town.

RECOMMENDATION

That the towns of Culcairn, Henty and Holbrook have an opt in weekly kerbside general waste collection for businesses, hospitals and aged care facilities only and that the towns of Jindera and Walla Walla remain on the contracted fortnightly kerbside collection schedule.

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2. DEVELOPMENT APPLICATION 10.2024.60.1 – PROPOSED STAGED DEVELOPMENT OF A MOTEL & MANAGERS RESIDENCE

Report prepared by Planner- Gayan Wickramasinghe

REASON FOR REPORT

Council is in receipt of an application for the demolition of an existing dwelling and the staged construction of a motel accommodation development, including a managers residence, landscaping, car parking and associated signage, at 165 Albury Street, Holbrook.

The subject site for the proposed development is located at the corner of Albury Street and Prospect Street and consists of a single allotment described as Lot 1 DP 301684 and addressed as 165 Albury Street, Holbrook.

This report represents an assessment of the application under the *Environmental Planning and Assessment Act 1979* (“the Act”) by consultants Habitat Planning on behalf of Council.

The applicant is Rob Pickett Design and landowners are Hardik Upadhyay & Priyankaben Upadhyay.

This application is being reported to Council because a number of submissions have been received.

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

The proposed development seeks to demolish the existing dwelling on the subject site, and construction of a new motel building and managers residence, comprising two linear buildings and an associated dwelling, aligned along the north and south boundaries of the lot. The development is to occur in two stages, with the single storey motel building and managers residence delivered in Stage 1 and the elevated motel building and undercroft parking area delivered in Stage 2.

The development is summarised as follows:

Demolition

- Demolition of existing dwelling and all associated outbuildings, existing gravel driveway and crossover;
- Disconnection of existing overhead power supply.

Stage 1

- Construction of a single linear building with an area of 274m², comprising five (5) 4.37 x 6.0 metre motel accommodation units, and two (2) 4.0 metres x 6.0 metres accessible motel accommodation units, and a 3.0 x 6.0 metre store room;
- Construction of a 250m² managers residence (dwelling), including a motel reception area, private pool and enclosed private space;
- Construction of a new hardstand sealed gravel carpark providing ten (10) car parking spaces including two (2) accessible spaces,
- Construction of new 7.0 metre wide concrete vehicle crossover from Albury Street;

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DEVELOPMENT APPLICATION 10.2024.60.1 – PROPOSED STAGED DEVELOPMENT OF A MOTEL & MANAGERS RESIDENCE [CONT'D]

- Construction of standalone illuminated business identification signage, of 6.0m x 2.0m, with the advertising area of 2.0m x 2.5m elevated by 3.5m;
- Site landscaping to the property boundary through car parking areas;

Stage 2

- Construction of two storey building with 274m² first floor area, comprising ten (10) units with dimensions of 4.37m x 6.0m and two (2) store rooms with an area of 3.1 x 5.80 metres and 4.3 x 5.80 metres.
- Construction of nine (9) additional carpark spaces located below the upper storey units;
- Landscaping works.

The site is presently occupied by a single storey dwelling and associated outbuildings, landscaping and established trees. The site has existing boundary fencing at its northern, western and southern boundaries, which is proposed for removal and replacement as part of the development.

The layout of the proposed development provides the managers dwelling at the vehicle entry to the site, with internal habitable rooms separated from the main reception area which is publicly accessible to guests. A private swimming pool and enclosed space accessible only to dwelling occupants is attached to the dwelling and forms the primary frontage to Albury Street.

The managers dwelling includes space for the owner/operator of the motel, which include the living area, kitchen, two bedrooms and private bath. A laundry is proposed with direct access from the unit balcony to service the unit accommodation. The dwelling residence is to be occupied by managers and is entirely ancillary development to the primary purpose of the motel accommodation.

The managers dwelling includes a small 4.4m x 1.5m verandah which serves as the main entry into for both the reception and the dwelling. The dwelling is externally clad in face brick of textured grey with corrugated colorbond roof sheeting with a 22.5 degree roof pitch. The proposed dwelling will have an overall height of 4.716 metres to the top of ridge height. Windows to dwelling facing toward pool area and Albury Street, and to west facing internal carparking and unit areas. No windows are proposed to northern façade of the building.

Stage 1 of the proposal comprises the development of the northern motel building and associated managers dwelling. The building will include seven (7) separate motel units, accessible from the internal parking area. The building is proposed to include James Hardie 'Sycon Axon' cladding with aluminium horizontal screens to enclose air conditioner units. An attached 1.5 metre wide verandah extends the length of the unit building face and is separated from carpark by a landscaping strip.

The car parking area proposed as part of Stage 1 is placed behind the proposed dwelling, thereby concealing this area from the street front. Two car parking spaces immediately adjacent to the proposed dwelling are reserved for the motel managers. Two accessible parking spaces and an unloading space are included with Stage 1 parking. Carparking is proposed to be separated from units by a landscaped strip. The proposed vehicle access is via a new crossover from Albury Street of 3.5m width for light vehicles access. The plans identify a singular vehicle access from Albury Street.

'Stage 2' includes an additional two storey motel accommodation building at the southern area of the site. The building extends along the boundary of the site to Prospect Street. At ground level, the building will contain one (1) accommodation unit and two (2) store rooms. The remaining area of ground floor beneath the building will comprise nine (9) parking spaces.

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At first floor, a further nine (9) accommodation units are proposed. Access to the first floor is made via stairwells of 1.2m width at either end of the building. All accommodation units are proposed with windows to the northern facade and a private balcony with windows to Prospect Street (southern elevation).

Signage for the development is proposed within Stage 1 and will include use of a single freestanding pylon sign. At the eastern extent of the development site. It addresses Albury Street to the north and south. It is proposed at 6.0m in height, with advertising area of 2.0m x 2.5m which is elevated above the ground by 3.5m.

The proposed plans including the site plan, floor plans, elevations and landscape plans are attached at **(ANNEXURE 5)** as well as Statement of Environmental Effects **(ANNEXURE 6)**.

CONSULTATION & REFERRAL PROCESS

The application was referred to adjoining landowners and given public notification of exhibition between 21 May 2024 to 7 June 2024.

Council received a total of 36 submissions (refer to **(ANNEXURE 7)**) objecting to the proposal. This comprised 17 individual submissions and 19 'pro-forma' submissions.

The issues raised in the submissions are summarised as follows:

Context and character

- incongruous with the residential character of the area;
- removal of existing vegetation at the site impacts the ecological habitat provided at the site;
- replacement landscaping is not sufficient to support wildlife;
- development will negatively impact on property values of surrounding residents;
- existing dwelling residence holds historical and cultural significance;
- existing dwelling contributes to community heritage;
- existing dwelling is one single storey
- house was moved to the site from a historical local homestead;
- proposed rooms are small and offer no differentiation to existing budget accommodation;
- inappropriate development for the RU5 Village Zone;
- the scale of the development is out of proportion with existing space at the site;
- removing the house that adds character and charm to Holbrook;
- motel is visually unappealing and unnecessary;
- the site is adjacent to existing dwelling houses that hold some of the highest historic and heritage value in the town and the motel will negatively impact their significance.

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Traffic and parking

- misleading occupancy figures are provided that under-estimates the carparking space requirements;
- no on-site arrangement is provided for the parking of caravan and other towed trailers etc, with concern these will be parked on the street;
- the proposal will create an unreasonable increase in traffic volume on Albury Street;
- larger vehicles will be parked along the side of the road that is used by students;
- pedestrian crossing to school will be placed under unreasonable pressure from increased traffic volume;
- pedestrian crossing is without a supervisor and has existing safety risks;
- driveway crosses a busy footpath causing safety concerns to pedestrians, including children;
- placing the motel on this side of the footpath will cause an accident;
- parking is inadequate and does not provide for visitors parking, parking for trailers and boats.

Capacity of infrastructure

- Scale of development adds unreasonable pressure on existing water and sewerage infrastructure;
- Existing infrastructure is aged and needs replacing;
- Works have been conducted recently on infrastructure in the area following pipe failure;
- Increased stormwater drainage being directed to the lower end of Prospect Street;

Noise impacts

- noise impacts from patrons entering and exiting the site, air conditioning units, and pool pumps;
- potential to impact upon the quiet enjoyment of residential properties surrounding the site.

Amenity

- transient occupants create negative impact on surrounding residential development and poses a security risk;
- proposed signage causes light impacts on neighbouring property;
- lighting of upper storey balcony on Stage 2 units causes light impact to neighbouring property;
- existing dwelling house fits the character of the historic houses along Albury Street;
- proposal does not include enough open spaces or grassed area within the site.

Privacy and security risks

- proposed buildings overlook adjacent properties, rear laneway access and backyards which are occupied by children;
- reduced privacy affects property values and transient guests present a security risk;
- proximity of the accommodation to the public school may invite antisocial behaviour and undesirable patronage;

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- proximity to school and playgrounds create a risk;
- elevated views overlooking a school presents an unacceptable level of risk to students;
- motel does not screen patrons and there is a high probability that children are placed at risk;
- two storey development would impact on neighbours privacy.

Suitability of the site

- proposal does not appear proportional to the site area;
- the site is too close to an existing school playground and public playground and recreation spaces;
- inappropriate to establish a motel adjacent to a school;
- structural soundness and general condition of the existing dwelling is suitable for renters;
- there are alternative sites on Albury Street of a scale and location that are vacant and could be redeveloped;
- two storey motel is not appropriate at this site;
- Holbrook offers other opportunities that are more suitable for this type of building.

Suitability of development

- the anticipated occupancy of 50% does not make the project economically viable;
- proposal undermines the need for housing and rentals;
- vacant land located elsewhere with previous commercial land use available for such a proposal;
- land to the north and south of Holbrook is more suitable;
- the town has sufficient existing visitor accommodation;
- there is a need for more rental accommodation in Holbrook;
- community should be aiming for 5 star accommodation at a more appropriate location;
- negatively impacts existing businesses;
- Holbrook has five motels, two hotels and a caravan park;
- Wider context of the housing crisis raises concerns in the removal of a home with little community benefit;
- Simple duplication of existing motel style accommodation found elsewhere in town is not beneficial;
- the proposal does not directly benefit community residents.

Consideration of the issues raised in the submissions received is provided further within this report.

The application was also notified to Transport for NSW (TfNSW) as the proposal involved alterations to access from a classified road (Albury Street). TfNSW raised no objections to the development subject to conditions. The conditions recommended by TfNSW are contained within this report.

A copy of responses from agencies is provided at **(ANNEXURE 8)**.

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DEVELOPMENT APPLICATION 10.2024.60.1 – PROPOSED STAGED DEVELOPMENT OF A MOTEL & MANAGERS RESIDENCE [CONT'D]

ENGINEERING COMMENTS

Council's Engineering Department has inspected the site and made the following comments regarding the proposal:

- 1) *"Lane way to be fully constructed to Council Road Specifications for the north boundary to Prospect Street, Holbrook.*
- 2) *Directional signage to be installed on the western boundary (off Albury St.) showing 'Entry Only', and another sign to be placed on the laneway side of allotment showing 'Exit Only'.*
- 3) *Stormwater drainage to be provided along the up graded laneway to the property boundary.*
- 4) *Holding lines to be marked along Prospect Street at the intersection of laneway.*
- 5) *Convex road safety mirror to be installed on the laneway to Council Road Safety Specifications.*
- 6) *Manhole B21 will require the lid and surround replaced with a Class D trafficable 'gatic' lid. The lid height shall be adjusted to be flush with the finished surface level of the laneway.*
- 7) *In the event the sewer main will need to be excavated at any point in the future there will NOT be any possible egress for the site during works due to the narrow nature of the laneway"*
- 8) *All costs shall be the responsibility of the developer for waste water infrastructure changes.*

For the demolition phase:

- 9) *If the existing sewer service is to be reused for the new development, it shall be disconnected and capped at the inspection shaft by a licenced plumber prior to demolition commencing. Adequate protection shall be provided to prevent damage to the service.*
- 10) *If the existing sewer service is no longer required, the sewer service shall be disconnected and capped at the junction in Council's sewer main by a licenced plumber prior to demolition commencing. A road opening permit will be required for works within the Council road reserve.*

Construction phase:

- 11) *The development shall be connected to the reticulated sewer.*
- 12) *One connection point to the reticulated sewer for the development will be permitted. The connection can be the existing DN100 property sewer service at the Inspection Shaft. Alternatively, the existing sewer service can be disconnected and capped at the junction on the sewer main and a new junction cut into the sewer main with a new property service installed. The location of the new junction shall be approved by Council's Manager Water and Waste Water prior to work commencing. A road opening permit will be required for all works within Council's road reserve. A connection up to DN150 may be permissible.*
- 13) *Where the pool backwash is discharged to sewer, a balance tank shall be installed limiting discharge to a maximum flow of 0.15 litres per second.*
- 14) *All plumbing work up to the inspection shaft to be performed by a Licenced Plumber in accordance with the AS/NZS3500 and Council's Engineering Guidelines for Subdivision and Development Standards.*

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- 15) Section 64 Developer Contributions are payable for sewer. The existing lot has 1 ET sewer allowance. The 2 bedroom residence will have a sewer ET of 0.75 and each unit a sewer ET of 0.45. Where the pool backwash discharges to sewer, 1 ET will apply for each 140kL/annum discharged or part thereof.
- 16) Stage 1 – Residence and 7 units. S64 sewer contribution for 2.90 ET payable $[(0.75+(7 \times 0.45))-1]$. Additional ET may apply for the pool.
- 17) Stage 2 - 10 units. S64 sewer contribution for 4.5 ET payable (10×0.45) .
- 18) Further information is required regarding the pool backwash system. If a cartridge filter is used the S64 sewer contribution will be 0 ET. If a media filter is used that discharges to sewer, we will need the supplier of the pool to nominate an annual backwash volume. The S64 sewer contribution will be 1 ET for every 140kL/annum or part thereof discharged to sewer". **Comments from Council assessment officer:** The applicant confirmed in their correspondence dated 29/05/2024 that a cartridge filter will be used for the proposed pool. Therefore, no S64 Sewer Contribution will be applicable to the pool.

RIVERINA WATER COMMENTS

- "Additional fees and charges for water supply may be incurred by the proposed development
- Developer must make an application for a Certificate of Compliance for water supply
- Certificate of Compliance for water supply required prior to issuing of Construction Certificate
- Riverina Water Plumbing Certificate required prior to Occupation Certificate.
- Regarding TfNSW's suggestion for a one-way vehicular circulation plan with entry via Albury St and exit through the rear laneway, I want to bring to your attention that Riverina Water has existing infrastructure in the rear laneway. This infrastructure stands to be impacted by the proposed exit of the motel.
- Therefore, it is essential that the developer engages in consultation with Riverina Water prior to commencing any development. This consultation will determine if additional works and charges will apply for the construction of the exit road in the rear laneway, particularly concerning the water reticulation mains and services".

ASSESSMENT

The following represents an assessment of the application as required by Section 4.15(1) of the EP&A Act.

4.15(1)(a) The provisions of any current or draft environmental planning instrument, development control plan, or matters prescribed by the regulations

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land (formerly SEPP No. 55 – Remediation of Land (SEPP55)

Chapter 4, Remediation of Land, in SEPP (Resilience and Hazards) 2021 is applicable for consideration as the consent authority must consider whether or not the land is contaminated and suitable for development.

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Specifically, Clause 4.6 of SEPP (Resilience and Hazards) 2021 refers to contamination and remediation to be considered in determining development application and states:

A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The applicant has not provided any consideration of the potential contamination status of the land or a history of previous land uses.

The site is an existing residential property and is understood to have been used for residential purposes for a long period of time. It is understood that the site has not included any activities that may be potentially contaminating nor does it contain the presence of contaminants from a previous use.

Given the location of the land within an entirely residential context, the known history of the site and observed conditions, it is considered that the land is suitable for the proposed development without need for any remediation.

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and signage (formerly State Environmental Planning Policy No. 64 – Advertising Signage (SEPP64)

Chapter 3 Advertising signage of State Environmental Planning Policy (Industry and Employment) 2021 is applicable as the proposal involves signage which requires consent and is visible from a public place.

The SEPP aims to ensure that signage (including advertising) is compatible with the desired amenity and visual character of an area, provide effective communication in suitable locations and is of a high degree of quality design and finish.

Under Part 3.2. Section 3.6, of the SEPP a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

The objectives of the policy and the assessment criteria of Schedule 5 are considered below.

The proposal includes a freestanding pylon sign with a height of 6 metres and a sign zone of 5m² on two faces (totalling 10m² of total display area).

The *Greater Hume Development Control Plan 2012* (“the DCP”) includes provisions relating to advertising signs, which is addressed further below.

Section 3.13 of the SEPP refers to advertisements on rural or non-urban land. Under Clause (1), this section applies to land that, under an environmental planning instrument, is within a rural or non-urban zone and on which an advertisement may be displayed with the consent of the consent authority.

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The subject land is zoned RU5 Village zone under the Land Use Table of the Greater Hume Local Environmental Plan 2012. Under the provisions of the zone RU5 Village, Signage including business identification signage, is permitted with consent.

Section 3.21 of the SEPP refers to freestanding advertisements.

- (1) *The consent authority may grant consent to the display of a freestanding advertisement only if the advertising structure on which the advertisement is displayed does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.*
- (2) *This section does not prevent the consent authority, in the case of a freestanding advertisement on land within a rural or non-urban zone, from granting consent to the display of the advertisement under section 3.13.*

The sign is proposed in context with the overall proposal, as it stands on the southern side of the driveway adjacent to the proposed building area on the southern boundary of the property. The proposed signage is included as part of the Stage 1 works and is located 7.6m from the southern property boundary, and 1.0m from the eastern property boundary (addressing Albury Street). It is proposed to be placed approximately 4 metres from the building entry into the proposed reception area and 600mm from the proposed internal driveway hardstand.

The application provides a single elevation of the proposed freestanding sign, and places it in context to the surrounding buildings. At the total height of 6.0m, the sign will exceed the height of any other proposed structure at the site.

Transport for New South Wales provided additional comment that provision of signage within the site or near the boundary of the site with any adjoining road reserve is to be designed and maintained to provide safe site distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking". The proposed plans depict a freestanding sign that is assembled on two pylons of 0.2m width, spaced 2.0m apart and provided clearance of 3.5m to the advertising zone. It is location within the landscaped area and is offset from the carriageway by 7.0m. The distances from trafficable vehicle paths are considered not to obstruct the view of an occupant of a vehicle entering the site to any potential pedestrian moving about the site.

The proposed signage the subject of the application is assessed against the assessment criteria specified in Schedule 5.

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ASSESSMENT CRITERIA	COMMENT
CLAUSE 3- AIMS AND OBJECTIVES	
<p>(a) to ensure that signage (including advertising):</p> <p style="padding-left: 20px;">(i) is compatible with the desired amenity and visual character of an area, and</p> <p style="padding-left: 20px;">(ii) provides effective communication in suitable locations, and</p> <p style="padding-left: 20px;">(iii) is of high quality design and finish, and</p>	<p>The proposed signage for the development comprises a single freestanding pylon sign. No other business identification signage is depicted on plans.</p> <p>The signage is considered to appropriately communicate the proposed functions of the building and identify the proposed motel tenant.</p> <p>It is considered that the siting and scale of the signage is appropriate for a motel development.</p> <p>It will be the only business identification sign of its type within the area.</p> <p>The sign shall an illuminated light box signage with text showing motel name and facilities.</p> <p>The applicant has not denoted any design, colour or detail for the advertising zone or content of the sign.</p>
<p>(b) to regulate signage (but not content) under Part 4 of the Act, and</p>	<p>This assessment provides appropriate consideration of the signage.</p>
<p>(c) to provide time-limited consents for the display of certain advertisements, and</p>	<p>The proposed signage is intended to be permanent for the building and proposed activity. No time limit is intended to be imposed in this instance.</p>
<p>(d) to regulate the display of advertisements in transport corridors, and</p>	<p>The signage considered as part of this application is located wholly within the subject land only, with no signs proposed in the adjacent transport corridor land.</p>

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<p>(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p>	<p>The proposed signage is to be located adjacent to a classified road for the purposes of identification of a proposed motel building.</p> <p>TfNSW have made no comment or objection on the proposed signage.</p> <p>The public benefit in this instance would be providing identification of the motel for vehicles approaching the site on the classified road.</p>
<p>SCHEDULE 5 – ASSESSMENT CRITERIA</p>	
<p><u>Character of the Area</u></p> <ul style="list-style-type: none"> ▪ Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? ▪ Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The subject land is located adjacent to Albury Street in Holbrook which is a classified “regional” road. It is a major road corridor through the Holbrook township and connects the site to an area considered to be the commercial area.</p> <p>There are other motel businesses located on the transport corridor which have existing signage provided.</p> <p>There is no theme for outdoor advertising in the immediate area, however it is noted that there are dwellings located to the north and west of the site, and to the south is an open space recreation and tourist centre. Signage is varied within the precinct to the south and is generally limited to road signs along Albury Street in the north.</p>
<p><u>Special Areas</u></p> <ul style="list-style-type: none"> ▪ Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The subject land and surrounding area are predominantly residential and does not comprise any heritage or environmentally sensitive areas which may be affected by the signs. The residential area to the north of the site is not identified in a heritage conservation area, and the site is not identified as a heritage item.</p> <p>The land is located alongside Albury Street, which is a high volume road, and the surrounding area is flat.</p>

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<p><u>Views and Vistas</u></p> <ul style="list-style-type: none">▪ Does the proposal obscure or compromise important views?▪ Does the proposal dominate the skyline and reduce the quality of vistas?▪ Does the proposal respect the viewing rights of other advertisers?	<p>The proposal is not considered to obscure any important views in any direction.</p> <p>The surrounding area is flat and therefore the development is not expected to adversely affect view corridors or skylines.</p> <p>The area does not accommodate any other advertiser and the proposed signage is not considered to be of an extent which will affect the viewing rights of other advertisers.</p>
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<p><u>Streetscape, setting and landscape</u></p> <ul style="list-style-type: none"> ▪ Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? ▪ Does the proposal contribute to the visual interest of the streetscape, setting or landscape? ▪ Does the proposal reduce clutter by rationalising and simplifying existing advertising? ▪ Does the proposal screen unsightliness? ▪ Does the proposal protrude above buildings, structures or tree canopies in the area or locality? ▪ Does the proposal require ongoing vegetation management? 	<p>The proposed motel will involve both single storey and two-storey structures and introduces an increased proportion of built form and scale of development to this area.</p> <p>The proposed freestanding sign exceeds the height of the proposed two-storey unit building and stands taller than any of the buildings proposed as Stage 1 works.</p> <p>The proposed signage adequately identifies the business and is sited so as to blend with the proposed landscaped area adjacent to Stage 2 works.</p> <p>The proposed signage is not considered to be excessive against the scale of the two-storey unit building and is overall consistent with the building and external components of the site. It reduces visual clutter by rationalising and simplifying the identification into a single freestanding pylon sign. No other signage is proposed in the development.</p> <p>The proposed pylon sign shall protrude above the ridge of the roof to the dwelling residence. Existing trees and landscaping at the site shall be removed, and the site will have no established canopy in trees or building at the southern section.</p> <p>Once proposed plantings are established and full grown, the sign will be sited within the proposed landscaped area to include new native planting. Incorporating proposed signage into the landscape design will contribute to a more visually attractive development and reduces impact from on-site signage.</p> <p>The landscaped areas will require ongoing vegetation management</p>
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<p><u>Site and building</u></p> <ul style="list-style-type: none"> ▪ Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? ▪ Does the proposal respect important features of the site or building, or both? ▪ Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The proposed freestanding pylon signage exceeds the height of the proposed Stage 1 works and is forward of the main building line.</p> <p>Proposed signage is appropriate for the scale and proportion of the building once Stage 2 works are complete, noting that there will be a single sign at the corner of the site and its size will be similar to the tallest point of the proposed buildings on site.</p> <p>The proposed development site is not considered to have any important features other than its proposed land use as a motel.</p> <p>The surrounding area along Albury Street consists of a mix of tourist, education and recreational activity. The other land uses do not host business identification signage of a scale similar to that proposed, though other forms of building signage are present in the area.</p> <p>The proposed signage is out of scale with existing signage to similar land uses along Albury Street. Its design is considered consistent with the expectation for such a motel business identification sign.</p>
<p><u>Associated devices and logos with advertisements and advertising structures</u></p> <ul style="list-style-type: none"> ▪ Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>No details have been provided as to whether any safety devices, platforms or the like have been incorporated into the design, however conditions of consent will require further detail be submitted prior to construction certificate.</p>

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<p><u>Illumination</u></p> <ul style="list-style-type: none"> ▪ Would illumination result in unacceptable glare? ▪ Would illumination affect safety for pedestrians, vehicles or aircraft? ▪ Would illumination detract from the amenity of any residence or other form of accommodation? ▪ Can the intensity of the illumination be adjusted, if necessary? ▪ Is the illumination subject to a curfew? 	<p>The proposed signage is proposed to be internally illuminated light box signage with text showing motel name and facilities. The applicant has not submitted details on the lux level of the signage or given any indication of this, however it would be expected to be typical of commercial signage which is established to the south of the site, along Albury Street. Nor has a design of the advertising zone been provided.</p> <p>Council will require that the applicant submit detailed information on proposed signage, and that any illumination be of a manner which will not cause light spill to adjoining land.</p> <p>The proposed signage shall not incorporate any flashing elements or similar which may distract drivers.</p>
<p><u>Safety</u></p> <ul style="list-style-type: none"> ▪ Would the proposal reduce the safety for any public road? ▪ Would the proposal reduce the safety or pedestrians or bicyclists? ▪ Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>The proposed freestanding signage adjacent to the road reserve will be illuminated, and the applicant has not provided the lux level for this proposed signage. In the event that the application is approved, this detail will be required via a condition of consent.</p> <p>As above, the proposed signage is not considered likely to have any potential impact upon visibility or safety of motorists, pedestrians or children as it contained entirely within the property boundary.</p>

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State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (“Infrastructure SEPP”), applies to all LGA’s across the State. The purpose of the SEPP is to set out a consistent State policy basis for provision of infrastructure. In this instance, the SEPP is triggered due to the proposal being located adjacent to a classified road, being Albury Street.

Clause 2.119 of the SEPP refers to development which has frontage to a classified road, and states:

- (1) *The objectives of this clause are:*
 - (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
 - (a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Albury Street is identified as a classified “regional” road that traverses the central transport corridor of Holbrook. The proposal seeks approval to allow for a two-way vehicle access crossover from the site onto Albury Street and travel in either direction.

A referral has been made to Transport for NSW being the relevant authority for classified roads, who have indicated no objection to the proposal subject to conditions.

Subject to appropriate operational restrictions and management, Albury Street is therefore considered to provide adequate provisions to enable egress from the site including, significantly, restricting access through the site to one-way vehicular circulation with ingress from Albury Street and egress via the laneway at the rear of the site.

Clause 2.122 of the Infrastructure SEPP relates to traffic generating development. Under the Infrastructure SEPP, a development of a relevant size or capacity listed is considered to be a ‘traffic generating development’. Under the provisions of the Infrastructure SEPP, Residential accommodation which fronts a classified road is considered to be a ‘traffic generating development’, only where it proposes 75 or more dwellings. The proposal is not considered to be a ‘traffic generating development’.

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Local Environmental Plan:

Greater Hume Local Environmental Plan 2012

The *Greater Hume Local Environmental Plan 2012* (“the LEP”) is the principal environmental planning instrument applicable to the subject land. The relevant matters of the LEP are addressed as follows.

Zoning

The subject land is zoned RU5 Village by the LEP which applies to the full extent of the Holbrook urban area.

The objectives of the RU5 zone are:

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To protect the amenity of residents.*

The objectives of the RU5 zone are aimed at encouraging a range of urban development opportunities to support village locations. The RU5 village zone is intended to allow for the full range of uses that would be expected for a small urban area, including accommodation and tourism related activities, and it is therefore necessary to consider the proposal with regard to the particular context and its potential impacts. The extent of Albury Street is characterised by a mix of residential, commercial, educational and tourism related land uses.

The proposed development is characterised as ‘**hotel or motel accommodation**’ which is defined as “a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that—(a) comprises rooms or self-contained suites, and (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles, but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.”

Development for the purposes of hotel or motel accommodation is permissible with consent in the RU5 zone.

Essential Services

Clause 6.7 of the LEP relates to essential services and states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

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

The subject land has existing service and utility connections which shall be augmented to ensure the proposed development is serviced by all necessary urban services.

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Riverina Water is the relevant water authority for Holbrook and a response has been received which does not contain any objection to the development or indicate any restriction on the existing infrastructure to the site.

The applicant has not provided a sewer concept plan for the development. However, Council's engineers have confirmed that the existing Council reticulated network is sufficient to service the proposed development subject to imposition of suitable conditions.

The site has an existing electricity supply line via an existing power pole which is installed in the road reserve, adjacent to the property boundary. The existing overhead power supply is proposed to be redirected to new pole within the site, then via underground provisions to metering as per the existing site plan.

The applicant has provided plans which show a new sub-surface stormwater drainage system for the site. Stormwater pits shall be installed within the carpark, and roof water drainage pipes shall connect gutter collection to convey flows to pipes system. The stormwater concept plan ensures hardstand and roof water runoff is collected and discharged to street stormwater infrastructure. The proposed system ensures that post-development flows do not exceed pre-development flows.

The information provided with the application demonstrates that the site will be accessed from the surrounding public road network by a new 3.5m access crossover to Albury Street, which is a classified road under TfNSW control. TfNSW does not object to the proposal, though have set out a number of conditions for the development to comply with should Council choose to grant approval to the application. Most significantly, the TfNSW commentary relates to reducing site access to a one-way vehicular circulation with ingress from Albury Street and egress via the laneway at the rear of the site.

Development Control Plan:

Greater Hume Development Control Plan 2012

The Greater Hume Development Control Plan 2012 ("the DCP") applies to all land within the Shire.

The DCP is arranged by development type, as the land use zoning applies a general village zone across urban areas, rather than differential zoning. The nature of the proposed motel is considered to most appropriately align with 'commercial development' which is addressed at Chapter 4 of the DCP.

The objectives of this chapter are set out as:

- *encourage orderly and economic development within the Shire having regard to its commercial and retail needs;*
- *accommodate the expansion of retail, commercial, professional services and community facilities for local residents in convenient locations within the Shire;*
- *promote pedestrian movement and connectivity within commercial areas;*
- *encourage the provision of additional parking spaces within any redevelopment to address the current parking deficiency within the centres;*
- *ensure the orderly and safe flow of traffic along main roads by prohibiting direct vehicular access to individual commercial activities;*
- *ensure the integrated shopping centre by reinforcing existing pedestrian movements and creating pleasant and interesting linkage to the extensions;*
- *ensure a safe and comprehensive pedestrian network throughout the expanded centres. Particular attention being paid to the separation of pedestrian access from parking, manoeuvring and loading/unloading areas;*

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- *ensure that new or extension to a commercial development is compatible with the character of the area and enhances the streetscape and is compatible with adjoining nearby residences; and*
- *encourage the provision and retention of existing landscaping to be used as a buffer between proposed extension and the existing residential area and to be used to create an attractive streetscape to the main roads.*

The proposal generally responds to these objectives as it represents additional development and investment in Holbrook generally and includes new commercial activity that will have flow on effects to the township generally through employment of contractors in the trades and services, and ongoing employment of staff.

The development standards of the DCP are considered below.

Location

Part 4.1 sets out development standards for location of commercial activities. The relevant standards are set out as:

1. *New commercial activities (including retail and office) to be located within the existing commercial centres and those centres identified within the adopted structure plans for each town or village.*
2. *Small businesses which principally service local neighbourhoods may be located outside of town centres where it is demonstrated that such services are necessary and appropriate.*
3. *Commercial activities are encouraged in areas accessible to residents and visitors.*

The subject land is presently occupied by an existing dwelling which is proposed for removal as part of this development application. The site will hence be cleared of the dwelling and associated outbuildings to provide flat undeveloped site for the proposed motel.

The RU5 Village zone defines the urban extent of the Holbrook township. The DCP expands on the zoning definition by providing for additional land use definitions within the Strategic Land Use Plan (SLUP). The SLUP implements the Structure Plan, providing additional land use definition to those areas identified as RU5 Village. The site is identified at the zone boundary between residential and open space on the Structure Plan. The site is immediately adjacent to the open space recreation reserve and within 250m of the commercial 'main street' area.

The Township Structure Plan within the DCP does not specifically nominate the land as being for commercial use. However, the land is located in close proximity to tourism and commercial related assets, and addresses Albury Street which is the primary arterial road through Holbrook. The site is also at a frontage to a classified road and has a prominent corner location which is visible and accessible.

Appearance and design

Part 4.2 sets out controls in relation to appearance and design, and states the following development standards:

1. *Shopfronts are to be designed to be inviting and active at street level.*
2. *Building facades facing the street are to contribute to the 'main street' commercial character of town centres.*

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3. *Large expanse of blank or flat walls along a street frontage will be considered as incompatible with the objectives of these controls.*
4. *Car parking areas and access should be located behind the building frontage wherever possible.*
5. *Development is designed having regard to safety and where possible implements measure for Crime Prevention Through Environment Design.*

The applicant has submitted plans that show the proposed buildings and the external treatments, signage and materials. The proposed plans also show the landscaping treatments provided to the areas at the boundaries of the site.

The plans demonstrate that the proposed buildings will have an acceptable interface design which respond to the prominent corner location and in a manner that places the outlook from individual unit rooms away from the private space of neighbouring residences. South facing Stage 2 works are proposed with private balconies to the southern extent of the building, overlooking the open space. The buildings utilise a variety of materials, heights, colours and features which will assist in creating visually appealing development, particularly from primary approaches. The external faces are proposed with facade treatments including feature aluminium horizontal screens and balconies to the upper storey and prevent blank walls at the street frontage.

Car parking areas are provided totally internally to the site and are buffered from units and street front by new landscaping.

Stage 1 works are limited to the northern unit building which are setback from the southern property boundary by 22.0 metres behind the carparking area. The lawn and landscaping as proposed on plans shall serve to offset the impact of these new buildings on the public domain in the interim until Stage 2 is progressed. Stage 2 works will serve to conceal the carpark even further as landscaping becomes established. This arrangement is considered acceptable in that the initial impacts of the built form of the structures shall be softened by the generous setback and screened by landscaping from the public domain.

The proposal appears to be generally responsive to the principles of Crime Prevention Through Environment Design, with use of lighting to building exteriors, public forecourt, surveillance from reception/manager's residence, and access areas to the building.

Landscaping

Part 4.3 of the DCP refers to landscaping, and sets out the following development standards for consideration:

1. *Developments that are set back from the street frontage shall incorporate appropriate landscaping with the front setback that enhances the visual quality and character of the street.*
2. *On-site car parking areas in excess of 10 spaces are to be provided with appropriate internal landscaping.*

The proposal includes landscaping to all boundaries of the property to soften the proposal to the street and to provide additional visual interest when viewed from the surrounding area. Car parking spaces are arranged in two bays along the front of the unit building in Stage 1, and beneath the proposed unit rooms in Stage 2. However, the entire development site will also be screened by perimeter landscaping.

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The plan of landscaping which is generally responsive to the required outcomes for a proposal of this scale.

Heritage

Clause 4.4 of the DCP refers to Heritage generally and sets out the following development standards:

1. *Developments adjoining and in the vicinity of a heritage item are to be designed to complement rather than detract or dominate.*

The proposal is not located within proximity to any known European heritage items. The nearest identified heritage item is the Submarine HMAS Otway on display in the adjacent park. This item is located 150 metres away from the subject site and the development does not introduce any activity that would detract from its heritage significance.

Signage

Part 4.5 of the DCP refers to signage and states the following development standards:

1. *Signage to be kept to a minimum and appropriate for the type of commercial activity being undertaken.*
2. *Signage to be of a scale in proportion of the building (i.e. must not to dominate the building facade or street frontage).*
3. *Signage not to be a hazard for pedestrians or motorists.*
4. *Moving and/or flashing signs are to be avoided.*

The proposal includes a variety of signage as discussed above and assessed against the State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and signage.

The signage incorporates a freestanding pylon sign at the site frontage to Albury Street of the site with a height of 6.0 metres. No other business identification sign is proposed as part of the development plans. The advertising zone is 5.0m² on either side of the sign, for a total of 10m² advertising zone.

Generally, the proposed signage is acceptable for the nature of the proposal and typical of signage being applied to a motel development. Its height exceeds the proposed height to ridge of both the dwelling residence and unit building works proposed in Stage 1 however is proportional to the proposed height of the Stage 2 building.

Further, and once landscaping is established, the signage would not be considered to dominate the building facades of the property frontage and is somewhat greater in scale proportional to the overall building scale. It is out of proportion with business identification signs to other similar motel businesses operating on Albury Street.

TfNSW indicated in their response to the application that any signage proposed within the site must not impair on site lines of occupants of vehicles entering the site. The signage is proposed outside of any public pedestrian thoroughfare and thus pedestrian safety is not considered to be placed at significant risk by the sign.

Parking

Part 4.6 of the DCP relates to car parking for commercial development and has the following requirements:

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1. *Car parking is to be located to the side or rear of the development.*
2. *Car parking to be provided at the rate required in Chapter 5 of the NSW Roads & Maritime guide, shown in Table 4.1 below.*
3. *Parking spaces should be designed in accordance with Australian Standard 2890.1 and 2890.2.*
 - *Car parks adjoining public land (including a road) shall be provided with a landscape strip at the interface.*
 - *Car parking to be accessible at all times during the business hours of the premises.*
 - *Car parks to be designed to provide pedestrian connectivity and minimise conflicts between vehicles and pedestrians.*
 - *Loading facilities are to be located at the rear or side of the building and not adjacent to any residential property.*
4. *Loading and unloading facilities are to be provided in accordance with the provisions of Policies Guidelines and Procedures for Traffic Generating Development.*
5. *Loading and unloading areas are to be located separate from other vehicle manoeuvring areas, car parking areas and pedestrian movement areas.*

The development proposes a total of nineteen (19) spaces associated with the development located centrally to the development. Two of these spaces are reserved for managers' residence, and two of these spaces are nominated for accessibility parking.

The proposed parking provision is consistent with the DCP requirements relating to a 'motel' which is:
1 space for each unit + 1 space per 2 employees.

The proposal satisfies this design control as follows:

- Stage 1 includes seven (7) accommodation units which includes two (2) accessible units. A total of two (2) employees is also anticipated as per the information provided by the applicant. Therefore, the requirement under the DCP for nine (9) spaces is satisfied by the development for Stage 1.
- Stage 2 includes another ten (10) accommodation units, resulting in a total of seventeen (17) units. Therefore, the requirement under the DCP for nineteen (19) spaces is satisfied by the development.

The proposal therefore generates a theoretical demand for 19 spaces and provides a total of 19 spaces, including two disabled spaces, thus satisfying the design control.

The applicant has not included detail for any loading areas or the like for the development. It is expected that the car parking area generally has enough space to provide for the loading and unloading of goods, should delivery vehicles need to enter the site. The proposed plans do not demonstrate an ability to accommodate large or rigid vehicles and it is noted the TfNSW advice did not assess the vehicle spaces at the site for heavy vehicles. It is not expected that such large vehicles will be accessing the site.

The submitted site plans demonstrate a single area for car parking movement within the site, though these vehicles areas are separated from pedestrian walkways by sufficiently landscaped areas.

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4.15(1)(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

The following table assesses the likely impacts of the development.

ISSUE	ACCEPTABLE	COMMENT
Context & setting	✓	<p>The subject land is located within the central area of Holbrook with a frontage to Albury Street, which represents the main street of Holbrook. Land uses extending south of the site comprises 'recreational' activities, including Submarine Park inclusive of the HMAS Otway, Holbrook Submarine Museum, as well as a rest area and children's playground. Land further south along Albury Street comprises 'business' and 'retail' activities typical of a main street.</p> <p>Land located to the north and west of the site comprises largely detached single storey dwelling houses. Land to the east of the site on the opposite side of Albury Street contains the Holbrook Public School.</p> <p>The surrounding context therefore presents a mix of commercial, residential, recreational and educational activities.</p> <p>It is acknowledged that the site has interfaces to residential properties and that there is potential for amenity impacts to occur if the site is not appropriately managed. Despite this, the site is considered to be a suitable location given its corner location, frontage to a main road and a park.</p> <p>The site is located at the northern fringe of the main street of Holbrook and represents a complementary use that is permitted within the RU5 Village Zone.</p> <p>In response to the potential visual, noise and amenity impacts, the proposal has been designed to maintain a single storey building design to the northern boundary of the site, which is in keeping with the predominant residential built form. This building will be screened from adjoining neighbours by a solid dividing boundary fence.</p> <p>Similarly, the two storey element has been limited to the corner and addresses the adjacent park, rather than surrounding dwellings.</p>

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		<p>Traffic and car parking will be located centrally within the site to reduce amenity impacts and the development has been designed to address adjoining public land.</p> <p>Furthermore, the use of landscaping within the property and along the boundaries will assist in screening and softening the development from the street and sensitive interfaces.</p>
Access & parking	✓	<p>The subject land is considered to have suitable access arrangements to the site, via a new two way crossover to Albury Street. This road is a Classified “regional” Road and an approved B-Double route and the application was referred to Transport for NSW for comment.</p> <p>Upon review, this authority had no objections to the proposed development subject to the imposition of a number of conditions, which are appended to this report.</p> <p>Of note, TfNSW requires that access through the development is restricted to one-way vehicular circulation with ingress from Albury Street and egress via the laneway at the rear of the site. This shall be appropriately signposted and line marked to identify no egress directly to Albury Street.</p> <p>Internally, the proposal provides an adequate provision of car parking to accommodate the proposed uses of the site as a motel as per the DCP requirements.</p> <p>Similarly, there is adequate turn around areas on-site to ensure that vehicles can enter and exit the site in a forward direction.</p>
Utilities	✓	<p>The proposal can be serviced by all required services and capacities are adequate to accommodate the proposal.</p> <p>Council engineers have sought standard conditions relating to servicing of the site.</p>

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Heritage	✓	<p>The site is not a heritage item nor is it located within a conservation area or adjoining any other areas of heritage sensitivity.</p> <p>The closest heritage item from the site is 'Heritage Item I117 – HMS Otway (submarine display)', which is located approximately 120 metres to the south.</p> <p>Given the location of the site and nature of the works, the development will not adversely affect the significance of this local item.</p>
Stormwater	✓	<p>The proposal will comprise additional hardstand and roof catchments to site and will therefore increase surface runoff from the property. The applicant proposes to collect all surface runoff and convey this to several internal drainage pits, which will discharge and connect into the adjacent Legal Point of Drainage in the Council road reserve.</p>
Soils & erosion	✓	<p>Construction works on the property will need to be managed for erosion given the earthworks necessary for the proposal. Temporary erosion control and silt fencing and the like will be required during construction phase to prevent and sediment run-off or erosion.</p> <p>Any works associated with the construction should be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i>. This will require the implementation of erosion control measures to prevent the transport of sediment in stormwater away from disturbed areas.</p>
Flora & fauna	✓	<p>The development will require the removal of all existing trees on-site. The removal of these trees will not have an adverse biodiversity impact as they are all planted and non-native.</p> <p>Notwithstanding, a landscape plan has been prepared as part of the development, which proposes to establish new landscaped areas internally and around the perimeter of the site, which will have both a positive biodiversity and amenity impact.</p>

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Flooding	✓	The subject land is not subject to flooding impacts on any mapping of Council. Localised flooding can be accommodated by appropriately design stormwater provisions for the property, which will be required via a condition of consent.
Bushfire	✓	The subject land is not bushfire prone.
Technological hazards	N/A	None.
Safety, security & crime prevention	✓	The development is not expected to create safety, security or crime concerns as the development will include standard safety and security measures such as locks and alarms. The site will also be manned by a manager's residence to ensure that guests are behaving appropriately.
Privacy	✓	The proposal will not create privacy or overlooking issues as the development has been designed to limit the two storey elements of the development to the southern boundary, which will be setback 22 metres from the northern boundary and screened by the Stage 1 Units (1-7). To further avoid privacy concerns, the two storey units include south facing balconies, which will overlook the adjoining park to the south rather than residential neighbours to the north and west. Furthermore, the development includes no first floor windows in the western elevation, which will ensure that privacy is maintained for the dwelling to the west.
Landscaping	✓	The proposal will involve provision of new landscaping internally and around the perimeter of the site, which will visually soften and screen the appearance of the development and be in keeping with the surrounding residential garden setting of the area.

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Overshadowing	✓	<p>The proposal is not expected to have any overshadowing impacts.</p> <p>It is noted that the proposed two storey motel units are located within the southern portion of the site and therefore any overshadowing will be limited to the adjoining Prospect Street to the south and unmade laneway to the west.</p>
Land resources	N/A	None
Waste	✓	<p>Wastes will be collected and appropriately disposed of during both demolition and construction works.</p> <p>Similarly, wastes generated ongoing from the use of the site as a motel will be disposed of within outside secured bins next to the service yard adjacent to the laneway. These wastes will be periodically collected by a contractor.</p>
Noise	✓	<p>The development will generate noise during both demolition and construction works, however the hours of work will be limited via conditions of development consent and will only occur for a finite period.</p> <p>Similarly, noise from the ongoing use of the site will also be appropriately managed as the access driveway and car parking areas are centrally located within the site. Furthermore, all external air conditioning units will be located centrally within the site or towards the southern boundary away from existing residents.</p> <p>As outlined above, the site will be managed by a manager/caretaker, which will ensure that guests do not generate excessive levels of noise.</p> <p>A standard condition will also be included requiring that the development does not adversely affect the residential amenity of surrounding properties.</p>

4.15(1)(c) The suitability of the site for the development.

The proposed development involves establishing a new accommodation development on an existing residential property within the central urban area of Holbrook. The property has direct access to Albury Street, being a major transport corridor through the town and accessible at either end to the Hume Freeway.

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The site is located at the edge of the residential area as identified on the Structure Plan in the DCP and SLUP, however has its interface to the 'open space' area that is largely centred on the Holbrook Submarine Park precinct. The site is also 250m north of the commercial centre of town along Albury Street and has its immediate frontages to streets which are considered to be in the primary urban centre.

The subject site is considered appropriate in the instance as it is in a location which has a strong relationship with the surrounding tourism and commercial precincts of Holbrook and is highly visible and accessible from the main road network through Holbrook. The site itself is of appropriate proportions to accommodate the development envisaged, and demonstrates a scale which transitions appropriately to the adjacent residential properties. It is noted that the higher portions of the building are positioned to the south of the site addressing Prospect Street.

4.15(1) (d) Any submissions made in accordance with this Act or the regulations.

The application was notified in accordance with the Greater Hume Shire Notification Policy. During the notification period, Council received a total of 36 submissions objecting to the proposal.

A summary of the various matters raised in the submissions is provided earlier within this report. The following section provides a detailed response to the matters raised within the submissions.

Traffic and parking

The majority of submissions refer to concerns regarding traffic and parking impacts generally from the development. Submissions outlined concern that the proposed plans do not include enough car parking space within the site, and that towed vehicles and visitor parking will spillover onto the street. As described above, the proposal has been assessed to comply with the Greater Hume DCP 2013 Chapter 4 – Commercial Development controls, 4.6 Parking in relation to the provision of car parking spaces and the arrangement of parking provisions on the subject site.

The requirement under the DCP for nineteen (19) spaces is satisfied by the development. In the case that a visitor requires additional parking for large or towed vehicles, it would appear that provision could be made for this to occur either in the Albury Street road reserve or at Prospect Street. It is not anticipated that the majority of visitors would require on-street parking and that the surrounding road network is capable of accommodating ad-hoc on-street parking.

Submissions raised concerns that the proposed 50% occupancy rate, suggested by the applicant, and that this is under-estimated, therefore leading to likely increased parking and traffic loads on the surrounding area. The SEE appears to suggest that the 50% occupancy rate is an 'average' rate that would be expected for a motel. However, it is noted that the NSW Tourist Accommodation Snapshot (March 2024) prepared by Destination NSW notes that the state average for occupancy rates in Regional NSW is 66%.

Albury Street also provides the main road through the Holbrook township, and remains a classified road under TfNSW control. The applicant notes that the development of this scale would typically be expected to generate 50 vehicle movements, however based on an average occupancy rate of 50%, the movements are expected to be 25 per day. The most likely range of traffic movements would therefore be expected to fall between 25 to 50 movements per day. This is not considered to be an unreasonable rate of traffic volume, given Albury Street is a classified road which has the capacity to carry a greater volume of traffic.

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Comments have been received from Transport for NSW who have confirmed no objection to the proposal subject to conditions. However, TfNSW sought to impose a condition on the proposal that restricts direct access from the site at Albury Street to be 'ingress' only and that all egress is made to Prospect Street via the rear laneway. If approved, the applicant will be required to provide revised plans demonstrating this arrangement can be provided and that appropriate crossovers and surface treatments are delivered.

Council's engineers have raised no concerns with the proposed access arrangement or the potential impacts on the existing road conditions at Albury Street.

Infrastructure and drainage

Submissions have raised concern regarding the ability for the site to obtain appropriate service connection and potential impacts on stormwater infrastructure due to increased development of the land.

The proposed development will increase hardstand surfaces through the development of car parking and other hardstand surfaces. The submitted plans indicate that the proposal will utilise best practice design principles in relation to servicing and drainage, ensuring that appropriate flows, including in localised inundation, can be accommodated from the site. New constructed stormwater drainage is proposed on the accompanying development plans within the proposed development site which will be appropriately sized to collect and convey stormwater runoff from roof and hardstand collection and conveyed to the existing Council reticulated stormwater system. The design of the internal stormwater drainage system ensures avoidance of inundation at the lower end of Prospect Street.

The proposed development will increase demand on potable water supplies, however Riverina Water has provided standard conditions of consent for new service connections to be established for the development.

Amenity & Privacy

Community submissions anticipated that amenity impacts would occur due to increased vehicle movements to the site. Concerns have also been raised in relation to privacy and security risks of inviting a transient population staying temporarily at the venue.

As stated in relation to traffic impacts, the application identifies that based on the likely expected 'average' occupancy, the site will generate approximately 25 vehicle movements per day. The nature of daily motel check in and check out periods means that it would be expected that the majority of these movements would occur during peak 'check in' and 'check out' times, which are during business hours. It would be anticipated that movements of vehicles outside of the peak hours would be limited, and therefore unlikely to generate significant amenity impacts during sensitive hours.

It is not unusual for a motel to operate on a 24 hour period, however it would be expected that operators would incorporate a range of management arrangements, including hours of operation and encouraging check in times and procedures. Recognising the surrounding neighbouring context, it is considered reasonable to seek appropriate management conditions be prepared and imposed for operations.

The proposed development also appears to create an appropriate separation to adjoining properties, by having a solid wall interfacing the northern and western boundaries, as well as suitable boundary fencing. It is considered that the design therefore effectively screens and separates the use from adjoining residential properties.

Overlooking

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In relation to overlooking concerns, the site layout and building arrangement is considered to prevent overlooking to any neighbouring properties.

The buildings comprising 'Stage 1' are proposed to immediately abut the property boundary to the neighbouring residential dwelling at 167 Albury Street to the north, however it does not include any windows to this common boundary. Likewise, the 'Stage 2' buildings are set back a larger distance that prevent direct overlooking to the northern properties.

Light and Illumination

Submissions have also raised concerns regarding impact of illuminated signage and lighting to internal walkway spaces creating unreasonable impacts on neighbouring properties.

The applicant has not provided detail on the plan related to the layout of lighting on the proposed build in or within carpark, nor has a light impact assessment assessing the radiant lux level of the proposed lighting on the site been undertaken or provided in support of the application.

Concerns relating to illuminated signage specifically identify potential for the sign to cast light toward the property to the north. The proposed signage is setback from the northern boundary by 22m and is understood to be internally illuminated. It is expected that the internally illuminated sign would not cast unreasonable lighting impacts on adjoining properties.

If approved, it is considered appropriate that further conditions be imposed limiting the intensity of lighting and requiring light to be directed away from neighbouring residential properties. A condition of consent will require any development to include a detailed lighting plan that demonstrates increased levels of lighting will not be experienced on adjoining properties.

Security

The security of properties and residents in the surrounding areas is a concern raised in many of the community submissions.

The nature of the proposed development is not a type that would typically indicate an increased security risk. The proposal is a permissible use in the RU5 zone, and is a type of accommodation that is consistent with the broad objectives of the zone. It is considered that the property is capable of being appropriately managed and not likely to directly exacerbate security risks.

Noise Impacts

A number of submissions raised concern regarding potential noise impacts from the operation of the site. Primary concern is expressed in relation to noise from vehicle movements within the site and other mechanical equipment such as pool pumps, air conditioning units and the like.

The applicant has not provided an Acoustic Assessment in support of the proposal.

Potential for operation of the development to generate unreasonable noise to neighbouring properties is a valid concern. The nature of the proposed use is not that of a 'noise generating use' whereby Council would expect significant noise impacts.

In this instance it would be expected that traffic movements would not generate noise over and above what may already be expected to occur along Albury Street, recognising this a classified road. Excessive noise from patrons accommodated at the premises will be managed by the onsite managers and police. Appropriate conditions of consent can also be applied in relation to management of patrons and avoiding excessive noise from activities on site.

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Noise generated from mechanical equipment and other on-site elements can also be managed by way of appropriate positioning during construction and use of acoustic treatments if deemed necessary. It is recommended that appropriate conditions of consent be imposed to limit to any external noise sources to be within appropriate thresholds of the EPA noise criteria. Council will require the applicant to provide evidence that the noise generated by the proposed development will not cause amenity impacts to surrounding dwellings.

Context and character

Several submissions outlined concerns that the proposed design of the building is out of character with the historic nature of residential properties in the area.

The character of the surrounding area is varied, with the site being at the corner of a residential street block, having frontage to a classified road and opposite a large open space and tourist precinct. It is also some 250 metres from the commercial centre of Holbrook, identified as being south of Wallace Street.

The northern portion of the site appears as a single storey building, inclusive of a residential dwelling at the street frontage. The southern portion of the site is two storeys, however is placed at the corner and addresses the park and submarine precinct, rather than surrounding dwellings.

In relation to potential heritage values, neither the site nor any of the surrounding area is a heritage item or heritage conservation area. There is no recognised heritage character for the area that needs to be considered.

Council does not consider that there is a dominant character for the area surrounding the property, although it is acknowledged that the land further north along Albury Street is predominantly residential, as opposed to the more mixed character and variety of development to the south.

As considered within this report, it is acknowledged that the site has interfaces to residential properties and that there is potential for amenity impacts to occur if the site is not appropriately managed. Despite this, the site is a suitable location given its corner location, frontage to a main road and a park.

The development is not considered to be incompatible with the surrounding character, which is predominantly single storey in height, with varied land uses.

Suitability of the site

Submissions received raise concern that the proposal will undermine the need for greater local housing and rental options for the local community by removing the existing dwelling and thereby reducing the availability of housing stock.

The need for additional housing in Greater Hume is recognised as a significant issue, however the demolition of a single dwelling and replacement with a motel development is not considered to undermine the housing opportunities for Holbrook.

The Greater Hume in its Local Strategic Planning Statement (LSPS) addresses the supply of housing to the Holbrook township and sets out a number of planning priorities for the development of its towns and villages. The LSPS highlights that Holbrook has limited housing variety in relation to other towns within the Shire, however also identifies that the issue is exacerbated by a lack of diverse housing. The replacement of a multi-unit motel accommodation building is considered to provide a net benefit by increasing short term housing options that may be available in Holbrook.

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Alternative locations

A number of submissions raised concerns in relation to the suitability of the subject site, and that alternative locations would be more appropriate.

Similar to comments made above, the proposed site is considered suitable for the establishment of a motel development given its urban location and context. It is considered that the site layout and management plan of the operators, as well as conditions applied by the recommended conditions of consent will be sufficient to avoid adverse amenity impact. Council cannot consider or recommend alternative locations and must determine the application based on the suitability, or otherwise, of the subject site.

4.15(1)(e) The public interest.

The public interest is a broad consideration relating to many issues and is not limited to any one particular issue.

In this instance, there is an overall public benefit from the proposal as it will provide for new accommodation facilities that will enhance availability for visitors to Holbrook and Greater Hume generally, with direct and indirect support for the local economy. The impacts of the proposal on the environment in general, and on adjoining properties, has been considered and addressed, and the proposal is capable of being appropriately managed to prevent any adverse impacts.

Having regard to the issues raised and discussed in this report, it is considered that the proposal is not contrary to the public interest.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

In making a decision as the consent authority under the EP&A Act, Council can:

1. approve the application, subject to conditions;
2. defer the application for further information or redesign; or
3. refuse the application.

After considering the requirements of Section 4.15(1) of the EP&A Act, the proposal is recommended for approval subject to the following conditions.

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RECOMMENDATIONS

That application DA 10.2024.60.1 for a motel and managers residence and associated infrastructure on land described as Lot 1 DP 301684 be **approved subject to the following conditions:**

Part A – GENERAL CONDITIONS

1. Industrial/Commercial - Compliance with Plans and Conditions

Development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the development application receipted and subject to the following conditions. All conditions of consent must be fulfilled at the expense of the applicant.

The development must comply with the definition of ***hotel or motel accommodation*** as outlined within the Greater Hume Local Environmental Plan (GHLEP) 2012. Under the GHLEP 2012:

hotel or motel accommodation means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that—

- (a) *comprises rooms or self-contained suites, and*
- (b) *may provide meals to guests or the general public and facilities for the parking of guests' vehicles, but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation..*

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Industrial/Commercial - Transport for NSW (TfNSW) Conditions of Consent

The applicant must comply with the relevant conditions outlined in the TfNSW correspondence dated 24 June 2024, which are attached and form part of this consent.

Reason: To ensure compliance with TfNSW requirements.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

3. Industrial/Commercial - Section 7.12 and Section 64 Contributions Charges

The payment of Section 7.12 Levy Development Contributions and Section 64 sewerage headworks charges are applicable and must be paid to Council prior to the release of the Construction Certificate. The fees are charged and calculated in accordance with Council's Adopted Fees and Charges Policy at the time the payment is made with Council. See below:

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Contribution Type	\$ Value / ET
Section 7.12 charges are 1% of the cost of the development	\$ 22764.00 (As per 2022/2023 Fees & Charges Schedule)
Section 64 Contributions charges for sewer	Stage 1 – 2.9 ET Stage 2 – 4.5 ET

Reason: To comply with Council’s Development Contribution policies. ALL - Payment of Long Service Levy

Prior to the issue of a Construction Certificate any Long Service Levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) must be paid and a receipt of the payment submitted to Council).

Reason: To comply with the Building and Construction Industry Long Service Payments Act 1986.

4. ALL - Riverina Water Approval

Riverina water must be contacted regarding **potable water approval, meter connection** and **construction of the exit road in the rear laneway**. The applicant is advised to make an early Application, as there may be water pipes to be built that can take some time.

To comply with the relevant provisions outlined in the [Local Government Act 1993](#).

5. ALL - Section 68 Application

An application under Section 68 of the [Local Government Act 1993](#) must be lodged with Council via the [NSW Planning Portal](#) (**application fees apply**) and approved prior to the following works commencing on the site:

- b. To carry out sewerage work and stormwater drainage work in accordance with **Part B** of Section 68 of the [Local Government Act 1993](#).

Once the Section 68 approval has been granted, before any sanitary plumbing and drainage work or water supply work (up to the point of connection) is commenced, a Notice of Work (NoW) must be submitted to Council 48 hours **prior to works commencing**.

Reason: To comply with the [Local Government Act 1993](#) and to ensure the installation of plumbing and drainage work is in accordance with Australian Standards and the [Plumbing Code of Australia](#).

6. Industrial/Commercial - Amended Vehicular Maneuverability Plan

An amended vehicular maneuverability plan is to be submitted to and approved by Council. The plan is to include the following:

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Once Council has approved the plan(s) it will form a part of this development consent.

Reason: To ensure the development is carried out as assessed and to protect the amenity of the local area.

7. Industrial/Commercial - Liquid Trade Waste Agreement

Liquid Trade Waste Agreement must be concluded with Council prior to the issue of a Construction Certificate for development.

Note: a fee on application submission will apply.

Reason: To ensure compliance with Greater Hume Council Liquid Trade Waste Regulation Policy.

8. ALL – Upgrading of Laneway

The laneway located behind the allotment shall be upgraded to Council's Road specifications from the development site's north boundary to Prospect Street to service the development, at full cost to the person having the benefit of this consent. Detailed plans for the upgrade, including location of stormwater drainage, must be submitted to Council's Manager of Traffic & Infrastructure and approved prior to the issuance of the Construction Certificate.

Reason: To ensure that the development is carried out as assessed and to comply with the Council Engineering Department's requirements.

9. Industrial/Commercial - Transport for NSW (TfNSW) Conditions of Consent

The applicant must comply with the relevant conditions outlined in the TfNSW correspondence dated 24 June 2024, which are attached and form part of this consent.

Reason: To ensure compliance with TfNSW requirements.

PART C – BEFORE BUILDING WORK COMMENCES

10. ALL - Construction Certificate

An application for a Construction Certificate must be **submitted to and approved by a nominated Certifier** prior to any building works taking place on the subject site. The application for Construction Certificate must be lodged via the [NSW Planning Portal](#).

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

11. ALL - Appointment of a Principal Certifier

In accordance with Section 6.6 (1) and (2) (a) of the Environmental Planning and Assessment Act 1979, prior to the commencement of any works the person having benefit of the development consent must:

- a. appoint a Principal Certifier,
- b. notify Council of the appointment; and

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- c. a notice of commencement is to be provided to Council not less than two (2) days from the date on which it is proposed to commence work associated with this Development Consent.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

12. Industrial/Commercial - Vehicular Crossover/ Road Opening Permit

New heavy industrial type driveway crossovers onto Albury Street and lane way located to the west and east are to be constructed to Council specifications. All works associated with the vehicle crossover shall be inspected by Council's Engineering Department prior to any pouring of concrete. A Road Opening Permit will only be issued upon completion of "Road Opening Permit Application" and payment of the fee applicable.

Reason: To comply with the [Roads Act 1993](#).

13. ALL - Erosion and Sedimentation Controls

Erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with the NSW Department of Environment and Conservation "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the [Protection of the Environment Operations Act 1997](#).

14. ALL - Temporary Water Closet

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

Reason: To ensure suitable facilities are provided for workers during construction and to comply with requirements for Work Health and Safety on worksites.

15. Demolition - Notice of Commencement For Demolition

At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing.

Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries

16. Industrial/Commercial - Transport for NSW (TfNSW) Conditions of Consent

The applicant must comply with the relevant conditions outlined in the TfNSW correspondence dated 24 June 2024, which are attached and form part of this consent.

Reason: To ensure compliance with TfNSW requirements.

PART D – DURING BUILDING WORK

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17. ALL - Construction - Hours of Work

All construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- a. Mondays to Fridays, 7.00am to 6.00pm
- b. Saturdays, 8.00am to 1.00pm
- c. No work is permitted on Sundays and Public Holidays.

Construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties is to be restricted to the above hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.

Reason: To protect the amenity of the area and to comply with the Environmental Protection and Operation Act 1997.

18. ALL - Noise, Vibration and Dust Management Requirements

The applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq above the background noise level when

measured at the boundaries of the premises. The provisions of the [Protection of the Environment Operations Act 1997](#) apply to the development, in terms of regulating offensive noise.

Reason: To protect the amenity of the neighbourhood during construction.

19. ALL - Vehicles During Construction

Vehicles must be clean and free of debris prior to leaving the site. Deposited material may be ordered to be removed at the applicant/operator's expense.

Reason: To ensure sediment is not trafficked onto Council's road network.

20. ALL - Aboriginal Objects Discovered During Work

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au. Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the [National Parks and Wildlife Act 1974](#).

Reason: To protect Aboriginal heritage and to ensure compliance with the [National Parks and Wildlife Act 1974](#).

21. Industrial/Commercial - Transport for NSW (TfNSW) Conditions of Consent

The applicant must comply with the relevant conditions outlined in the TfNSW correspondence dated 24 June 2024, which are attached and form part of this consent.

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Reason: To ensure compliance with TfNSW requirements.

22. Industrial/Commercial - Construction Site Management

While works are being carried out:

- a) The approved 'Construction Management Plan' by Council and as outlined in the TfNSW Correspondence must be implemented and maintained until the completion of the work.
- b) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of waste.
- c) Building materials and equipment must be stored wholly within the site. No building materials, sand, waste materials, construction equipment, bulk bins, waste skips, containers, or other items which may cause a hazard to pedestrians are to be placed on roadway or the nature strip while building works are being carried out.

Reason: To comply with the [Protection of the Environment Operations Act 1997](#) and to preserve the environmental health and amenity of the adjoining area.

23. Demolition

- a) Any essential service (e.g. water supply, sewer, gas, electricity, stormwater) must be appropriately disconnected/capped from the structure being demolished or removed in accordance with the requirements of the relevant authority.
- b) Demolition must be carried out in accordance with the provisions of AS 2601-2001 – *Demolition of Structures*.
- c) All works removing more than 10 square metres of non-friable asbestos or asbestos containing materials (ACM) must be carried out by a suitably licensed *asbestos* removalist duly licensed with SafeWorkNSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies. All work must comply with the [Work Health and Safety Regulation 2017](#).
A copy of the relevant licence shall be made available to any authorised Council officer on request within 24 hours.

Clearance Certificate: Upon completion of the demolition/asbestos removal works a duly qualified person is to confirm the site as being free from contamination and determined suitable for future use. This must be to the satisfaction of Council.

Note: Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from NSW EPA.

- d) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
- e) No material is to be burnt onsite.

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Reason: To ensure demolition is carried out in a safe manner and complies with the relevant Australian Standard as well as the requirements of SafeWorkNSW and NSW EPA.

24. Replacement of manhole.

Manhole B21 shall require the lid and surround replaced with a Class D trafficable 'gatic' lid. The lid height shall be adjusted to be flush with the finished surface level of the laneway

Reason: To ensure that the development is carried out as assessed and to comply with the Council Engineering Department's requirements

25. ALL - All Work to be Carried Out by a Licensed Plumber and Drainer

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500-2015 and the *Local Government Act 1993* and *Local Government (General) Regulations, 2021*, the *Plumbing & Drainage Act 2011* and *Plumbing & Drainage Regulations 2017*.

Reason: To comply with the relevant provisions outlined in the Local Government Act 1993 and the Plumbing & Drainage Act 2011.

26. Structures - Advertising

The advertising structures must be designed and installed in consideration of wind loads applicable to the locality and determined in accordance with *Australian Standard 1170.2-2011*. A copy of the structural design must be lodged with the Principal Certifier.

Reason: To maintain the structural integrity of the advertising structure.

27. Soil Contamination - Unexpected Finds

A suitable soil chemical analysis and investigation report is required **IF ANY EVIDENCE OF CONTAMINATION** on the subject site is found during works. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

Reason: To ensure the subject site is not contaminated.

28. Driveway - Redundant Driveway Removal

The old driveway crossover (fronting 165 Albury Street, Holbrook) to be reinstated back to kerb & gutter, matching existing footpath levels into new kerb & gutter construction. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. This work must be carried out at the developer's expense, including all alterations of public infrastructure where necessary.

Reason: To comply with the [Roads Act 1993](#).

29. Industrial/Commercial - Transport for NSW (TfNSW) Conditions of Consent

The applicant must comply with the relevant conditions outlined in the TfNSW correspondence dated 24 June 2024, which are attached and form part of this consent.

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Reason: To ensure compliance with TfNSW requirements.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

30. ALL - Occupation Certificate

The applicant must not allow or permit the building to be occupied or used, until:

- a) All conditions of this consent have been completed in full;
- b) An application for an Occupation Certificate has been completed and lodged with the Principal Certifier via the [NSW Planning Portal](#); and
- c) The Principal Certifier has issued an Occupation Certificate.

Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

31. Transport for NSW (TfNSW) Conditions of Consent

Prior to the release of the Occupation Certificate, the Applicant must provide evidence to Council and the Principal Certifier outlining how each condition listed in the TfNSW correspondence dated 24 June 2024 has been complied with.

Reason: To ensure TfNSW requirements are met.

32. Industrial/Commercial - Completion of Landscaping

All landscape works must be constructed in accordance with the stamped approved plan '(Site Landscaping Plan; Revision A 29/05/2024; Sheet A02; Job No 7633 79; Drawn by Rob Pickett Design)'. Landscaping must be maintained;

- In accordance with the approved plan,
- in a healthy state; And
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising landscaping dies or is removed, it must be replaced with vegetation of the same species and the same maturity, as the vegetation which died or was removed.

Reason: To ensure the site is appropriately landscaped and to comply with the Greater Hume Development Control Plan 2013.

33. Industrial/Commercial - Car Parking Facility

All areas set aside for access and vehicle parking on the approved plans together with turning area, must be constructed, line marked, signposted.

The off-street parking facility gradients, levels, internal dimensions are to comply with Australian Standards AS2890.1:2004 'Parking facilities: Off-street parking facilities', AS2890.2:2018 'Parking facilities: Off-street commercial vehicle facilities'.

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This included;

- a) Surfaced with an impervious all-weather seal coat;
- b) Drained in accordance with an approved stormwater drainage plan;
- c) Properly illuminated with lighting designed, baffled and located to prevent any adverse effect on adjoining land;
- d) Provision of traffic control signage or structures as required;
- e) All spaces must be appropriately line-marked and labelled;
- f) Directional signage to be installed on the western boundary (off Albury St.) showing 'Entry Only', and another sign to be placed on the laneway side of allotment showing 'Exist Only'.

Details demonstrating compliance are to be submitted to the Certifier and Council prior to the issue of the Occupation Certificate

Reason: To ensure there is principal car parking on the site.

34. Industrial/Commercial - Private Waste Collection Service.

Prior to the issue of an Occupation Certificate, the developer/owner must provide evidence to the Principal Certifier of a formal agreement with a licenced private waste contractor to service the development. A copy of the contract must also be forwarded to Council.

The agreement must ensure:

- a) the removal of all waste from the developed property.
- b) the service is functional and meets the operational requirements for the developed property.
- c) the service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public.

Reason: To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises.

35. ALL - Plumbing Works Final

The building shall not be occupied or used until such time Council have issued a Plumbing Final letter confirming that all works have been completed to the satisfaction of Council.

NB. This letter is in addition to the final inspection report.

Reason: To comply with the relevant provisions outlined in the [Local Government Act 1993](#).

36. ALL - Certificate of Compliance from Riverina Water

Prior to the issue of a final plumbing letter, a certificate of compliance from Riverina water for all plumbing works regarding potable water is to be submitted to Council.

Reason: To comply with the relevant provisions outlined in the [Local Government Act 1993](#).

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37. Industrial/Commercial- Street Address Number

Prior to the issue of an Occupation Certificate, the relevant number shall be displayed in a prominent location at the front of the property in the interest of public safety and the delivery of goods, parcels and emergency services.

Reason: To ensure the development is appropriately identified.

38. Additional Safety Measures

Prior to the issue of the Occupation Certificate, the following must be installed at applicant's cost and an inspection is to be organised with Councils Manager Traffic & Infrastructure on 0260360100 to confirm compliance with this requirement:

1. Holding lines to be marked along Prospect Street at the intersection of laneway;
2. Convex road safety mirror to be installed on the laneway to Council Road Safety Specifications.

Reason: To ensure that the development is carried out as assessed and to comply with the Council Engineering Department's requirements.

39. ALL - Repair of Public Infrastructure

Any damage or deterioration to any Council property including road reserves, or removal of any existing street trees, must be reinstated to its original condition to the satisfaction of Council and at no cost to Council.

Reason: To ensure any damage to Council infrastructure is rectified.

PART F – OCCUPATION AND ONGOING USE

40. Industrial/Commercial - Submission of an Annual Fire Safety Statement

The owner of any building in which fire safety measures are installed, must cause the Council to be given an annual fire safety statement, within 12 months after the last such statement or final fire safety certificate was issued.

The certificate shall certify:

- a. that each essential fire safety measure has been assessed by an accredited practitioner (fire safety) and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule.
- b. The building has been inspected by an accredited practitioner (fire safety) and was found when it was inspected to be in a condition that did not disclose any grounds for prosecution under Part 15 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

NOTES:

1. *As soon as practicable after an annual fire safety statement is issued, the owner of the building to which it relates;*

(i) Must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and

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(ii) *Must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.*

2.A "fire safety measure" means a measure, including an item of equipment, form of construction or fire safety strategy, that is, or is proposed to be, implemented in a building to ensure the safety of persons using the building if there is a fire.

Reason: To comply with the [Environmental Planning and Assessment \(Development Certification and Fire Safety\) Regulation 2021](#).

ALL –

41. Works Adjacent to Boundaries

- a) The Applicant must ensure the structure (s) form part of this consent does not encroach on the adjoining properties..
- b) No advertising structure(s) of any standard will be permitted to be displayed within (or overhang onto) the road reserve area(s). Note: This area also includes the footpath reserve area.

NOTE: *Rectification work may be necessary if the building is found to encroach on the adjoining property.*

Reason: To ensure that the development does not encroach.

42. Industrial/Commercial - Noise Control

- a) The emission of noise or vibration associated with the use of the premises including the operation of any mechanical plant and equipment must comply with all standards outlined in the [Noise Policy for Industry 2017](#) (NSW EPA) & [A Guide to the Noise Policy for Industry](#) (NSW EPA).

In the event the use exceeds permitted levels, the person in control of the premises must arrange for an acoustic investigation to be carried out by an accredited acoustic engineer and implement those measures to reduce noise to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

- b) No external sound amplification equipment or loudspeakers are to be used for the purposes of announcement, broadcast, playing of music, ringing of telephones or similar purpose.

Reason: To ensure the safe operation of the premises and to protect the amenity of adjoining premises and the surrounding area.

43. Industrial/Commercial - Vehicle Maneuverability, Loading and Unloading

- a) All loading and unloading associated with the development must be carried out within the site and must not obstruct other properties or adjacent roadways.
- b) All vehicles must enter and exit the site in a forward direction.

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Reason: To ensure such operations do not interfere with use of the adjoining roadway and/or footpath.

44. Industrial/Commercial - Hours of Operation

The hours of operation are as follows for the each component as approved under this consent:
The hours of operation for the business are:

- a) Mondays to Sundays, 12.00am to 12.00pm;

Reason: To ensure the development is carried out as assessed.

45. Industrial/Commercial - External Lighting

All external lighting shall be LED type with shielding and louvers which generally direct light in a downward direction to minimise light spill from the site. Any lighting installed shall comply with Australian Standard AS4282-1997 “*Control of the obtrusive effects of outdoor lighting*”.

Reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area

46. Patron Behaviour

The Management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, Management is responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner.

Reason: To protect the amenity of the local area

47. Industrial/Commercial - Stormwater – Management of Overland Flow

The works associated with the development shall ensure that:

- a) water flowing from the property must not be redirected or concentrated to adjoining properties;
- b) all natural water flow from adjoining properties is not impeded or diverted; and
- c) surface and subsurface water flows are not redirected or concentrated onto adjoining properties.

Reason: To ensure stormwater is adequately and appropriately disposed of from the building.

48. Industrial/Commercial - Site Maintenance

The owner or operator must at all times be responsible for on-going site management and maintenance in accordance with the following;

- a) Loading and unloading in relation to the use of the premises must occur in the designated loading areas.

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- b) Goods or machinery must be stored, and all activities must occur, inside the building(s) and not in the carpark or driveway areas.
- c) Maintenance and replacement (if necessary) of all landscaping in accordance with the approved landscape plan.
- d) Maintenance of vehicular movement areas including driveways, car parking, manoeuvring areas, line marking, lighting, to the standard specified by this consent.
- e) Waste bins are not to be stored within the loading area/space that is visible from a public place.
- f) Maintenance of stormwater drainage pipes and systems to ensure efficient discharge of stormwater in accordance with the approved stormwater drainage plan.
- g) Maintenance of buildings, fencing, signage/markings to the standards specified in this consent.
- h) The removal of all graffiti within a maximum of 14 days of being notified by Council.

Note: The Applicant must notify, at the earliest opportunity, Greater Hume Council of any incident which has caused, or threatens to cause, material harm to the environment. The Applicant must provide Greater Hume Council with a detailed report on the incident, and such further reports as may be requested.

Reason: To protect the amenity of the local area

49. Structures - Advertising

The approved Business Identification Sign must be maintained to an acceptable level. If any deterioration of the development becomes noticeable, the Business Identification signs must be replaced or removed as soon as possible to ensure the visual amenity of the area is maintained.

Reason: To maintain the visual amenity of the adjoining area.

ALL - ADVICE TO APPLICANT

- a. It is the applicant's responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). Note: Compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.
- b. The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the applicant and owner/builder to ensure private covenants are adhered to.

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- c. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
- d. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

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3. DEVELOPMENT APPLICATION 10.2024.74.1 – DWELLING HOUSE - CONSTRUCTION OF A SINGLE STOREY DWELLING INCLUDING ATTACHED GARAGE – Lot 163 DP 753342 AT 84 GRANITE HILL ROAD JINDERA NSW 2642.

Report prepared by Town Planner – Gayan Wickramasinghe.

REASON FOR REPORT

The purpose of this report is to provide an assessment and recommendation regarding the Development Application (DA) for a 'Dwelling House - Construction of a single-storey dwelling, including attached garage' on Lot 163 DP 753342 at 84 Granite Hill Road, Jindera NSW 264.

The subject site is located on the northern outskirts of the township of Jindera, approximately 1.6 km from the Jindera Township. Land adjoining to the north, east, and south is rural, used for grazing and cropping, while Urana Road lies to the west. The site is currently zoned RU1 Primary Production under the provisions of the Greater Hume Local Environmental Plan (GHLEP) 2012. Specifically, Section 4.2A(3)(a) of the GHLEP 2012 states that '*consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies*' (i.e., RU1 Primary Production), '*and on which no dwelling house or dual occupancy has been erected, unless the land is a lot that is at least the minimum lot size shown on the [Lot Size Map](#) in relation to that land.*'

Upon review of the "Lot Size Map" applicable to the site, Council staff noted that the minimum lot size required to erect a dwelling is 100 ha. Council's GIS System indicates that the above development site has a total area of approximately 16.12 ha, and as a result, the applicant is unable to erect a dwelling on this site.

It is noted that Section 4.2A(3)(a) is considered a development standard. As such, the applicant has proposed to vary this standard by utilising Section 4.6 of the GHLEP 2012 in order to erect a dwelling.

Of note, the term '**Development Standards**' is defined in the *EP&A Act*. As per the Act:

"development standards means provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of—

- (a) **the area, shape or frontage of any land, the dimensions of any land, buildings or works, or the distance of any land, building or work from any specified point,**
- (b) *the proportion or percentage of the area of a site which a building or work may occupy,*
- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*
- (d) *the cubic content or floor space of a building,*
- (e) *the intensity or density of the use of any land, building or work,*
- (f) *the provision of public access, open space, landscaped space, tree planting or other treatment for the conservation, protection or enhancement of the environment,*
- (g) *the provision of facilities for the standing, movement, parking, servicing, manoeuvring, loading or unloading of vehicles,*

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- (h) the volume, nature and type of traffic generated by the development,*
- (i) road patterns,*
- (j) drainage,*
- (k) the carrying out of earthworks,*
- (l) the effects of development on patterns of wind, sunlight, daylight or shadows,*
- (m) the provision of services, facilities and amenities demanded by development,*
- (n) the emission of pollution and means for its prevention or control or mitigation, and*
- (o) such other matters as may be prescribed.”*

Consequently, the applicant has sought a Section 4.6 variation under the GHLEP 2012, as required. Given that the development site has an approximate area of 16.21 ha, it is noted that the variation sought represents approximately 83.79% of the standard.

The "Guide to Varying Development Standards" and associated practice notes dated November 2023 issued by the Department of Planning and Environment (DPE) state that if a Development Application (DA) is lodged after 1 November 2023 and proposes a variation greater than 10%, the elected Council must determine the DA.

Accordingly, this matter is reported to the Council for determination.

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION - DESCRIPTION OF PROPOSAL

The proposed development involves the erection of a single-storey dwelling with a maximum length of 19.02 metres and a maximum width of 12.41 metres. The dwelling will contain three bedrooms, living room, dining room, an outdoor dining area, kitchen, laundry, a study and an attached double garage. According to the submitted plans, the dwelling will have a total footprint of approximately 170.62 m², and the garage will have a footprint of approximately 39.6 m². The height of the building to the eaves is approximately 2.55 metres. The building will feature a hip roof with varying angles. No tree removal is proposed as part of the new construction

The applicant further noted that the new dwelling will be connected to the main grid, while an onsite sewage management system is proposed to treat wastewater. The Council's Manager of Water and Wastewater has confirmed that the site is already connected to the Council's reticulated rural water supply network.

The dwelling is set back approximately 826 metres from its eastern boundary on Urana Road, 41.1 metres from the southwestern boundary, and approximately 70.6 metres from the northern boundary. 'Figures 1-4' outline the nature of the proposed development.

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Figure 1 – The proposed site plan by the Applicant



Figure 2– Zoomed-in version of the proposed site plan by the Applicant.

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Figure 3– Elevation views of the proposed dwelling by the Applicant.

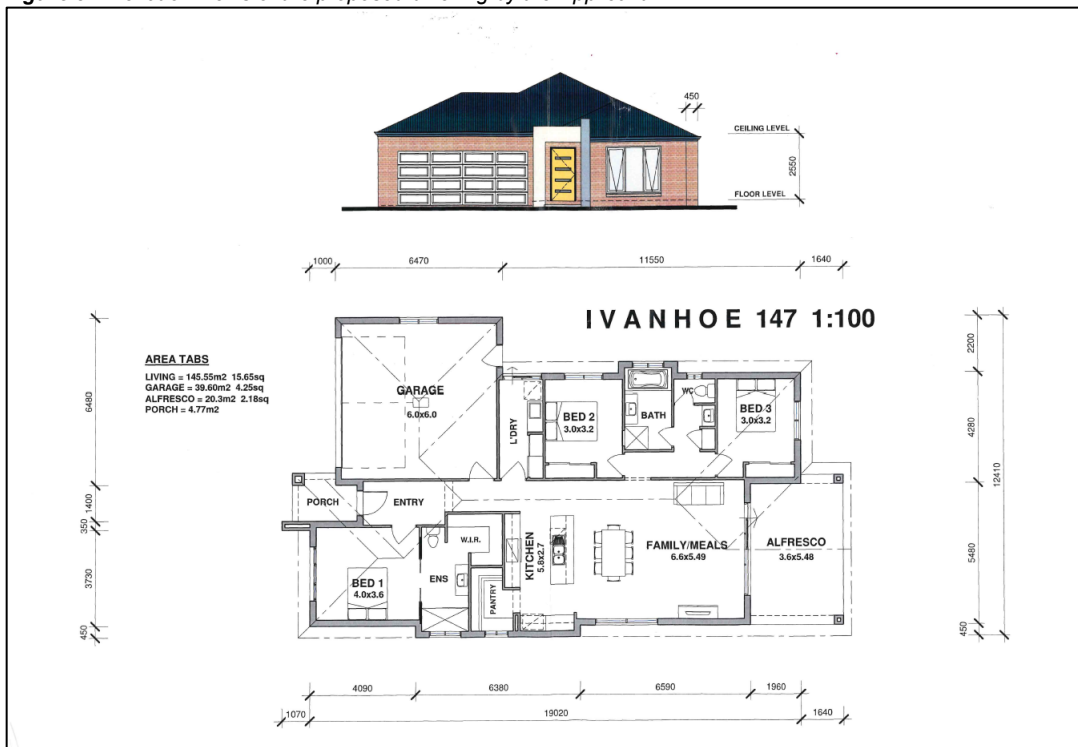


Figure 4– Floor plan of the proposed dwelling by the Applicant.

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The applicant noted that no vegetation removal is proposed as part of this application, the estimated cost of development for the proposal is approximately \$250,000.00.

This application is supported by the following:

1. A Planning Report incorporating a Clause 4.6 Variation, prepared by Habitat Planning and dated June 2024. **(ANNEXURE 9)**
2. A series of preliminary plans, including the site plan, floor plan, and elevation diagrams (north, south, east, and west). **(ANNEXURE 10)**
3. Owners' consent from S.W. Moore and M.T. Fuller Moore. **(ANNEXURE 11)**
4. BASIX Certificate No. 1756245S, dated 18/07/2024. **(ANNEXURE 12)**

Of note, the development is not considered to be Integrated Development pursuant to section 4.46 of the Environmental Planning and Assessment Act (EP&A Act) 1979.

ASSESSMENT

1.1 DESCRIPTION OF THE SITE AND LOCALITY

The subject land is legally described as Lot 163 DP 753342 and is addressed as 84 Granite Hill Road, Jindera NSW 2642. The site is a rectangular-shaped allotment with a width of approximately 128 metres, a length of 1218 metres, and covers an area of approximately 16.21 hectares, according to the Council GIS System.

The site contains a mature patch of vegetation close to its eastern border, backing onto Urana Road, with some scattered vegetation throughout the site. Additionally, the site contains a barn-style farm shed near the southern border where the existing driveway is located.

Primary street access is via unsealed Granite Hill Road, located to the south of the site. The applicant noted that the existing access to the site will be retained for the proposed development.

The site is adjoined by rural land uses, predominantly agricultural, with associated dwelling houses and outbuildings. The development site and adjoining lots are zoned RU1 Primary Production pursuant to the GHLEP 2012. Neither the subject development site nor the adjoining lots contain any known items of environmental heritage significance as outlined in Schedule 5 of the GHLEP 2012, nor has it been identified as bushfire-prone land according to the Rural Fire Service bushfire mapping. It is also noted that there are no restrictions, easements, or land reservations that affect the proposed development.

'Figures 5-6' outline the subject site.

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Figure 5– Locality; Source: Intramaps

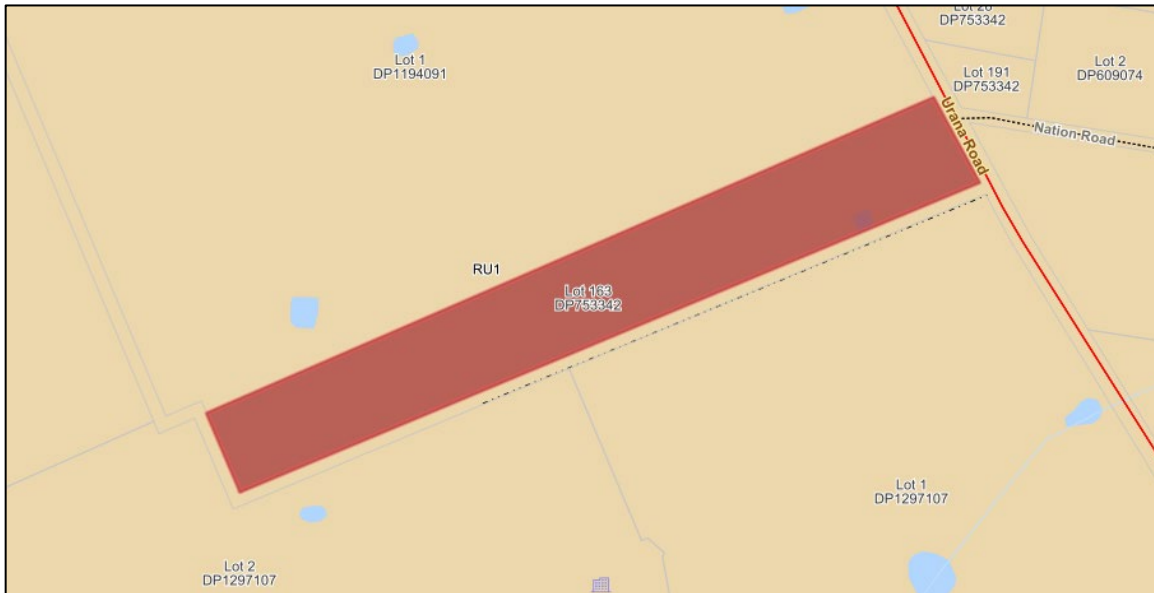


Figure 6– The subject development site with applicable zoning controls; Source: Intramaps

Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994.

Since no vegetation is proposed to be removed, it is considered that the proposal is consistent with Part 7 of the Biodiversity Conservation Act 2016.

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Section 4.14 - Consultation and development consent—certain bush fire prone land

According to the NSW ePlanning Spatial Viewer, the subject development site is not mapped as bushfire-prone land on the map maintained by the NSW Rural Fire Service (RFS). As a result, no referral is required from the NSW RFS in accordance with Section 4.46 of the Environmental Planning and Assessment (EP&A) Act.

Section 4.46 - What is “integrated development”?

The application is not classed as Integrated Development as the application does not require a separate approval under this section.

4.15 Evaluation

(1) Matters for consideration-general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) (Repealed)

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Section 4.15(1)(a)(i) - The provisions of any environmental planning instrument

Local Environmental Plans

The subject land is zoned RU1 Primary Production under the GHLEP 2012. The relevant matters of the LEP are addressed as follows:

Zone RU1 Primary Production

Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

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- *To maintain the rural landscape character of the land.*

The proposed development is a permitted form of development on land zoned RU1 Primary Production and is identified as a dwelling house. The GHLEP 2012 provides the following definition for a dwelling house:

dwelling house means a building containing only one dwelling.

Note—

Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.

Section 2.3(2) requires that Council have regard to the objectives of the zone before granting consent to a development within that zone.

Council staff noted that the proposed development is generally consistent with the objectives and maintains their integrity. The proposal neither aims to fragment valuable agricultural land nor create a conflict between land uses within the zone, as single-storey dwellings are present on adjacent properties to the south and north. Given the location, siting, and size of the site, Council staff are confident that permitting a dwelling on the subject lot, where the landowners reside, will enhance land management practices through continuous care of the rural land and its ecological values. Additionally, the proposed single-storey dwelling is situated among other single-storey residential developments in the area, thereby preserving the predominant rural character of the locality.

Part 3 Exempt and complying development.

No exempt or complying development provisions are outlined in this section or Schedule 2 of the GHLEP 2012 that are applicable to this development.

Part 4 Principal development standards

4.2A Erection of dwelling houses and dual occupancies on land in certain rural and residential zones

- (1) *The objectives of this clause are as follows—*
 - (a) *to minimise unplanned rural residential development,*
 - (b) *to enable the replacement of lawfully erected dwelling houses or dual occupancies in certain rural and residential zones.*
- (2) *This clause applies to land in the following zones—*
 - (a) *Zone RU1 Primary Production,*
 - (b) *Zone RU4 Primary Production Small Lots,*
 - (c) *Zone R5 Large Lot Residential.*
- (3) *Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land—*

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- (a) *is a lot that is at least the minimum lot size shown on the [Lot Size Map](#) in relation to that land, or etc.....*

The objectives of this clause are to minimise unplanned residential development and to enable the replacement of lawfully erected dwellings and dual occupancies in certain rural and conservation zones. Consideration must now turn to whether the proposed development meets these objectives. In this regard, the following points are noted:

- a) Council staff acknowledge that, although dwellings are located on adjacent properties to the north and south of the subject allotment, those allotments have a minimum size of 100 hectares in accordance with Council's GIS System. Therefore, approving a dwelling house on an allotment that is well below the minimum size could be argued as unplanned rural residential development. However, Council staff observed that the development site has proper access via an unsealed road, a reticulated rural water supply, and ample room for an onsite sewerage management system. Additionally, the site has not been identified as bushfire-prone and is located in close proximity to Jindera Township. Therefore, it is considered that the circumstances in this case are acceptable, and Council is of the view that the submitted application meets one objective of this Clause.
- b) As there is no past or present housing requiring replacement, Clause 4.2A(1)(b) is not considered applicable.

This clause also notes that Council is unable to consent to the erection of a dwelling house on land in a zone to which this clause applies (i.e., RU1 Primary Production) unless the lot on which the dwelling to be constructed meets the minimum lot size stipulated in the relevant lot size map of the LEP. Pursuant to the relevant lot size map, the minimum lot size requirement for the subject site is 100 hectares.

Council's GIS System indicates that the site subject to the application has an approximate area of 16.21 hectares, resulting in the lot size being 83.79 hectares below the minimum lot size standard. It is acknowledged in the submitted Statement of Environmental Effect (SEE) prepared by Habitat Planning that under Clause 4.2A(3)(a) of the GHLEP 2012, the required lot size is 100 hectares, and the subject property is well below this minimum. As such, the proposed development fails to comply with this development standard.

The SEE identifies that a variation to Clause 4.2A(3)(a) is being sought through the exceptions to Development Standards provisions of Clause 4.6 of the LEP.

4.6 Exceptions to development standards

(1) The objectives of this section are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

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As per the above objectives, Clause 4.6 provides flexibility in the application of planning provisions by allowing the Council to determine and approve a Development Application (DA) that does not comply with certain development standards, provided the applicant demonstrates that the non-compliance would achieve better outcomes for and from the development. When determining whether to grant consent for development that contravenes a development standard, the Council is required to undertake a further assessment as per Clause 4.6(3). Therefore, this matter will be discussed further below in this report.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

As previously discussed in the report, the proposed variation meets the definition of “**Development Standards**”. It is further noted that Clause 4.2(A)(3)(a) is not written with a prohibition.

- (3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—:*
- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Applicant has provided a written request outlining that the specific development standard is unreasonable or unnecessary in this instance. The Applicant argues that:

- *“The subject land has existed in its current configuration for many years and at various times has been operated as a rural property in its own right. It has previously accommodated a dwelling in the central area of the site, adjacent to the current shed location, and therefore has been considered a standalone property at other periods of time.*
- *At a size of 16.7 hectares, it still enables a lot size that is capable of being utilised for a form of agricultural uses. The proposal does not fragment or diminish the agricultural capacity of the land, and providing living accommodation on the land shall enhance the productivity on the land.*
- *The current landowners have already established the use of the property for animal husbandry purposes, which is suitable for the size of the subject land.*
- *Despite being less than the minimum lot size, it is noted that the provisions of the Hume LEP 2001, which can be relied upon in some circumstances via the provisions at subclause 4.2A(3)(b), allowed lots down to an area of 0.4 hectares to contain a dwelling. The subject land would qualify under these provisions except for the fact that the lot was in common ownership with another lot at the appointed day. Despite this, the land has not been further fragmented from its original state and has always existed as a narrow shaped lot and has been functional in an agricultural context.*
- *It will not create any land use conflicts with the use of adjoining properties for agriculture, and the the dwelling is setback 150 metres from the closest road property boundary.*
- *The dwelling site is not remote or isolated and has excellent road access and is within close proximity to townships.*

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- *A dwelling will have a positive social impact through an increase in population for the Walla Walla community. This is important to maintain community infrastructure and services as well as groups such as sporting clubs, etc.*
- *A dwelling on the land will also enable the efficient and functional agricultural operation of the land, by allowing the landowner to reside on the site and undertake activities. At present, the landowner has to commute to the property for carrying out productive purposes and maintenance.*
- *The site also contains a shed with proposal to add a dwelling adjacent. The dwelling is of a modest size on a generously sized lot and will not remove any significant productive land from operation.”*

The Applicant has further argued that there are sufficient environmental planning grounds to justify the variation, as detailed below in their SEE:

- *“As identified above, if it were not for the fact that the land has been sold (and separated from former common ownership arrangements), development of the land for a dwelling on the land would have been permissible through application of subclause 4.2A(3)(b) by relying on the provisions of the former Hume LEP 2001 that applied to the land. Therefore, the proposal is not an activity or outcome which is considered to be unreasonable given its historic planning context.*
- *The subject land also exists in the same configuration as it has since well before 1987, which is the appointed date with respect to considering other provisions under clause 4.2A(3). It has also been demonstrated through research of the site history that the land has at various stages been owned and operated as a single standalone lot as well as a land in common ownership.*
- *It has been confirmed that the subject land formerly contained a dwelling. This existing dwelling had however undergone demolition by a previous landowner prior to the ownership by the applicant..”*

Even though the applicant relies on previous planning instruments to justify the erection of a dwelling on this land, Council’s records indicate that it has previously concluded that no dwelling entitlement exists for this land under previous environmental planning provisions. Therefore, the applicant’s justification based on previous planning instruments is not considered relevant in this instance. Additionally, the justification regarding the existence of a historical dwelling is also not considered relevant, as no dwelling is present on the site.

In further examining the grounds of justification, Council staff have noted that, in summary, the Applicant’s Section 4.6 variation further argues that the objectives of the zone can be achieved despite the lot size being below the minimum lot size provision outlined in the GHLEP 2012. The Applicant has also argued that the proposal is consistent with the performance objectives of the RU1 Zone. As discussed above in this report, some of the objectives of the RU1 Zone are:

- *“To encourage sustainable primary industry production by maintaining and enhancing the natural resource base;*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area;*
- *To minimise the fragmentation and alienation of resource lands;*
- *To maintain the rural landscape character of the land.”*

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As the Applicant has stated, Council staff deem that permitting a dwelling on the subject lot where the landowners will reside encourages sustainable production as the residents could maintain the natural resource base through better land management practices.

If strict compliance were required, the proposal would be unable to proceed in its current form, as there is insufficient land area under Clause 4.2A(3)(a) to erect a dwelling. This could potentially leave the allotment as a vacant paddock with no use and may result in excessive weed problems.

Furthermore, as noted in their SEE, if Council approves the development, it will not create an unreasonable demand for Council's services and amenities, as electricity, water, and sewage management will be provided on-site.

Additionally, the site is located approximately 8 km from Jindera Township, which has all retail and commercial activities. The referral responses from Council's Manager of Water and Wastewater and Manager of Traffic and Infrastructure, dated 18/07/2024, indicate that neither the Engineering Department objects to the proposal nor are any new conditions required for any consent granted.

As a result of the above discussion, it is considered that the circumstances in this case are acceptable and subject to the imposition of appropriate conditions on any consent granted for the erection of a dwelling, the proposed variation to Clause 4.2A(3)(a) of the GHLEP 2012 should be supported.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

The site does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the GHLEP 2012. It is also noted that a standard condition related to the protection of unknown Aboriginal Heritage will be imposed on any consent granted.

Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

The objective of this clause is to minimise potential land use conflict between existing and proposed developments on land within the rural, residential, or conservation zones concerned. As the site is zoned RU1 Primary Production, this clause applies to the subject property.

Clause 5.16(3) specifies that the consent authority must take into account the matters listed in subclause 5.16(4) when determining whether to grant development consent for the erection of a dwelling on land to which this clause applies.

“(4) The following matters are to be taken into account—

- (a) the existing uses and approved uses of land in the vicinity of the development,*
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c)”*

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The surrounding lots are used primarily for rural land use operations, including farming and grazing purposes. However, given the size of the block in question and the surrounding character of the area, Council considers that the site subject to the application is more consistent with rural lifestyle pursuits. As previously discussed, if the application is approved it is anticipated that resident landowners will encourage sustainable production as they can maintain the natural resource base through proper land management practices.

Council staff further observed, that as the existing lot is already well below the minimum lot size any further subdivision resulting from the erection of a dwelling is prohibited under the GHLEP 2012. As previously discussed, the applicant does not plan to use groundwater for the dwelling and all utilities are either readily available for connection or have already been connected to the allotment. Therefore, it is considered that the circumstances applying to this case are acceptable and the proposed development will have no impact on the predominant uses in the vicinity and is compatible with surrounding land uses.

Section 6.1 Earthworks

According to the applicant's documentation, all ancillary earthworks will be limited to the foundation, slab, essential services (i.e., boring for structural foundations), and those associated with the proposal. Therefore, it is considered that these earthworks are ancillary to the proposed development and will not require a separate development consent.

It is further considered that the earthworks will have no adverse effect on:

- Existing drainage patterns and soil stability in the locality,
- The likely future use or redevelopment of the land,
- The existing and likely amenity of adjoining properties, and
- Any watercourse, drinking water catchment, or environmentally sensitive area.

Additionally, Council staff are satisfied that, subject to the imposition of appropriate conditions on the consent (e.g., sediment control measures, protection of Aboriginal items, etc.), similar consistency can be achieved. The proposal meets the objectives of this section and the relevant assessment criteria outlined in Section 6.1(3).

Section 6.7 Essential services

Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

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Subsection	Comment
(a) the supply of water,	As per the internal referral received from Council's Engineering Department, the development site has access to Council's reticulated water supply system.
(b) the supply of electricity,	The applicant noted that the new dwelling will be connected to the main grid. A condition will be imposed to reflect this requirement if the application is approved.
(c) the disposal and management of waste water,	c) A condition will be placed on any consent granted, requiring the applicant to lodge a S68 approval to establish and operate an onsite sewerage system.
(d) stormwater drainage or on-site conservation,	Stormwater, including overflow from the development site, is to be drained on-site without causing nuisance to adjoining properties. A condition will be imposed to ensure compliance.
(e) suitable vehicular access	The development site has access via unsealed Granite Hill Road. The referral response from the Engineering Department noted that no new driveway crossover or upgrading to Granite Hill Road is required.

Relevant State Environmental Planning Policies applicable for the proposal:

State Environmental Planning Policy (Sustainable Buildings) 2022

A valid BASIX certificate (1756245S and dated 18/07/2024) has been submitted with the application and the commitments have been shown on the plans. Plans appear to be consistent with BASIX commitment.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 3 Koala habitat protection 2020

The subject land is not considered to be core koala habitat or potential core koala habitat.

Chapter 4 Koala habitat protection 2021

Section 4.9 of this policy is expressively applicable for the proposed development. As per Council records, the following is noted:

- (a) the site subject of this Application does not have an approved koala plan of management applying to the land and,
- (b) Council is satisfied that the land is not core koala habitat.

Therefore, Council as consent authority is satisfied that the proposed development can proceed without an additional assessment.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

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According to Section 4.6(1)(a), and based on a search of Council files, the land has not been used for any approved activities that would render the soil contaminated to a degree that would prevent its future development as a residential premises. Therefore, it is considered that the land is suitable in its current state for the proposed development.

Section 4.15(1)(a)(ii) - Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved);

The proposed draft instrument will not change the outcome of this assessment.

Section 4.15(1)(a)(iii) any development control plan,

The GHLEP 2013 applies to the land. Please refer to the assessment below.

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CHAPTER 2.0- RESIDENTIAL DEVELOPMENT:

STANDARD	COMMENT
<p>1 Neighbourhood character Objectives</p> <ul style="list-style-type: none"> • Provide for a mix of compatible dwelling types. • Create aesthetically pleasing residential neighbourhoods. • Residential areas providing high levels of amenity. • Encourage higher density housing to be located in close proximity of town centres. • Maintain a lower density residential character outside of the immediate town centres. • Ensure a transition in density from lower to higher density residential areas. • Maintain the character of existing average and lower density residential neighbourhoods 	<p>The proposed dwelling is consistent with the neighbourhood character in terms of scale, density, and setbacks. It is also of a character suitable for the rural context, utilising earthy, neutral tones that are sympathetic to the environment. Furthermore, due to the considerable setback distance and the availability of native vegetation, the proposal is not expected to create additional detrimental impacts on the existing built fabric in the locality.</p>
<p>2.2 Streetscape Objectives</p> <ul style="list-style-type: none"> • Residential design that makes a positive contribution to the streetscape. • The provision of passive surveillance to the street. • The integration of new development into the streetscape and neighbourhood 	<p>No trees are proposed for removal, and the dwelling is well set back from the nearest roadway. Therefore, it is considered that the rural streetscape will not be changed as a result of the proposal. Additionally, it is noted that the erection of a dwelling on the allotment will increase passive surveillance of the existing streetscape.</p>
<p>2.3 Site requirements</p> <ul style="list-style-type: none"> • To provide a balance between the built and open space areas of a site. • To prevent over development of a site. • To provide for residential amenity. • To protect the neighbourhood character. • To encourage development that responds to the characteristics of the site. • To encourage energy efficiency. 	<p>The documentation provided as part of the application indicates that the dwelling, including the attached garage, will have a combined total floor area of approximately 210.22 m². As noted previously in the report, the site subject to the application has an approximate total area of 16.21 ha, which is well above the maximum site coverage of 40%. The applicant has designed the house so that most parts of the dwelling face north to take advantage of direct sunlight. Additionally, the application is supported by a valid BASIX Certificate. As such, it is considered that the objectives of this criterion are met.</p>

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<p>2.4 Building heights Objectives</p> <ul style="list-style-type: none"> • <i>Ensure buildings are not obtrusive or dominate the streetscape or landscape.</i> • <i>Minimise impacts on adjoining properties from overshadowing and overlooking.</i> 	<p>The proposed dwelling will have a total height of 2.55 meters to the eaves of the building. The proposal will be located with substantial setbacks from the adjacent dwellings on Lot 1 DP 1194091 and Lot 2 DP 1297107, to the north and south, respectively. The proposed dwelling is not considered to be visible from the nearest road due to the substantial front setbacks and vegetation.</p>
	<p>Therefore, it is considered that the development will not result in any unreasonable overshadowing of neighboring residential properties. Consequently, the proposed development is not inconsistent with the performance based controls outlined under this object.</p>
<p>2.5 Building setbacks Objectives</p> <ul style="list-style-type: none"> • <i>Attractive streetscapes through consistency in front building setbacks.</i> • <i>The maintenance of existing character in residential areas (e.g. average density, lower density, etc.).</i> • <i>Adequate separation between dwellings.</i> • <i>Maintain and ensure reasonable access to views for all.</i> • <i>Maintain sight distance for vehicular safety.</i> • <i>Provide privacy and areas for landscaping</i> 	<p>The site subject to the application is zoned RU1 Primary Production. Upon reviewing the setback requirements for erecting a dwelling, Council staff are satisfied that the proposal meets the minimum setback requirements. It is also considered that no additional landscaping is required due to the existing nature of the development site.</p>
<p>2.6 Privacy and Amenity Objectives</p> <ul style="list-style-type: none"> • <i>The protection of privacy and amenity of neighbouring properties.</i> • <i>Privacy and amenity for residents within medium density developments</i> 	<p>According to the proposed development plan, the development is sited and designed to minimise overlooking of the habitable components of adjoining dwellings within the vicinity.</p>
<p>2.7 Landscaping Objectives</p> <ul style="list-style-type: none"> • <i>Front landscaping that contributes to an attractive streetscape.</i> • <i>Enhancement of the natural environment.</i> • <i>Reduction in stormwater run-off from allotments.</i> • <i>Landscaping that contributes to the solar efficiency of the dwelling.</i> 	<p>The development site will have more than 15% of its area allocated to permeable surfaces to allow water infiltration. This approach aligns with BASIX commitments and aims to reduce any potential visual impacts.</p>

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<p>2.8 Private open space Objectives</p> <ul style="list-style-type: none"> • <i>A private outdoor space for residents.</i> • <i>Practical and useable outdoor areas for residents.</i> • <i>Outdoor areas that enhance residential amenity.</i> • <i>Private outdoor areas to maximise solar access.</i> 	<p>The proposed dwelling complies with these performance-based objectives. standard.</p>
<p>2.9 Car parking and access Objectives</p> <ul style="list-style-type: none"> • <i>Sufficient on-site parking for residents and their visitors.</i> • <i>Safe movement of vehicles within a site.</i> • <i>High standard of construction and appearance of hardstand areas associated with vehicle movement and parking.</i> 	<p>The development site has ample room for car parking; thus, the proposal is considered consistent with this criterion.</p>
<p>2.10 Earthworks and drainage Objectives</p> <ul style="list-style-type: none"> • <i>To prevent erosion.</i> • <i>To avoid sediment transfer off site via stormwater.</i> • <i>To protect drainage infrastructure.</i> • <i>To protect water quality</i> 	<p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> - <i>“To prevent erosion.</i> - <i>To avoid sediment transfer off site via stormwater.</i> - <i>To protect drainage infrastructure.</i> - <i>To protect water quality”.</i> <p>Based on the nature of the development and the current landform, it is considered that no significant earthworks are required for the construction of the single-storey dwelling.</p> <p>Importantly, all associated earthworks will be limited to the foundation only (i.e., boring footings for structural foundations). It is therefore considered that these earthworks are ancillary to the proposed development and will not require a separate development consent. Council officers believe that, subject to appropriate conditions on any consent granted (e.g., sediment control measures, protection of Aboriginal items, etc.), similar consistency can be achieved and the proposal will meet the objectives of this section.</p>

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<p>2.14 Site facilities Objectives</p> <ul style="list-style-type: none"> • Site facilities not to detract from the aesthetics of the building. • Site facilities not to be detrimental to residential amenity. 	<p>No issues.</p>
<p>2.15 Security Objectives</p> <ul style="list-style-type: none"> • Living environments that enhance residents' feelings of safety and security. • Building and layout designs that allow surveillance of common and public spaces by residents. • Environments that reduce opportunistic crime 	<p>The proposal would enable the erection of a dwelling on the land, which would strengthen additional surveillance opportunities within the rural community. Therefore, the proposal is considered to be consistent with this criterion.</p>
<p>2.16 Energy efficiency</p> <ul style="list-style-type: none"> • Buildings to meet projected user requirements for daylight access. • Siting and design buildings to promote energy efficiency. 	<p>According to the submitted floor plan, most of the living area of the proposal is oriented towards the north, and the proposal is also supported by a valid BASIX Certificate.</p>
<p>CHAPTER 10. – NOTIFICATION POLICY</p>	
<p>The proposal was notified in accordance with Greater Hume Council's "Community Participation Plan's" notification requirements, from 28 June 2024 to 17 July 2024. A submission was received from Mr. David Gray, outlining his support for the proposal.</p>	

Section 4.15(1)(a)(iiia) – Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4;

No related planning agreement has been entered into under section 7.4 of the *EP&A Act 1979*.

Section 4.15(1)(a)(iv) - The regulations (to the extent that they prescribe matters for the purposes of this paragraph);

The following division within the *EPA Reg 2021* has been considered in the assessment of the Development Application;

- Part 4, Division 1- 'Determination of Development Applications';
- Division 2, Subdivision 1- 'Development in General – Section 69-74 & Section 81 within Subdivision 2'

It is noted, the Prescribed Conditions as outlined in Subdivision 1 and 2 of Division 2 are recommended to include on any consent granted, in the event Council approves this application.

Section 4.15(1)(b) - The Likely Impacts of that Development, Including Environmental Impacts on Both the Natural and Built Environments, and Social and Economic Impacts in the Locality

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CONTEXT	COMMENT
Context & setting	<p>Notwithstanding that the site does not meet the minimum allotment size, Council considers that the creation of one additional entitlement in the local area, which is appropriately serviced without burdening Council's infrastructure network (and which sufficiently meets BASIX requirements), complies with the controls outlined in the "Residential Chapter" of the GHDCP 2013. This development will have minimal potential impact on the social and economic welfare of the community and will not negatively impact the environment or the management of natural resources. Given the location of the site, Council's Engineering Department did not raise any concerns related to its infrastructure network. As such, it is considered that the potential impacts of the development have been adequately assessed by the Engineering Department.</p> <p>Where the impacts of the development are tangible and measurable, if deemed acceptable, they are considered reasonable.</p> <p>The built character of the proposed single-storey dwelling is generally consistent with the neighbourhood in terms of height, scale, density, and setbacks and is suitable for the rural context, utilising earthy neutral tones sympathetic to the rural environment. As a result, the proposal will not result in any loss of views or vistas, will not impact local visual privacy and will not overshadow any other property. Therefore, it is anticipated that the proposed residential development will integrate well and be compatible with the context and setting of the area.</p>
Socio- Economic implications	<p>Given the location of the development site (i.e., in close proximity to Jindera Township), the readily available access, the availability of Council's reticulated water supply, the applicant's willingness to connect electricity to the proposed dwelling and the referral response from Council's Engineering Department, will guide the planning staff in assessing whether the proposal will have positive or negative socio-economic impacts on the locality. Due to these factors it is considered that, if Council approves the application it will result in significant positive economic, social and environmental outcomes for the locality.</p> <p>These impacts are anticipated both during construction and in perpetuity. During the construction stage, the proposal has the potential to generate additional employment opportunities within the locality. In the long run, Council staff believe that an occupied and well-maintained allotment is expected to provide better care, a stronger sense of community, higher-level use and maintenance of the land and could potentially be used as a small-scale farm. Therefore, it is considered that the proposal will have significant positive socio-economic impacts on the locality.</p>

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Access, traffic & parking	The proposed development will be accessed via an existing gravel road (Granite Hill Road) located on the southern portion of the subject property. The Engineering Department noted that the development will not unreasonably increase vehicle movements beyond the capacity of the local road network. As a result, no upgrade to Granite Hill Road is required; however, they have noted that the existing driveway is sufficient to accommodate the proposal. It is also noted that parking for occupants will be accommodated in the proposed double garage.
Utilities	As no Council reticulated sewer is available for the area, an onsite sewerage management system pursuant to Section 68 of the Local Government Act 1993 is required to be obtained from Greater Hume Council. As noted in Section 6.7 of this report, the site is already connected to Council's reticulated rural water supply, while the Engineering Department has noted that the existing crossover is sufficient for the proposal. Since the applicant proposes to connect the development to the main grid, a suitable condition will be incorporated into any consent granted.
Heritage	The site does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the GHLEP 2013. It is noted however, that a standard condition related to the protection of Aboriginal Heritage will be recommended with any consent granted.
Stormwater	A general condition related to the disposal of stormwater will be incorporated into any consent granted. Given the extent of the site it is considered that the additional stormwater generated by the development can be managed onsite without causing nuisance to adjoining properties.
Soils & erosion	It is noted that all associated earthworks will be limited to the foundation only (i.e., boring footings for structural foundations), as discussed previously. Council officers believe that subject to appropriate conditions on the consent (e.g., sediment control measures, protection of Aboriginal items, etc.), similar consistency can also be achieved.
Flora & fauna	No areas of critical habitat are affected by the proposal, and no native vegetation on site will be impacted.
Technological and natural hazards	There are no natural or technological hazards identified on the land or resulting from the proposal.
Safety, security & crime prevention	The development is unlikely to create any unacceptable impacts regarding safety, security, or crime prevention. It is noted that the proposal will provide additional surveillance opportunities and encourage the movement of pedestrians and vehicles.
Privacy	As per the proposed development plan, the development is sited and designed to minimise overlooking of adjoining properties.

Section 4.15(1)(c) - The Suitability of the Site for Development

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The development site is located in the RU1 – Primary Production Zone according to the GHLEP 2012. The GHLEP 2012 RU1 Primary Production land use table provides a general indication of whether a dwelling house can be erected on land zoned RU1, while Chapter 2 of the GHDCP 2013 contains prescriptive and performance-based controls related to residential developments. The internal referral response, along with the above detailed assessment incorporating Clause 4.6 Variation, concluded that the proposal is suitable for the locality **in this instance**.

A variation to the minimum lot size detailed in Clause 4.2A of the GHLEP 2012 is sought by the applicant pursuant to Clause 4.6 of the GHLEP 2012. The written request provided by the applicant has been assessed as having merit, and Council, along with the detailed assessment, has formed the view that it would be reasonable to support the proposed development. The allotment is located in close proximity to the Jindera Township and has necessary services, and it has not been identified as bushfire prone land. There are no critical habitats or threatened species that will be impacted as a result of the proposal. Most importantly, Council staff are certain that, if the application is approved, the integrity of the objectives of the RU1 Primary Production Zone will still be maintained.

As there are no constraints from surrounding land uses that would make this development prohibitive, subject to adopting the relevant measures outlined in the reports below, it is considered that the site is suitable for this development.

Additionally, as there are no known specific site constraints that would render the site unsuitable, it is considered that the site is suitable for the development.

Section 4.15(1)(d) - Any submissions made in accordance with this Act or the regulations

Internal Referrals	Response
Engineering Department	The Engineering Department neither objects to the proposal nor they imposed any conditions in their referral response dated 18 July 2024.
External Referral	Response
Nil	Nil
Public Submissions	
The proposal was notified in accordance with Greater Hume Council's "Community Participation Plan's" notification requirements, from 28 June 2024 to 17 July 2024. A submission was received from Mr. David Gray, outlining his support for the proposal.	

Section 4.15(1)(e) - The Public Interest

The public interest is served through the detailed assessment of this application under the EP&A Act 1979, the EP&A Regulation 2021, applicable State Environmental Planning Policies, the GHLEP 2012, the GHDCP 2013, the internal referral from Council's Engineering Department, and any comments received during the public notification period.

Taking into account the full range of matters for consideration under Section 4.15(1)(a), (b), (c), (d), and (e) of the EP&A Act, the above assessment has concluded that the proposal is not specifically inconsistent with the public interest, subject to appropriate conditions on any consent granted.

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BUDGET IMPLICATIONS

Section 7.12 Fixed development consent levies

The total cost of the proposed development is \$250,000.00. As per Greater Hume Section 7.12 Levy Development Contribution Plan, if the cost of carrying out the development is \$200,000 or more the applicant is required to pay 1% of the development cost towards provision or improvement of amenities or services equivalent to **\$2500.00**.

RECOMMENDATION

That Council resolves to:

1. Approve Development Application No. 10.2024.74.1 at 84 Granite Hill Road Jindera NSW 2642 on Lot 163 DP 753342 for “Dwelling House - construction of a single storey dwelling including attached garage” subject to the conditions attached to this report pursuant to Sections 4.16 and Section 4.17 of the *Environmental Planning and Assessment Act 1979*.

PRESCRIBED CONDITIONS OF CONSENT

Section 69: Compliance with *Building Code of Australia* and insurance requirements under the Home Building Act 1989

Section 70: Erection of signs

Section 71: Notification of *Home Building Act 1989* requirements

Section 74: Shoring and adequacy of adjoining property

Section 75: Fulfilment of BASIX commitments

Please refer to the NSW State legislation for full text of the above Sections under Part 4 Division 2 of the *Environmental Planning and Assessment Regulation 2021*.

Part A – GENERAL CONDITIONS

1. Residential- Compliance with Plans and Conditions

Development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the Development Application received and subject to the following conditions.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

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PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

2. Residential - Section 7.12 Contribution

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and the Greater Hume Shire Council Section 7.12 Development Contributions Plan, a contribution of **\$ 2500.00** must be paid to Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the Greater Hume Shire Council Section 7.12 Development Contributions Plan.

Reason: To comply with Council's Development Contribution policies.

3. ALL - Payment of Long Service Levy

Prior to the issue of a Construction Certificate any Long Service Levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) must be paid and a receipt of the payment submitted to Council).

Reason: To comply with the Building and Construction Industry Long Service Payments Act 1986.

4. ALL - Section 68 Application

An application under Section 68 of the *Local Government Act 1993* must be lodged with Council via the NSW Planning Portal (**application fees apply**) and approved prior to the following works commencing on the site:

2 To carry out sewerage work in accordance with **Part B** of Section 68 of the *Local Government Act 1993*.

3 Operate a system of sewage management (within the meaning of section 68A) in accordance with **Part C** of Section 68 of the *Local Government Act 1993*.

Once the Section 68 approval has been granted, before any sanitary plumbing and drainage work or water supply work (up to the point of connection) is commenced, a Notice of Work (NoW) must be submitted to Council 48 hours **prior to works commencing**.

Reason: To comply with the Local Government Act 1993 and to ensure the installation of plumbing and drainage work is in accordance with Australian Standards and the Plumbing Code of Australia.

PART C – BEFORE BUILDING WORK COMMENCES

5. ALL - Construction Certificate

An application for a Construction Certificate must be **submitted to and approved by a nominated Certifier** prior to any building works taking place on the subject site. The application for Construction Certificate must be lodged via the NSW Planning Portal.

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Reason: To comply with the Environmental Planning and Assessment Act 1979.

6. ALL - Appointment of a Principal Certifier

In accordance with Section 6.6 (1) and (2) (a) of the Environmental Planning and Assessment Act 1979, prior to the commencement of any works the person having benefit of the development consent must:

- a. appoint a Principal Certifier,
- b. notify Council of the appointment; and
- c. a notice of commencement is to be provided to Council not less than two (2) days from the date on which it is proposed to commence work associated with this Development Consent.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

7. ALL - Erosion and Sedimentation Controls

Erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with the NSW Department of Environment and Conservation "Erosion and Sediment Control – A Resource Guide for Local Councils".

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

8. ALL - Temporary Water Closet

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

Reason: To ensure suitable facilities are provided for workers during construction and to comply with requirements for Work Health and Safety on worksites.

PART D – DURING BUILDING WORK

9. ALL - Construction - Hours of Work

All construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- a. Mondays to Fridays, 7.00am to 6.00pm
- b. Saturdays, 8.00am to 1.00pm
- c. No work is permitted on Sundays and Public Holidays.

Construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties is to be restricted to the above hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.

Reason: To protect the amenity of the area and to comply with the Environmental Protection and Operation Act 1997.

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10. ALL - Noise, Vibration and Dust Management Requirements

The Applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

Reason: To protect the amenity of the neighbourhood during construction

11. ALL - Vehicles During Construction

Vehicles must be clean and free of debris prior to leaving the site. Deposited material may be ordered to be removed at the applicant/operator's expense.

Reason: To ensure sediment is not trafficked onto Council's road network.

12. ALL - Aboriginal Objects Discovered During Work

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au. Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the National Parks and Wildlife Act 1974.

Reason: To protect Aboriginal heritage and to ensure compliance with the National Parks and Wildlife Act 1974.

13. Residential - Construction Site Management

While works are being carried out:

- d) A garbage receptacle must be provided at the work site and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of waste.
- e) Building materials and equipment must be stored wholly within the site. No building materials, sand, waste materials, construction equipment, bulk bins, waste skips, containers, or other items which may cause a hazard to pedestrians are to be placed on the footpath, roadway or nature strip while building works are being carried out.

Reason: To comply with the Protection of the Environment Operations Act 1997 and to preserve the environmental health and amenity of the adjoining area.

14. ALL - Tree Protection During Work

There must be no clearing of any vegetation (including within Council's road reserve). Temporary fencing must be placed around any other trees where works are proposed within the drip line of the tree. The fencing must be in accordance with Australian Standard AS 4970-2009 'Protection of Trees on Development Sites' to ensure no interference occurs, with this

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fencing extending to the extent necessary to ensure there is no damage to the roots of the tree.

Reason: To protect trees during the carrying out of site work

15. ALL - All Work To Be Carried Out By A Licensed Plumber and Drainer

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500-2015 and the *Local Government Act 1993* and *Local Government (General) Regulations, 2021*, the *Plumbing & Drainage Act 2011* and *Plumbing & Drainage Regulations 2017*.

Reason: To comply with the relevant provisions outlined in the Local Government Act 1993 and the Plumbing & Drainage Act 2011.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

16. ALL - Occupation Certificate

The Applicant must not allow or permit the building to be occupied or used, until:

- a) All conditions of this consent have been completed in full;
- b) An application for an Occupation Certificate has been completed and lodged with the Principal Certifier via the [NSW Planning Portal](#); and
- c) The Principal Certifier has issued an Occupation Certificate.

Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

17. Residential - Street Number

Prior to the issue of an Occupation Certificate, the relevant street number shall be displayed in a prominent location at the front of the property in the interest of public safety and the delivery of goods, parcels and emergency services.

Reason: To ensure the site is adequately identified and to comply with the Local Government Act 1993.

18. Essential Services - Electricity

Prior to occupation of the dwelling, adequate provisions in relation to the supply of electricity to the dwelling must be in place.

Reason: To comply with Section 6.7 of the Greater Hume Local Environmental Plan 2012 and to ensure the development is carried out as assessed.

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DEVELOPMENT APPLICATION 10.2024.74.1 – DWELLING HOUSE - CONSTRUCTION OF A SINGLE STOREY DWELLING INCLUDING ATTACHED GARAGE – Lot 163 DP 753342 AT 84 GRANITE HILL ROAD JINDERA NSW 2642 [CONT'D]

19. Residential - Fulfilment of BASIX Requirements

Prior to the issue of an occupation certificate (whether whole or part), a compliance certificate shall be submitted to the Principal Certifier, certifying that the building has been constructed in accordance with the commitments identified on the approved BASIX Certificate.

Note: Where there is any change in the BASIX commitments, the applicant must submit a new BASIX Certificate for the development. See Clause 44 & 45 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason: To comply with the Environmental Planning and Assessment Regulation 2021.

20. Residential - Approval to Operate Onsite Sewerage Management System

The Onsite Sewerage Management System must not be used until such time Council has issued an Approval to Operate in accordance with Section 45 of the Local Government (General) Regulation 2021.

Reason: To comply with the Local Government (General) Regulation 2021.

21. ALL - Plumbing Works Final

The building shall not be occupied or used until such time Council have issued a Plumbing Final letter confirming that all works have been completed to the satisfaction of Council.

NB. This letter is in addition to the final inspection report.

Reason: To comply with the relevant provisions outlined in the Local Government Act 1993.

22. ALL - Repair of Public Infrastructure

Any damage or deterioration to any Council property including road reserves, or removal of any existing street trees, must be reinstated to its original condition to the satisfaction of Council and at no cost to Council.

Reason: To ensure any damage to public infrastructure is rectified.

PART F – OCCUPATION AND ONGOING USE

23. Residential - Stormwater Management

Stormwater generated from the buildings, including the overflow from any rainwater tanks, must be managed on site which has no detrimental effects on to neighbouring properties or buildings on site.

Reason: To comply with the relevant provisions outlined in the Local Government Act 1993.

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DEVELOPMENT APPLICATION 10.2024.74.1 – DWELLING HOUSE - CONSTRUCTION OF A SINGLE STOREY DWELLING INCLUDING ATTACHED GARAGE – Lot 163 DP 753342 AT 84 GRANITE HILL ROAD JINDERA NSW 2642 [CONT'D]

24. ALL - Protection of Vegetation

There must be no clearing of any vegetation (including within Council's road reserve).

Reason: To comply with the Biodiversity Conservation Act 2016.

ALL - Advice To Applicant

- e. It is the Applicant's responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). Note: Compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.
- f. The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the Applicant and owner/builder to ensure private covenants are adhered to. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
- g. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

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GOVERNANCE

1. DELEGATION OF CIVIC AND CEREMONIAL MAYORAL FUNCTIONS AND MEETING DATES IN CARETAKER

Report by General Manager – Evelyn Arnold

REASON FOR REPORT

To delegate the civic and ceremonial functions of the position of Mayor to the incumbent Mayor from 16 August until a Mayor is elected and to confirm the ordinary meetings to be held in September and October.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

Delegation of Civic and Ceremonial Mayoral Functions

Councillors will be aware that the current Council term ends at midnight on 13 September 2024 and therefore if there is contested elections for position on Greater Hume Council it is likely that Council will not have an elected Mayor until the first meeting of the newly elected Council in October.

The Office of Local Government issued Pre election Guide for Councils (the Guide) which states the following:

“There is nothing to prevent councils from authorising the outgoing mayor to continue to exercise the civic and ceremonial functions normally exercised by the mayor during this period in the absence of a mayor should they wish to do so, (even though the outgoing mayor will have ceased to hold any civic office in the council as of the day of the election).”

This would seem a logical procedure to ensure the Greater Hume Community has an identified spokesperson to exercise civic and ceremonial functions and to advocate on behalf of the community in the event of a natural disaster.

There will be no impact on the day to day operations of the Council as the delegations to the General Manager will remain in place during this period.

Council Meeting Dates

Currently, Wednesday 18th of September has been scheduled for an ordinary Council Meeting. However, as this falls after the election but before a possible declaration of a new Council it is proposed to move this meeting to Wednesday 11th September. Whilst this will be in the caretaker period, this will still allow for non-binding decisions including the acceptance of the 2023/24 Annual Financial Statements should they be available.

It is also proposed to schedule an Ordinary Council meeting for Wednesday 9th October. This is in line with the Guide which states

ORDINARY MEETING OF GREATER HUME COUNCIL
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DELEGATION OF CIVIC AND CEREMONIAL MAYORAL FUNCTIONS AND MEETING DATES IN CARETAKER

".. councils that elect their mayor will be required to meet within 14 days or 3 weeks of the declaration of the ordinary election to hold a mayoral election. "

BUDGET IMPLICATIONS

Nil

RECOMMENDATION

That

1. Council delegate the civic and ceremonial functions of the position of Mayor to the incumbent Mayor (Cr Quinn) from 15 September 2024 until a Mayor is elected.
2. The Ordinary Meeting of Council for September is scheduled for 11th September being held under caretaker restrictions, replacing the meeting scheduled for the 18th September.
3. The first ordinary meeting of Council for the newly elected Councillors to be scheduled for 9th October following the declaration of the 2024 election

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2. WALLA WALLA SOLAR FARM COMMITTEE REPORT

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

This report is to endorse the recommendation of the Walla Walla Solar Farm Committee recommendation in relation to the allocation of funds from the FRV Services Australia solar farm project.

REFERENCE TO DELIVERY PLAN ACTION

Objective Our leadership and communication cultivate confidence in our decision making

CSP Strategy L3.3 Deliver efficiency, effectiveness and probity in Council processes and services

DISCUSSION

At the Ordinary Council Meeting in February 2024 the membership of the Walla Walla Solar Farm Committee (the Committee) was established. Since then, it has met twice to discuss and consider community priorities for investment. To assist with this prioritisation a community survey was also conducted.

At the meeting on 9th July 2024 the Committee resolved:

“That after the completion of the works to upgrade the Walla Walla Hall the balance of funds be distributed in the following order.

- i. A Playground that is fenced be erected at the Walla Recreational Ground
- ii. Pump Track
- iii. Swimming Pool amenities be upgraded.”

An additional resolution was to:

“That Council Staff consult the Walla V.P.A Committee on the design of the Playground”

These minutes are included in Part D of this agenda.

BUDGET IMPLICATION

There is no budgetary impact as these projects are previously unbudgeted and will be fully funded by the solar farm allocation.

RECOMMEDATION

That Council endorse the resolutions of the Walla Walla Solar Farm Committee as follows:

1. That after the completion of the works to upgrade the Walla Walla Hall the balance of funds be distributed in the following order.
 - iv. A Playground that is fenced be erected at the Walla Recreational Ground
 - v. Pump Track
 - vi. Swimming Pool amenities be upgraded.
2. That Council Staff consult the Walla Solar Farm Committee on the design of the Playground

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CORPORATE AND COMMUNITY SERVICES

1.LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM ROUND 4 PROJECTS ALLOCATIONS

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

The purpose of the report is to reallocate the projects for funding under Local Roads and Community Infrastructure Program (LRCIP) Round 4.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible.

Initiative N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs.

DISCUSSION

At the ordinary meetings of Council in October 2023, November 2023 and April 2024, Council resolved to allocate LRCIP Round 4 funds to the following projects detailed in Table 1 below.

Table 1: Original LRCIP Round 4 Allocated Projects

Project	Project Allocation	Project Commencement	Project Eligibility
Part A			
Culcairn Football Lights	\$22,000	Completed	Ineligible
Whitebox Woodlands	\$50,000	Not started	Re-submit
Wallace Street Footpath	\$85,000	Not started	Re-submit
Bowler Street Footpath	\$95,000	In progress	Ineligible
Jindera Netball Facility Toilets	\$150,000	Not started	Re-submit
Brocklesby Tennis Club	\$35,000	Not started	Re-submit
Playground Henty Show Grounds	\$50,000	Not started	Re-submit
Burrumbuttock Multipurpose Community Centre	\$230,000	Not started	Re-submit
Culcairn Shire Office and Memorial Hall	\$100,000	Not started	Re-submit
Walbundrie Recreation Ground Oval Bitumen	\$230,000	Completed	Ineligible
Walla Walla Netball Court Resurface	\$22,000	Completed	Ineligible
Burrumbuttock Walking Track	\$225,190	Not started	Re-submit
Total	\$1,294,190		

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LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM ROUND 4 PROJECTS ALLOCATIONS [CONT'D]

Part B			
Yensches Road Culvert Replacement	\$135,000	Completed	Ineligible
Henty Cookardinia Road Culvert Replacement	\$611,517	Completed	Ineligible
Total	\$746,517		
Total Funding	\$2,040,707		

In July 2024 Council received notification that the Department had not approved any of the projects and therefore any project that had commenced would no longer be eligible for funding under LRCIP Round 4. Council had already commenced works on six of the fifteen projects, unaware that in doing so it would render the projects ineligible for funding under the program. Council was informed that to retain the funding it must allocate new projects to the program.

The program has a “use it or lose it” principle attached to it. As a result of Officers has sought to identify projects which could substitute these projects that will not have an impact on Council’s long term cash position.

The total value of projects that are ineligible for funding is \$1,115,517. We are seeking approval to submit new projects listed in Table 2 valued at \$1,324,000.

The excess of expenditure on these projects over and above the LRCIP funding available will be funded from cash.

Officers have identified the following projects listed in the Table 2 to replace the ineligible projects

Table 2: Substitute Projects

Project	Project Allocation
Part A	
Jindera Rec Ground Playground – All abilities Swing	\$80,000
Blacksmith Park Brocklesby Septic System Replacement	\$50,000
Culcairn Rec Ground Shade Sail and Park Furniture	\$50,000
Culcairn Jubilee Park Shade Sail	\$50,000
Jindera Adventure Playground Ramp construction and Shade	\$30,000
Balfour Street, Culcairn Footpath Construction	\$80,000
Woomargama Park Upgrade	\$50,000
Total	\$390,000

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LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM ROUND 4 PROJECTS ALLOCATIONS [CONT'D]

Part B	
Gravel re-sheeting – Schoff Road	\$148,000
Gravel re-sheeting – Sherwyn Road	\$234,500
Gravel re-sheeting – Reapers Road	\$243,500
Gravel re-sheeting – Clifton Ring Road	\$308,000
Total	\$934,000
Total	\$1,324,000

BUDGET IMPLICATION

Capital expenses will result in a cash outlay in 2023/2024 however with the approval and funding of the proposed projects this will result in cash being recouped to the value of \$1,115,517 in the 2024/2025 year.

CONCLUSION

The LRCI Program presents a unique opportunity for Council to support a number of priority projects across Greater Hume Shire. In order to retain the funding and continue to deliver the agreed projects to the community, it is essential that Council now reallocate the funding to projects in Table 2: Substitute Projects for approval.

RECOMMENDATION

That Council approve;

1. the following new projects nominated in Table 3 for LRCIP Funding Round 4, and

Table 3: LRCIP Round 4 Projects

Project	Project Allocation
Part A	
Jindera Rec Ground Playground – All abilities Swing	\$80,000
Blacksmith Park Brocklesby Septic System Replacement	\$50,000
Culcairn Rec Ground Shade Sail and Park Furniture	\$50,000
Culcairn Jubilee Park Shade Sail	\$50,000
Jindera Adventure Playground Ramp construction and Shade	\$30,000
Balfour Street, Culcairn Footpath Construction	\$80,000
Woomargama Park Upgrade	\$50,000
Total	\$390,000
Part B	
Gravel re-sheeting – Schoff Road	\$148,000
Gravel re-sheeting – Sherwyn Road	\$234,500
Gravel re-sheeting – Reapers Road	\$243,500
Gravel re-sheeting – Clifton Ring Road	\$308,000
Total	\$934,000

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LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM ROUND 4 PROJECTS ALLOCATIONS [CONT'D]

Total Value (Part A + Part B)	\$1,324,000

2. the completed projects that were deemed ineligible be funded from unrestricted cash as nominated in Table 4

TABLE 4: LRCIP ROUND 4 PROJECTS

	Project Allocation	Project Commencement	Project Eligibility
Part A			
Culcairn Football Lights	\$22,000	Completed	Ineligible
Bowler Street Footpath	\$95,000	In progress	Ineligible
Walbundrie Recreation Ground Oval Bitumen	\$230,000	Completed	Ineligible
Walla Walla Netball Court Resurface	\$22,000	Completed	Ineligible
Total	\$369,000		
Part B			
Yensches Road Culvert Replacement	\$135,000	Completed	Ineligible
Henty Cookardinia Road Culvert Replacement	\$611,517	Completed	Ineligible
Total	\$1,115,517.00		

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ENGINEERING

1. HOLBROOK FLOOD MITIGATION PROJECT

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To consider a revised tender for the construction of the Holbrook Flood Mitigation Project.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1. Implement asset management and renewal programs in accordance with adopted budgets and capital works programs.

DISCUSSION

Funding of \$4.58 Million from the Australian Government under the \$4 Billion Emergency Response Fund was announced in July 2021 for the construction of flood mitigation works at Holbrook.

At the 20 April 2022 Ordinary Meeting of Council a funding agreement for the project was signed by Council, with the agreement requiring the project to be completed by April 2025.

Due to the requirements of the tender, the project management of the works was tendered with the Public Works Advisory being successful.

Following recent tendering of the project all tender prices for the project came in over budget.

As advised to Council at the Ordinary Meeting of Council on the 17 July 2024, Council adopted the following:

That Council:

- 1. under LOCAL GOVERNMENT (GENERAL) REGULATION 2021 - REG 178 Section(3) Council not to accept any of the tender submissions for RFT 10060861 and under subsection (e) enter into negotiations with any person (whether or not the person was a tenderer) Public Works have assessed the tenders and have determined that the most appropriate tenderer to negotiate is Excell Gray Bruni P/L with a view to entering into a contract in relation to the subject matter of the tender*
- 2. move that the current Ordinary Meeting of Council from the 21 August 2024 to the Wednesday 14 August 2024 so allow the consideration of a revised tender following successful negotiations for the project that is within the current budget and timeframe requirements from Excell Gray Bruni P/L*

Following the meeting Public Works Advisory were advised to negotiate with Excel Gray Bruni with the view of obtaining a revised tender that would be within the funding requirements that would still achieve the core outcomes of the project

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HOLBROOK FLOOD MITIGATION PROJECT [CONT'D]

A copy of a report by Public Works is attached for Councilors Information (**ENCLOSED SEPARATELY 1)**)

As detailed the scope of work has been reduced, and the revised submission by Excel Gray Bruni is within the funding allocation and required time frames of the grant.

It is noted that the works that have been removed from the original scope will need to be undertaken when appropriate funding is committed to the project via either a further successful grant application or commitment of Council funds or a combination of both.

The scope of the work removed from the project is the construction works on Bethana Lane, installation of culverts under Albury St and the construction of the western most portion of the levee from Albury St past the Holbrook Motor Village.

Whilst the revised scope provides the same level of protection to the township, the freeboard has been reduced on the lowest section of the proposed levee below what is industry practice and this requires Council to ensure the additional works are completed within an acceptable timeframe.

BUDGET IMPLICATION

The revised tender has been scoped to meet the available funds that have been approved as part of the grant. As shown the revised submission of \$3,637,953.18 Ex GST From Excel Gray Bruni can be completed at no additional cost to Council and within the timeframes of the grant. However as previously stated the remainder of the additional scope of works required to be completed will need to be funded by Council or another successful grant application of a combination of both.

CONCLUSION

Whilst the completion of the whole of the works associated with the Holbrook Mitigation Project, was the aim and still is by Council, the completion of majority of the works will provide significant flood protection for residents living in the southern portion of Holbrook. The revised scope will also ensure the work will be completed within grant requirements and the grant funding is fully expended within the required timeframes

RECOMMENDATION

That

1. Council accept the revised submission for \$3,637,953.18 Ex GST From Excel Gray Bruni for the construction of the revised Holbrook Flood Mitigation Project.
2. the unsuccessful tenderers for RFT 10060861 be notified.
3. the General Manager and the Mayor be authorised to execute contract documentation with Excel Gray Bruni under the Common Seal of Council.
4. Council apply for further funding to complete the remainder of the project.

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2 . PROVISION OF FOOTPATH, BALFOUR STREET, CULCAIRN.

Report prepared by Works Engineer – Andrew Walls.

REASON FOR REPORT

To advise Council of the proposed cost and apportionment for the Balfour Street Footpath Project at Culcairn as required by Council Policy.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

DISCUSSION

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the Balfour Street (Culcairn) Footpath Project.

The proposed works include the construction of a 2m shared footway on the northern side of Balfour Street from McBean Street to the Stock Route for approximately 240m. This path will link Council's Kinvara Residential Estate, now nearing completion, to the central business area of Culcairn.

A table showing the current estimate rates used to calculate the landowners contributions for a standard 1.5m footpath is (**ENCLOSED SEPARATELY 2**) for Councillors information. The landowner contributions have been calculated in accordance with the updated Contribution for Footpath Kerb and Channel Construction Policy that was adopted at the June 2024 Council meeting.

A sketch of the proposed works is included for Councillors' information.



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PROVISION OF FOOTPATH, BALFOUR STREET, CULCAIRN [CONT'D]

BUDGET IMPLICATION

Council has allocated \$85,000 for the completion of this project in the 2023/24 Operational Plan.

CONCLUSION

The completion of footpath within this street as planned will provide a pedestrian link from the residential development, improve property owner amenity and public accessibility.

RECOMMENDATION

That Council:

1. Approve the construction of footpath in Balfour Street, Culcairn.
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

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3. PROVISION OF KERB AND CHANNEL, BALFOUR STREET, CULCAIRN.

Report prepared by Works Engineer – Andrew Walls.

REASON FOR REPORT

To advise Council of the proposed cost and apportionment for the Balfour Street Kerb and Channel Project at Culcairn as required by Council Policy.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

DISCUSSION

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the Balfour Street (Culcairn) Kerb and Channel Project.

The proposed works include the construction of kerb and channel as well as underground stormwater works on the north side of Balfour Street between Federal Street and the drainage channel to the east of the town. It also includes the re-shaping of the road pavement at the intersection with Federal Street to reduce the sharp entry and exit slopes.

A table showing the current estimate rates used to calculate the landowner's contributions for the kerb and channel component of the works is **(ENCLOSED SEPARATELY 3)** for Councillors' information. The landowner contributions have been calculated in accordance with the updated Contribution for Footpath Kerb and Channel Construction Policy that was adopted at the June 2024 Council meeting.

A sketch of the proposed works is included for Councillors' information.



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PROVISION OF KERB AND CHANNEL, BALFOUR STREET, CULCAIRN [CONT'D]

BUDGET IMPLICATION

Council has allocated \$150,000 for the completion of this project in the 2024/25 Operational Plan.

CONCLUSION

The completion of kerb and channel within this street as planned will provide, improve property owner amenity, street drainage and road improvements.

RECOMMENDATION

That Council:

1. Approve the construction of kerb and channel in Balfour Street, Culcairn.
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

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4. PROVISION OF KERB AND CHANNEL, DIGHT STREET, JINDERA.

Report prepared by Works Engineer – Andrew Walls.

REASON FOR REPORT

To advise Council of the proposed cost and apportionment for the Dight Street Kerb and Channel as part of the Dight Street Reconstruction Project in Jindera as required by Council Policy.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

DISCUSSION

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the construction of kerb and channel as part of the Dight Street Reconstruction Project.

The Dight Street Reconstruction project extends between Urana Street and Fallon Street and is part of the 2024/2025 delivery program.

The proposed works include the construction of kerb and channel road reconstruction as well as underground stormwater works.

A table showing the current estimate rates used to calculate the landowners contributions for the kerb and channel component of the works is **(ENCLOSED SEPARATELY 4)** for Councillors information. The landowner contributions have been calculated in accordance with the updated Contribution for Footpath Kerb and Channel Construction Policy that was adopted at the June 2024 Council meeting.

It should be noted that one of the parcels of land affected by the works is occupied by the Jindera Pioneer Museum. Council currently waives the annual Council rates for this land and the author suggest it would be appropriate to waive the apportioned costs of this project should the Jindera Pioneer Museum make such an application.

A sketch of the proposed works is included for Councillor's information.

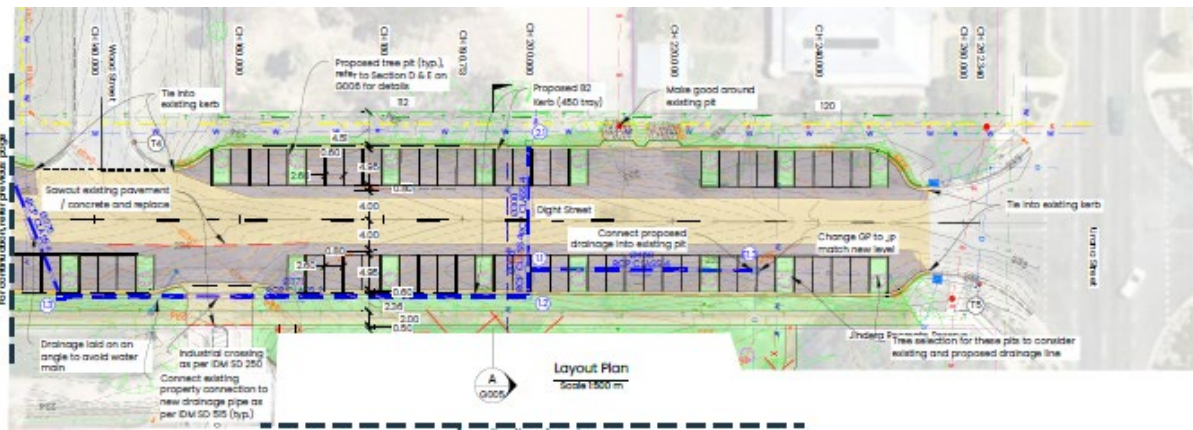
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PROVISION OF KERB AND CHANNEL, DIGHT STREET, JINDERA [CONT'D]



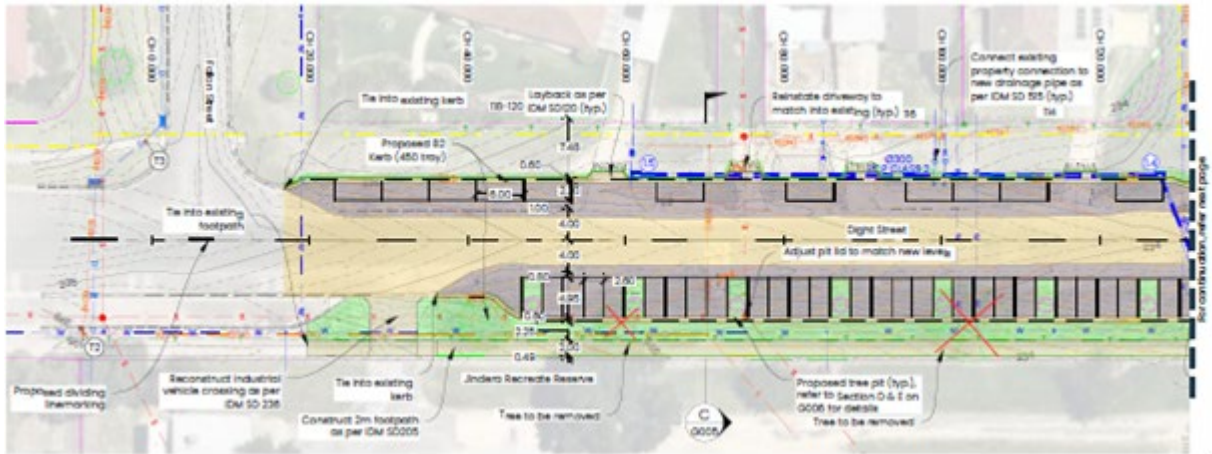
BUDGET IMPLICATION

Council has allocated \$700,000 for the completion of Stage 1 of this project in the 2024/25 Operational Plan.



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PROVISION OF KERB AND CHANNEL, DIGHT STREET, JINDERA [CONT'D]



CONCLUSION

The completion of the works within this street as planned will provide kerb and channel, improved underground drainage and additional overflow car parking adjacent the netball courts and swimming pool as well as improve property owner amenity and public accessibility.

RECOMMENDATION

That Council:

1. Approve the construction of upgrade works in Dight Street, Jindera.
2. That the cost to landowners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

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5. DEVELOPER PROPOSED ROAD NAMES, HERITAGE PARK JINDERA

Report prepared by Director Engineering - Greg Blackie

REASON FOR REPORT

This report seeks Council approval on behalf of the developer to name five roads in an approved subdivision stage (DA 10.2023.188.1) and future stages of the Heritage Park Subdivision in Jindera.

REFERENCE TO DELIVERY PLAN ACTION

Outcome	N2. Our road and transport network is maintained and accessible
Initiative	N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

DISCUSSION

Council will be the eventual owner of the public roads created as a part of a subdivision currently occurring on Wagner Drive, Jindera.

The developer has proposed five new names for roads created as a part of this development as well as the continuation of Wagner Drive. The names have been taken from an article naming settler families in the Jindera area. ([Annexure 13](#))

The proposed names are:

Salzke Goessling Irmier
Mickan Pfeiffer

All five have been pre-approved with the Geographic Names Board (GNB) and will require the appropriate road type assigned to meet the NSW Address Policy 2021.

Once a road name has been approved by Council, it will be advertised for public comment, and if no objection will be registered by the GNB. Under the Roads Regulation 2018, Council is required to publish notice of the new name in the NSW Government Gazette.

BUDGET IMPLICATION

Nil

CONCLUSION

A Resolution of Council is now sought to approve the proposed road names that will eventually form part of the public road network, so that they may be nominated to the GNB for final approval.

RECOMMENDATION

The provided names Salzke, Goessling, Irmier, Mickan and Pfeiffer have been considered and accepted for pre-approval by the Geographic Names Board. It is recommended that Council adopts these names to continue the approval process.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ON WEDNESDAY, 14 AUGUST 2024

6. PROVISION OF SHARED FOOTPATH, URANA ROAD BURRUMBUTTOCK.

Report prepared by Works Engineer – Andrew Walls.

REASON FOR REPORT

To advise Council of the proposed cost and apportionment for the Burrumbuttock Shared Path Project at Burrumbuttock as required by Council Policy.

REFERENCE TO DELIVERY PLAN ACTION

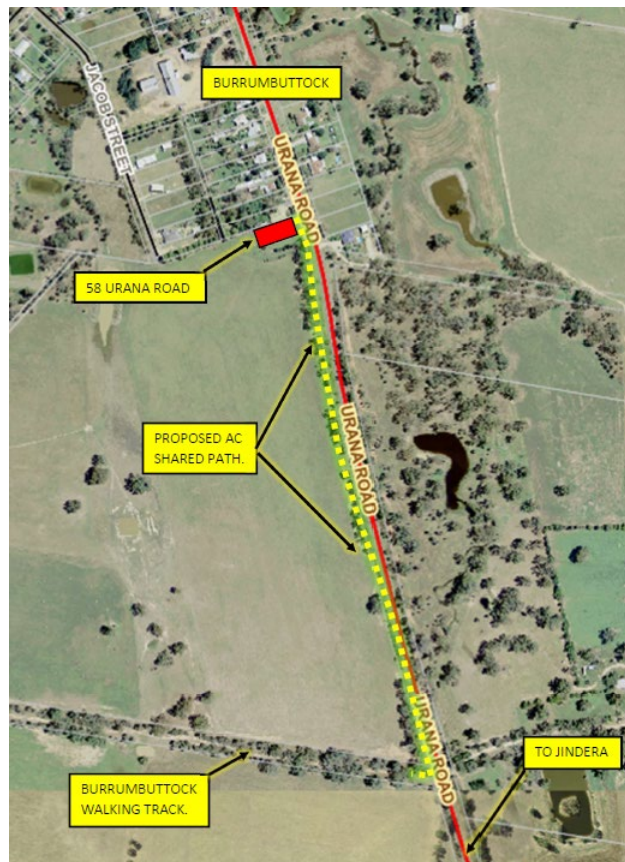
CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

DISCUSSION

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the Burrumbuttock Shared Path Project.

A sketch of the proposed works is included for Councillor’s information.



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PROVISION OF SHARED FOOTPATH, URANA ROAD BURRUMBUTTOCK [CONT'D]

The proposed works include the construction of a 2m shared footway western side of Urana Road running south from the township to meet the Burrumbuttock Walking Track easement.

A table showing the current estimate rates used to calculate the landowner contributions is **(ENCLOSED SEPARATELY 5)** for Councillors information.

It should be noted that the section of the project within the urban boundary has been apportioned under the recently adopted Contributions for Footpath/Kerb and Channel Construction Policy.

BUDGET IMPLICATION

Council has allocated \$200,000 for the completion of this project in the 2023/24 Operational Plan.

CONCLUSION

The completion of footpath within this street as planned will provide a pedestrian link from the residential township, improve property owner amenity and public accessibility.

RECOMMENDATION

That Council:

1. Approve the construction of footpath in Urana Road, Burrumbuttock,
2. That the cost to land owner be as detailed.

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ITEM TO BE REFERRED TO CLOSED COUNCIL

GOVERNANCE

1. **GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2024**

Report prepared by Mayor – Tony Quinn

REASON FOR REPORT

To advise Council of the outcome of the General Manager's Annual Performance Review for the year ending 30 June 2024 conducted by the Performance Review Panel on 22 July 2024.

DISCUSSION

This report outlines the results of the General Manager's Annual Review of performance conducted by the Council's Performance Review Panel on 22 July 2024.

RECOMMENDATION

That:
The matter be referred to Closed Council.

REASON

The discussions to be had in relation to this matter deals with employment matters.

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CORPORATE AND COMMUNITY

1.REQUEST TO AMEND WATER CONSUMPTION FOR FEBRUARY 2024 TO JUNE 2024

Report prepared by Senior Accountant – Camilla Webb

REASON FOR REPORT

To present a request from a landowner at Jindera to review the amount levied for Water usage for the February 2024 to June 2024.

REFERENCE TO DELIVERY PLAN ACTION

Not applicable

DISCUSSION

Council has received correspondence from a landowner at Jindera in relation to the water usage levied for the period 19 February 2024 to 6 June 2024. The charges were based on an abnormally high water usage consumption of 250kls.

The owner has submitted a formal request (**ENCLOSED SEPARATELY 6**) for a review of the billing for this period, amounting to \$795.75. The ratepayer reported a broken pipe on their property.

A review of the property's water usage history reveals that the consumption for the previous six readings ranged between 138-158kls, indicating that the high consumption was due to the leak.

BUDGET IMPLICATIONS

If the water usage is amended as referred in this report it would result in a reduction in charges of \$795.75 and would therefore impact on total revenue for the Greater Hume Water Fund.

CONCLUSION

As the matter of the large water usage account potentially relates to the personal hardship of any resident or ratepayer it is recommended that the matter be referred to Closed Council in accordance with section 10A(2) (b) the personal hardship of any resident or ratepayer.

RECOMMENDATION

That the consideration of the large water account for assessment 10018752 be referred to Closed Council in accordance with section 10A(2) (b) the personal hardship of any resident or ratepayer.

REASON

On balance the public interest in preserving the confidentiality a resident or ratepayer potentially suffering financial hardship outweighs the public interest in maintaining openness and transparency in Council decisions making at this time.

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ENVIRONMENT AND PLANNING

1. COMMENCEMENT OF CIVIL ENFORCEMENT PROCEEDINGS IN THE LAND AND ENVIRONMENT COURT OF NSW FOR THE REMOVAL OF EXCESSIVE ACCUMULATION OF ITEMS AND INSTRUCTIONS TO BRIEF COUNSEL – LOT 82 DP 583299 89 WOOD STREET JINDERA

Report prepared by Acting Director Environment and Planning – Sharyn Coulston

REASON FOR REPORT

The purpose of this report is to advise Council of the recommendation from Marsdens Law Group which is to proceed with commencement of civil enforcement proceedings in the Land and Environment Court of NSW for the removal of excessive items from 89 Wood Street Jindera (subject land), and to provide confirmation to Marsdens Law Group of instruction to brief Counsel noting that there is expectation the matter will be contested.

DISCUSSION

Over an extended period of time excessive amounts of items have been accumulated in the front and rear yard of the subject land. Since 2012 Council has recorded complaints concerning the appearance of this property and to address the problem, Council has issued Orders requiring the removal of the excessive items. There has never been any substantial attempt to comply with Council's Orders and Council has issued Infringement Notices and reissued Orders.

The items comprise old caravans, cars, bikes, an incomplete transportable dwelling and many more items as depicted in the photos contained in **(ENCLOSED SEPARATELY 7)**. There is a serious fire risk posed not only to the resident of the property, but to neighbouring properties. This risk also extends to the Emergency Services who, in the event of a fire, would have difficulty accessing the property. It is reasonable to assume that the excessive amount of items is a harbourage for vermin.

As mentioned, the property has never been brought into compliance with Council's Orders and issuing Penalty Infringement Notices has proven to be ineffectual. Consequently, it is the writer's recommendation that Council commence civil enforcement proceedings in the Land and Environment Court of NSW for the removal of excessive items from subject land.

BUDGET IMPLICATIONS

Legal fees associated with legal advice and court proceedings.

CONCLUSION

To advise Council that in relation to the subject land, Marsdens Law Group recommendation is to proceed with commencement of civil enforcement proceedings in the Land and Environment Court of NSW for the removal of excessive items from the subject land, and to provide confirmation of instruction to brief Counsel noting that there is expectation of the matter to be contested. It is recommended that the matter be referred to Closed Council in accordance with section 10A(2)(b) as the report deals with the personal hardship of a resident

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RECOMMENDATION

That the matter concerning the commencement of civil enforcement proceedings in the Land and Environment Court of NSW for the removal of excessive accumulation of items be referred to Closed Council in accordance with section 10A(2)(b) as the report deals with the personal matters concerning a particular individual.

REASON

The discussions to be had in relation to this matter deals with personal matters concerning a particular individual.

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ENGINEERING

1. ACQUISITION OF LAND FOR HOLBROOK LEVEE

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To approve the acquisition of land for the Holbrook Levee Project.

REFERENCE TO DELIVERY PLAN ACTION

CSP Strategy N2 Our road and transport network is maintained and accessible

Initiative N2.1.1. Implement asset management and renewal programs in accordance with adopted budgets and capital works programs.

DISCUSSION

As part of the construction of the proposed Holbrook Levee, Council is required to acquire land the levee is to be built upon.

The cost of the acquisition is not included in the grant funding, and Council is required to fund this work.

For the Holbrook Levee Project there are two land parcels owned by the same person and another that only a section of the property that is required.

As the discussions on the purchase of land is still in progress it is considered that the matters be referred to closed Council in accordance with Section 10A (2) (c) of the local Government Act as information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business

RECOMMENDATION

That matter for discussion for the purchase of the land is still in progress it is considered it be referred to Closed Council in accordance with Section 10A (2) (c) of the Local Government Act as information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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OFFICERS' REPORTS – PART B – TO BE RECEIVED AND NOTED

CORPORATE AND COMMUNITY SERVICES

1 2022/2026 DELIVERY PLAN AND 2023-2024 OPERATIONAL PLAN – REPORT AS AT 30 JUNE 2024

Report prepared by Director Corporate & Community Services – Louise Frichot

REASON FOR REPORT

To ensure compliance with section 407 of the Local Government Act, 1993.

REFERENCE TO DELIVERY PLAN ACTIONS

Statutory matter.

DISCUSSION

Section 407 of the Local Government Act 1993 requires the General Manager to report to Council, within two months after the end of each quarter, regarding the extent to which the performance targets set by the Council's Delivery Program have been achieved.

The report to 30 June 2024 detailing key actions contained in the 2022/2026 Delivery Program and 2023/2024 Operational Plan and achievements is included as **(ANNEXURE 14)**

The comprehensive Delivery Plan Report is available to the public at the following link:
<https://www.greaterhume.nsw.gov.au/Your-Greater-Hume-Council/Documents-and-Policies>

Satisfactory progress has been made in all Themes during the 2023/2024 Financial Year.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

It is Management's view that overall satisfactory progress towards the achievement of Performance Targets included in the 2022/2026 Delivery Program and 2023/2024 Operational Plan has been achieved.

RECOMMENDATION

That Council receive and note the 2022/2026 Delivery Program and 2023/2024 Operational Plan review report to 30 June 2024.

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2. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2024

Report prepared by Accountant – Camilla Webb

REASON FOR REPORT

This report presents to Council details of all funds invested as at 31 July 2024 as required by the Local Government (General) Regulation 2021.

REFERENCE TO DELIVERY PLAN ACTION

Objective We lead a vibrant, connected and inclusive community
Outcome 1.1 Leadership and advocacy is demonstrated and encouraged in our communities

DISCUSSION

In accordance with the Local Government Act 1993, the Responsible Accountant must present to Council monthly, the status of the investments held by Council. The Responsible Accountant must detail the investments held, and their compliance with both internal policy and external regulation under the Ministerial Order of Investments.

In accordance with the recommendations made by the Office of Local Government (OLG) Investment Policy Guidelines published in June 2010, the monthly Investments Reports are attached to the Council investment report. This allows a stand-alone report to be published on Council’s website for the public to view without having to peruse the Council meeting agenda for the relevant meeting.

Councillors should note that Council has engaged an external investment manager, Curve Securities, to source appropriate investment opportunities with the aim of transitioning Council’s investment portfolio to meet the investment parameters as detailed in Council’s revised Investment Policy. Curve Securities will work with Council to ensure that Council’s overall investment portfolio is diversified across a wider spectrum of approved financial institutions thereby achieving improved security and asset protection. It should be noted that each individual investment is still held directly by Council with each financial institution.

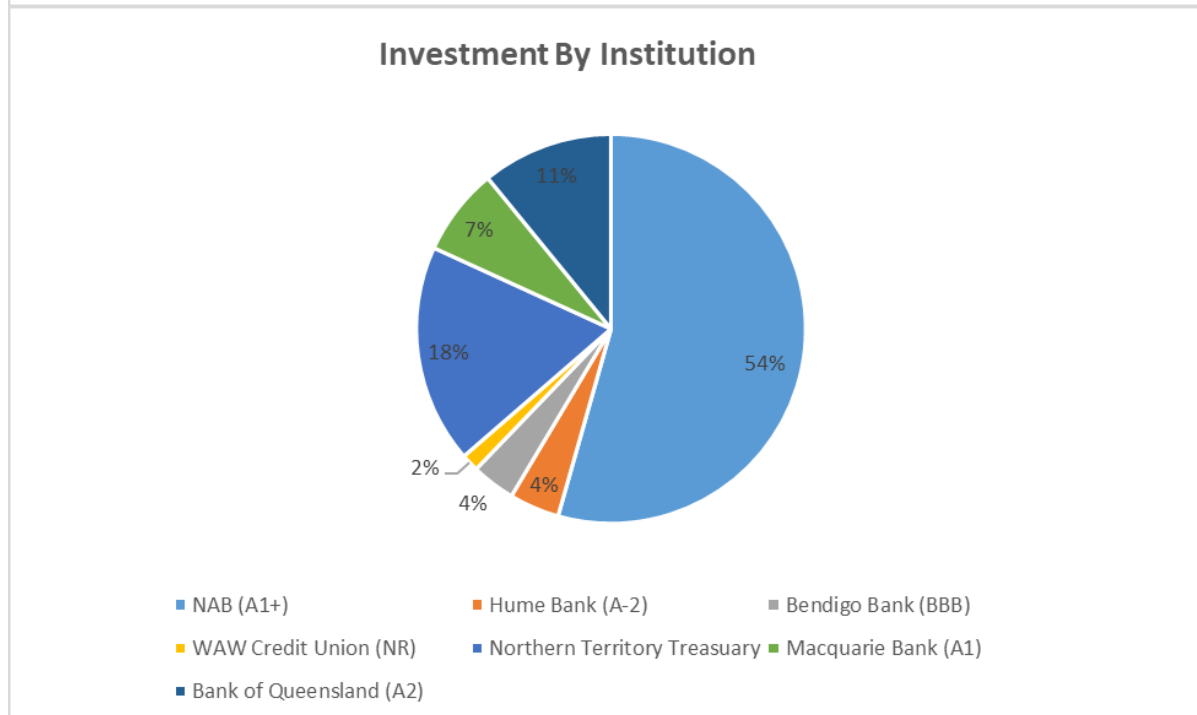
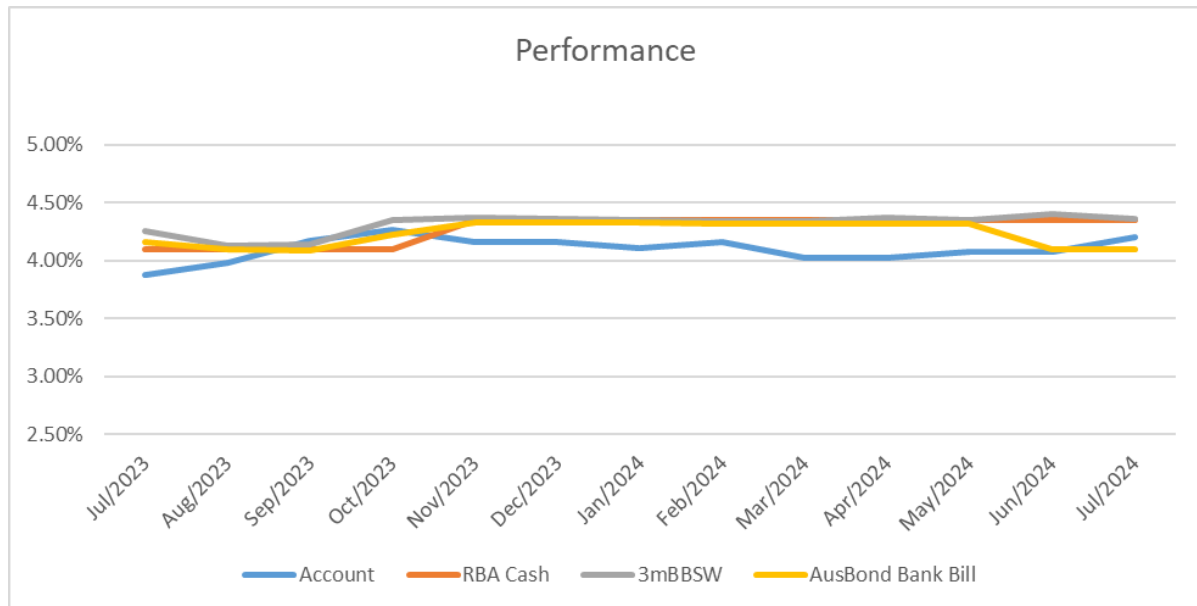
Greater Hume’s overall investment portfolio

Term Deposits and Treasury Bonds		
Balance held as at 30 June 2024	25	\$20,044,854.06
Add: New Investments this month	4	\$2,000,000.00
		\$22,044,854.06
Less: Matured Investments this month	4	\$2,000,000.00
Balance held as at 31 July 2024	25	\$20,044,854.06
At Call Account		
Account balance as at 30 June 2024		\$8,461,166.33
Add: Net movement to/from At Call account		-\$3,129,180.21
Account balance as at 31 July 2024		\$5,331,986.12
Total Portfolio Value as at 31 July 2024		\$25,376,840.18

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2024 [CONT'D]

Investment Yield		
Weighted Average Yield (rolling 13 months)		4.05%
Reserve Bank Cash Rate (remained unchanged)		4.35%
Notes: Large end of financial year payments through creditors dropped the at call account		



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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2024 [CONT'D]

Investment Register

Contract Number	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Monthly Accrued Interest
66578	Macquarie Bank	\$1,000,000	8/08/2023	7/08/2024	365	4.92%	\$4,178.63
72078	WAW Credit Union	\$400,000	9/05/2024	7/08/2024	90	4.35%	\$1,477.81
71724	Macquarie Bank	\$1,000,000	14/05/2024	13/08/2024	91	4.77%	\$4,051.23
65217	Bank Of Queensland	\$500,000	5/06/2023	26/08/2024	448	5.15%	\$2,186.99
71935	NAB	\$500,000	27/05/2024	26/08/2024	91	4.90%	\$2,080.82
69111	Bank Of Queensland	\$500,000	13/12/2023	9/09/2024	271	5.25%	\$2,229.45
67183	NAB	\$2,000,000	13/09/2023	12/09/2024	365	5.15%	\$8,747.95
67414	NAB	\$500,000	20/09/2023	19/09/2024	365	5.20%	\$2,208.22
70501	NAB	\$1,000,000	4/03/2024	1/10/2024	211	5.05%	\$4,289.04
70985	NAB	\$500,000	2/04/2024	1/10/2024	182	5.00%	\$2,123.29
78320	NAB	\$500,000	24/07/2024	23/10/2024	91	5.10%	\$558.90
72256	NAB	\$500,000	12/06/2024	11/11/2024	152	5.00%	\$2,123.29
72233	Beyond Bank Australia	\$1,000,000	18/06/2024	18/11/2024	153	5.15%	\$4,373.97
69094	NAB	\$1,000,000	12/12/2023	11/12/2024	365	5.20%	\$4,416.44
76029	Bank Of Queensland	\$500,000	3/07/2024	3/01/2025	184	5.20%	\$2,065.75
76030	Bendigo And Adelaide Bank	\$1,000,000	3/07/2024	3/01/2025	184	5.15%	\$4,091.78
72363	Bank Of Queensland	\$500,000	18/06/2024	14/01/2025	210	5.15%	\$2,186.99
70654	Hume Bank	\$71,245.02	1/03/2024	1/03/2025	365	5.10%	\$308.60
76031	Bank Of Queensland	\$1,000,000	3/07/2024	31/03/2025	271	5.20%	\$4,131.51
72064	Hume Bank	\$46,751.06	2/05/2024	2/05/2025	365	5.20%	\$206.47
72069	Hume Bank	\$1,000,000	10/05/2024	10/05/2025	365	5.20%	\$4,416.44
56079	Northern Territory Treasury Corp	\$1,000,000	14/01/2022	15/06/2025	1,248	1.40%	\$1,189.04

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2024 [CONT'D]

52490	Northern Territory Treasury Corp	\$1,500,000	27/05/2021	16/06/2025	1,481	1.10%	\$1,401.37
75895	Hume Bank	\$26,857.98	27/06/2024	27/06/2025	365	5.00%	\$114.05
51782	Northern Territory Treasury Corp	\$2,500,000	15/04/2021	15/06/2026	1,887	1.30%	\$2,760.27
49570	NAB	\$5,331,986.12	31/07/2024	1/08/2024	1	4.40%	\$642.76
Total		\$25,376,840.18					\$89,509.45

Declaration

I, Dean Hart, as the Responsible Accounting Officer of Greater Hume Shire Council, hereby certify the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2021 and Council's Investment Policy.

All investments have been appropriately recorded in Council's financial records and reconciled monthly.

CONCLUSION

As at 31 July, 2024 total Investments held were \$25,376,840.18. The year to date accrued investment earnings for 2024/2025 was \$89,509.45. The rolling 13 month average investment yield is 4.05%.

RECOMMENDATION

That Council receives and notes the Investment Balances Report for the month of July 2024.

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ENVIRONMENT AND PLANNING

1. AMENDED GARBAGE SERVICE COMPULSORY COLLECTION AREA - JINDERA

Report prepared by Approvals Coordinator – Barbara Campbell

REASON FOR REPORT

To notify Councillors of the change in the boundary for the Garbage Service Compulsory Collection Area in the town of Jindera.

REFERENCE TO DELIVERY PLAN ACTIONS

- | | |
|------------|---|
| Objective | Our natural and built environment is preserved and maintained in harmony with sustainable practices |
| Outcome N3 | Our infrastructure and facilities are maintained in harmony with the natural environment |

DISCUSSION

At the commencement of the new ten (10) year contract that Council entered into with Cleanaway on 1 July 2024, a new boundary for the compulsory collection area in the town of Jindera was established due to ongoing growth and development. The old boundary was no longer relevant to the current residential and rural residential areas of the town. The amended boundary for compulsory collection is shown in **(ANNEXURE 15)**.

BUDGET IMPLICATIONS

There are no direct budget implications resulting from the amendment in the compulsory collection area in the town of Jindera.

CONCLUSION

The continual review of compulsory collection areas as towns and villages within Greater Hume be carried out, where growth and development occur, to ensure Council is providing a fair and equitable service to all ratepayers within the compulsory collection areas and to increase sustainability of landfills with a three (3) bin system.

RECOMMENDATION

That the Amended Garbage Service Compulsory Collection Area – Jindera report be received and noted.

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PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. TOURISM AND PROMOTIONS REPORT – JULY 2024

Prepared by: Emily Jones, Tourism and Communication Coordinator

Greater Hume Council Websites

Outcome 4.2 - Our communication is open, effective and purposeful to connect and educate our community.

Continued implementation of the GHC Communication Plan. Maintain and manage the Greater Hume Council suite of websites which are compliant with accessibility standards. Seamless CMS(OpenCities) is the provider of Council's websites – Greater Hume Council, Visit Greater Hume, Greater Hume Children Services and Town and Village websites.

Comments

		greaterhume.nsw.gov. au		ghchildren.com.au		visitgreaterhume.com.a u	
July 2024		Previous	Current	Previous	Current	Previous	Current
Website Traffic	New	5779	13687	608	670	1545	1510
	Returning	5173	13096	507	659	1323	1495
Traffic Source	Organic	3478	5453	367	497	795	809
	Direct	1694	10442	115	152	284	481
	Referral	125	237	0	3	213	206
	Social	526	388	65	7	14	20
Device Paths	Desktop	2647	11083	318	239	576	755
	Mobile	3017	2538	185	431	711	715
	Tablet	117	104	4	1	37	40

www.greaterhume.nsw.gov.au - top pages:

1. Living in Greater Hume – Waste Facilities Opening Times, Charges and Accepted Waste
2. Your Greater Hume Council – Careers with Us
3. Your Greater Hume Council – Council Meetings
4. Living in Greater Hume – Waste and Recycling
5. Your Greater Hume Council – Building and Development

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TOURISM AND PROMOTIONS REPORT – JULY 2024 [CONT'D]

www.visitgreaterhume.com.au – top pages:

1. Natural Wonders – Table Top Reserve
2. Natural Wonders – Wymah Ferry
3. Natural Wonders – Morgan's Lookout
4. Culcairn – Culcairn Caravan Park
5. Henty

www.ghchildren.com.au – top pages:

1. Family Day Care
2. Changes to Child Care Subsidy
3. Enrol Your Child – Family Day Care
4. A Higher Rate of Childcare Subsidy
5. Contact Us

Social Media

Outcome 4.2 - Our communication is open, effective and purposeful to connect and educate our community.

Continued implementation of the GHC Communication Plan. Expand the information available to the community online and encourage online collaboration and self-serve service platforms

Comments

Instagram, #visitgreaterhume – 1152 followers

Individual facebook pages:

- Greater Hume Council – 3926 followers
- Visit Greater Hume – 815 followers
- Holbrook Submarine Museum – 1295 followers
- Greater Hume Children's Services – 1100 followers
- Greater Hume Youth Advisory Committee – 487 followers
- Buy Local in Greater Hume – 673 followers

Greater Hume Council Newsletters

Outcome 4.2 - Our communication is open, effective and purposeful to connect and educate our community.

Develop quarterly Council newsletters and a rates notice insert whilst ensuring effective and targeted content

Comments

June edition of the Council Newsletter was published within the first week of June 2024. Work is beginning on the Spring 2024 Council Newsletter which is due to be published within the first week of September 2024.

Grants and Funding

Outcome 1.2 - Our infrastructure and services are aligned to the health, wellbeing and safety needs of the community

Comments

Greater Hume has now partnered with GrantGuru to provide is the most comprehensive grants database in Australia that includes grants and assistance across all levels of government and the Greater Hume Council Agenda 14 August 2024

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TOURISM AND PROMOTIONS REPORT – JULY 2024 [CONT'D]

private sector (philanthropic grants), each summarised into a one-page template for easy comparison. This grant portal is available to Council staff, local businesses, community and sporting groups throughout Greater Hume. Grant applications managed by writer are:

Name	About	Current
Maritime Museum	Submarine Museum Holbrook – Restoration and Framing of WWII Jolly Roger Flag \$1350.00	Successful - Work in Progress

Greater Hume Tourism and Promotions

Outcome 2.3 - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

Comments

- Monthly newsletters are sent to all Greater Hume Tourism Operators, providing latest information on tourism opportunities, marketing, social media and promotional campaigns as well as relevant contacts and statistics.
- Managing over 180 Greater Hume ATDW Listings. The Australian Tourism Data Warehouse (ATDW) is Australia's national platform for digital tourism marketing in Australia. ATDW distributes information to over 60 partners' websites to support local tourism businesses in expanding their on line exposure, bookings and marketing.
- Submitted visitor and What's On advertising in Eat Play Winter Edition 2024. The print run is 24,000, 14,000 are inserted into The Border Mail and the additional 10,000 distributed. Distribution is to all Visitor Information Centres through NE Victoria and South West NSW/Riverina plus Canberra and Melbourne. Other business (inc motels) and advertisers.
- Emailed (over 600) 'What's On in July' to Visitor Information Centres in NSW and VIC, coach/bus/tour companies, tourism operators within shire and regional, media, visitor information points and to interested residents in shire.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and will now be rolled out in 2024. The first section of this campaign a 'social influencer trip' has been completed. The second stage photoshoot has now been completed and photos are beginning to be released by Greater Hume and Visit the Murray. Blog posts are now being developed.

Visitor Information Centre and Submarine Museum

Outcome 2.3 - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience.

Offering visitors to Greater Hume information and advice on accommodation, places to eat, attractions, maps, tours, road conditions, events and other general information. Reception and admission to Submarine Museum.

Comments

Visitor Information Centre Statistics:

July 24 - Walk In – 1751, Phone Calls - 41, Emails – 0.

July 23 - Walk In – 490, Phone Calls - 2, Emails – 0.

Submarine Museum Statistics:

July 24 - Adult - 190, Child - 85, Concession - 182, Family - 97, Group - 0, Total - 554.

July 23 - Adult - 49, Child - 41, Concession - 46, Family - 30, Group - 0, Total - 288.

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TOURISM AND PROMOTIONS REPORT – JULY 2024 [CONT'D]

Events

Outcome 2.3 - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

To assist with the promotion of Greater Hume's many and varied events. Encourage more residents to be involved in Greater Hume and events.

Comments

During this period we have supported over 10 events across Greater Hume, including Henty Ag Show, Festival by the Sub, Holbrook Triathlon and Holbrook Agricultural Show, Morgan Country Car Club Show and Shine and the Lights Show at Wirraminna Environmental Education Centre. We are currently supporting events such as Winter Markets, Dinner collaborations, Henty Machinery Field Days, Community Gatherings and various Jindera Pioneer Museum events.

Australia Day

Outcome 1.1 - Our communities are welcoming and inclusive to support diversity and social connectedness

Comments

July Council outcomes have been communicated to Henty and Jindera Communities. Meeting dates have been set with Henty Community to begin initial preparations for Australia Day 2025.

Signage

Outcome 2.3 - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

Comments

Signage is being developed across in Burrumbuttock along with the Submarine Precinct.

Murray Regional Tourism (MRT)

Outcome 2.3 - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

MRT is a joint venture between Albury, Balranald, Berrigan, Campaspe, Corowa, Deniliquin, Gannawarra, Greater Hume, Mildura, Moira, Murray, Swan Hill, Wakool, Wodonga, as well as Tourism Vic and Destination NSW.)

Comments

- Currently attending monthly zoom meetings with MRT and the VIC network group.
- Advocacy for current flooding crisis along the Murray and positive promotions depicting The Murray as still open for visitors with a wide range of activities still open.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and has now been extended to Summer 2023/2024. The first section of this campaign is being release during the first weekend in February as a 'Social Influencer' campaign.
- Staff are undergoing Social Media Training beginning in February, led by Murray Regional Tourism. This training includes one on one mentoring sessions.
- A photo shoot was organised across Greater Hume and photo has begun to be distributed and utilised.
- Blogs posts are being developed that capture Greater Hume's natural environment and inclusivity.

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TOURISM AND PROMOTIONS REPORT – JULY 2024 [CONT'D]

Museums and Heritage

Outcome 1.3 - Our connection to the local culture and environment fosters positive relationships and learning for sustained health benefits.

GHC currently has 11 public or private museums and three historical societies. Museum Advisor (Vanessa Keenan) – In partnership with Albury City Council and Museums and Galleries NSW.

Comment

A full training/workshop program has been developed for 2024 by the Museum Adviser with museum volunteers, staff of Albury and Greater Hume at the new Digitisation Hub. Dates have been set for pest management and oral history workshops. Booking are currently being taken by community museum volunteers.

Greater Hume Community Museums now have an extensive library of objects on eHive, with over 250 objects now listed, (eHive is a web-based collection cataloguing system used worldwide by hundreds of museums, societies and private collectors to catalogue objects, store images, manage acquisition information and publish their collections online.) for those looking to learn more about some of the region's most significant objects/artefact's.

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CORPORATE AND COMMUNITY SERVICES

1. GREATER HUME LIBRARY SERVICES

Report prepared by Acting Customer Relations Coordinator– Carly Toll

REASON FOR REPORT

To inform Council on library membership and participation in Greater Hume Council Libraries.
To inform Council on Youth Services programs and events held in Greater Hume Council

REFERENCE TO DELIVERY PLAN ACTIONS

Theme Health Communities.
Outcome We are revitalising our communities, welcoming visitors, growing our economy and promoting the lifestyle, culture and heritage offered in our communities.

DISCUSSION

The Greater Hume Council Libraries and Youth Services continue to organise and facilitate programs and services that meet the needs and wants of the community.

Library Programs- July 24

Library Programs	Location	Event
Book Nooks	Henty, Culcairn and Holbrook	Each month children's picture books and adult 'coffee table' nonfiction books are delivered to businesses and organisations. This continues to be popular.
Story Time	Henty, Culcairn, Holbrook and Jindera	Storytime continues to be held at the libraries each month. Participants include before school aged children, preschool and school students.
School Holiday Program – • Backpacks	Henty, Culcairn, Holbrook and Jindera	47 school aged children across our 4 libraries came and coloured in backpacks.
Knitting Club	Culcairn/Jindera	Bi-weekly visits to knit and connect with other group members.
Billabong High School	Culcairn	Weekly volunteering from our students to assist residents with their tech needs.
No Reservations Fees	Henty, Culcairn, Holbrook and Jindera	From 1 July 24 Riverina Regional Library ceased charging the \$1 Reservation Fee for library members to reserve books from other libraries. Limits of 10 reservations apply.

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GREATER HUME LIBRARY SERVICES [CONT'D]

Upcoming Library Programs – August 24

Upcoming Programs	Location	Event Description
Book Week	Holbrook, Henty, Culcairn and Jindera	Craft, book reading centred around the theme 'Reading is Magic.
Book Week Village Public School Visits	Brocklesy, Burrumbuttock, Gerogery, Walla Walla and Walbundrie	Reading, craft, treasure hunt and giveaways.
Knitting Club	Culcairn	Bi-weekly visits to knit and connect with other group members.
Billabong High School	Culcairn	Weekly volunteering from our students to assist residents with their tech needs.
Storytime	Henty, Culcairn, Holbrook and Jindera	Storytime continues to be held at the libraries each month. Participants include before school aged children, preschool and school students.

Youth Programs - July 24

Youth Programs	Location	Event
Billabong High School Tech Group	Culcairn Library	20 students from Billabong High School visit the Culcairn Library each month. Activities are undertaken in the library as well as assisting community members with technology.
July School Holidays PlayStation Competition and Games	All Libraries	21 children from aged 10 came and participated in the tournament using the VR headsets and refreshments were provided.

Library Statistics - July 24

Library Statistics – July 24	Henty	Culcairn	Holbrook	Jindera
Issues	314	286	523	137
Online Resources	202	96	185	31
Door Count	754	1693	986	829

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GREATER HUME LIBRARY SERVICES [CONT'D]

(Please note Henty Library is only open 20 hours per week – Tuesday – Friday 12pm - 5pm. All other libraries are open Monday to Friday 8.30am – 5pm)

Planning is underway to commence the 12-month transition Outreach Programme to the impacted towns. This will include activities associated with:

- GHC will provide a monthly service to the impacted towns of borrowing physical resources with the aim of transitioning services to online borrowing and reading and/or using our four libraries based in Jindera, Holbrook, Henty and Culcairn.
- To support the online ability to borrow and read, GHC has 30 iPads that can be borrowed by library members with eBooks and eAudio books preloaded. These will be prioritised to users who currently use the mobile service but who cannot get to a static library. Furthermore as part of the transition, education would be provided in the use of these resources.
- August 2024 - Book Week in August for School Age Children – Schools visits have been confirmed and planning is underway to facilitate a Book Week program.
- October 2024 – Get Online Week for Seniors will be applied for in September 24
- February 2025 - Tech Savvy Seniors – Funding has been applied for and programs scheduled.

BUDGET IMPLICATIONS

Nil. Works are funded from budget allocations.

CONCLUSION

Greater Hume Council continues to provide programs and services for all members of the community. Preparation is underway for a successful twelve-month transition of outreach programs to impacted towns after the cessation of the Riverina Regional Library Mobile Library Service. Council will work with local Schools throughout August to facilitate Book Week Programs and continue to provide regular Library Programs across Jindera, Holbrook, Henty and Culcairn.

2. GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS

For Councillors information, the customer request modules are **(Enclosed Separately 8)**

3. STATEMENT OF BANK BALANCES AS AT 31ST JULY 2024

The statement of bank balances as at 31st July is attached as **(Annexure 16)**

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ENGINEERING

1. JULY REPORT OF WORKS

Grants Program

State Roads Maintenance (RMCC)

Maintenance works, inspections and sign replacement on State Roads, Olympic Highway (MR78) and Tumbarumba Road (MR284) is continuing under the RMCC with Transport for New South Wales (TfNSW).

Regional Roads

General maintenance is continuing on all Regional Roads.

Culvert installation and road reconstruction is complete on Jingellic Road (MR331) as part of the 3.2km rehabilitation project between Yarara Gap and Coppabella Road.

Culvert replacement/upgrades at Spring Creek, Scent Bottle Creek and Fish Creek on Jingellic Road (MR331) is continuing.

Widening of Wantagong Creek bridge on Jingellic Road (MR331) is progressing/

Local Roads

Sealed:

General maintenance on local roads is continuing.

Brocklesby Balldale Road (Stage 1) – Road reconstruction is continuing.

Brocklesby Balldale Road (Stage 2) Road reconstruction is continuing.

Vegetation clean up from natural disaster AGRN1034 is continuing.

Shoulder repairs on various local roads from natural disaster AGRN1034 are continuing.

Natural disaster heavy patching on various local roads is continuing.

Unsealed:

Vegetation clean up from natural disaster AGRN1034 is continuing.

Heavy grading is continuing on various local roads from natural disaster AGRN1034.

The installation of a floodway culvert is continuing on Galena Hills Road, Holbrook.

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JULY REPORT OF WORKS [CONT'D]

Maintenance grading has been carried out on the following roads during July. See Map (ANNEXURE 17).

Road Name	Location	Length Graded (km)
ROAD NAME	LOCATION	APPROX. LENGTH
Anderson Road	Entire length	2.7
Beach Road West	Entire length	1.3
Bendermeer Road	Entire length	0.8
Bowlers Road	Entire length	1.6
Ferndale Road	From Tunnel Rd end	1.5
Halford Drive	Entire length	1.5
Hore Road	Whole unsealed length	2.3
Hovell Road	Whole unsealed length	6.3
Iron Post Lane	Urana Rd end	1.5
Knox Road	Whole unsealed length	3.7
Sherwyn Road	Alma Park Rd to Gluepot Rd	3.5
Stony Park Road	Whole unsealed length	4.4
Yarra Yarra Road	Whole unsealed length	4
	Total	35.1 km

Urban Streets:

General maintenance of urban streets including signage replacement is continuing.

Footpath construction in Bowler Street, Holbrook between Croft Street and Railway Parade is complete.

Drainage and kerb modifications has been completed at the intersection of Wallace and Thorpe Streets, Holbrook.

General:

General maintenance of public toilets and parks is continuing.

Utility installation is nearing completion and final construction works at the new Culcairn residential subdivision is being completed.

Multiple roads and parking areas have been sealed at the Walbundrie Recreation Reserve.

New toilet block construction is continuing at Burrumbuttock Recreation Reserve.

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JULY REPORT OF WORKS [CONT'D]

Monthly Works Maintenance Expenditure:

Local Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Urban Roads Maintenance	\$248,307	\$20,692	\$15,502	\$5,191	\$6,780	
Urban Roads Town Maintenance	\$439,945	\$36,662	\$22,587	\$14,075	\$0	
Rural Roads Sealed	\$1,011,459	\$84,288	\$41,463	\$42,825	\$58,273	
Rural Roads Unsealed	\$1,181,265	\$98,439	\$74,308	\$24,131	\$121,922	
Street Tree Maintenance	\$264,195	\$33,024	\$28,055	\$4,970	\$0	

Regional Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Regional Roads Maintenance	\$1,926,000	\$160,500	\$39,906	\$120,594	\$31,288	

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Sportsground Maintenance	\$391,477	\$32,623	\$10,791	\$21,832	\$0	
Parks & Gardens Maintenance	\$307,863	\$25,655	\$17,371	\$8,284	\$0	
Public Toilets Maintenance	\$225,404	\$18,784	\$15,805	\$2,979	\$0	

NB : Sportsground Maintenance excludes annual GHC contribution payment

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JULY REPORT OF WORKS [CONT'D]

Major Projects Expenditure:

Project	Budget	YTD	Committed	Total	% Budget Expended	% Work Completed	Comments
2024-2025 Resealing Program	\$1,538,700	\$0	\$0	\$0	0.00%	0.00%	Contract out to Tender through Vender Panel (LGP).
2024-2025 Gravel Reheating Program	\$1,640,000	\$0	\$0	\$0	0.00%	0.00%	Works to be programmed.
Brocklesby Balldale Road Rehab - Stage 1 & 2	\$4,671,579	\$2,622,999	\$618,259	\$1,225,763	56.15%	60.00%	Stage 1 Sealing will be completed in August 24 with Line Marking and Guardrail to be installed by September 24, works will continue on Stage 2.
Regional Emergency Road Repair Program	\$9,130,569	\$6,316,802	\$200,000	\$6,516,802	69.18%	69.18%	Works are Progressing as per Approved Project Plan.
Jingellic Road - 5 Bridges/culverts	\$4,520,000	\$1,798,284	\$449,922	\$2,248,207	39.79%	40.00%	Serpentine Creek is complete, work is continuing on 3 other culverts and preparation works are underway on Wantagong Bridge Widening.

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JULY REPORT OF WORKS [CONT'D]

Jingellic Road - Hulm to Coppabella Recon	\$3,600,000	\$3,054,729	\$287,586	\$3,342,315	84.85%	95.00%	Final km has been sealed with Line Marking to be completed in Aug 24.
Culcairn Residential Subdivision	\$3,217,391	\$2,516,278	\$31,000	\$2,547,278	78.21%	80%	Final utility instalment is ongoing.

Capital Works Program 2023-2024 Spreadsheet is attached as **(Annexure 18)**

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF JULY 2024

The Schedule of development applications for the month of JULY 2024 is attached at **(ANNEXURE 19)**

PART D

COMMUNITY MEETING- MINUTES

Attached in **ANNEXURE 20**, are minutes of the following items:

1. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES 16 July 2024**
2. **WALLA WALLA COMMUNITY HALL COMMITTEE MINUTES 5 AUGUST 2024**
3. **WALBUNDRIE RECREATION GROUND COMMITTEE AGM MINUTES 26 JUNE 2024**
4. **WALLA WALLA SOLAR FARM COMMITTEE MEETING JULY 2024**