

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, HOLBROOK LIBRARY, HOLBROOK
ON WEDNESDAY, 18 DECEMBER 2024

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MAYORAL MINUTE

NOTICE OF MOTIONS

1. RESCISSION MOTION

Notice of Motion:

Notice of Rescission of Motion Cr Kerry Morton 04/12/2024

With regards to the Behavioural Guidance and Suspension and termination of enrolment Policies, That Council rescinds the policies and returns them in their corrected draft format for resolution at the February 19th, 2025, Ordinary meeting of Council.

ITEM 3. Policy Development

6740 - Resolved

"That the Greater Hume Council adopts the action with regard to the policy detailed in the table below"

1 Child safe policy - Presented as Behavioural Guidance Policy

2. Suspension and Termination of Enrolment policy.

(Annexure 02 of Business paper pg. 135-143}

Reason for notice:

Due to the fast pace of the meeting 20/11/2024, inadequate time was made available to discuss the proposed policies. Councillors were reassured that corrections were to be made, however this was not forthcoming.

A request had been given prior to the meeting to lay the policies aside for reworking and correction before presentation at an Ordinary meeting for resolution. Subsequent communication regarding the format and content of this document was not satisfactory- and a reworked draft was not presented as requested.

The draft minutes of the meeting named the "Behavioural Guidance Policy" as Child safety policy, which is incorrect.

The Director is to provide both the current adopted policy- and the corrected draft policy, highlighting changes for Councillors to ensure which changes have been made prior to resubmission.

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Signatories to Motion: 1. Cr Kerry Morton



2. Jerry O'Neil Cr.

3. Ben Hayer



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OFFICERS' REPORTS – PART A - FOR DETERMINATION

CORPORATE AND COMMUNITY SERVICES

1. PRESENTATION OF 2023/2024 FINANCIAL STATEMENTS

Report prepared by Director Corporate & Community Services – Louise Frichot

REASON FOR REPORT

To formally present the 2023/2024 Financial Statements and Auditors Reports to Council.

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

Councillors will recall that a comprehensive report on the 2023/2024 Financial Statements was submitted to the October 2024 extraordinary meeting of Council.

At that meeting, Council resolved to refer its 2023/2024 Financial Statements to Council's Auditor for audit. The auditor's reports were subsequently received by Council and have been attached to the General Purpose and Special Purpose Financial Statements in accordance with Section 417(1) of the Local Government Act 1993.

The audited Financial Statements and a copy of the Auditor's Reports have been available for public inspection at Council's offices and on Council's website since 1 November 2024. As required by Section 418 of the Act, Council must give seven (7) days public notice for the meeting at which it presents the Audited Financial Statements and Auditor's Reports. The public notice appeared in The Border Mail newspaper on Saturday, 2 November, 2024. Section 420 of the Act requires that all submissions in respect of the audited Financial Statements must be in writing and must be lodged with Council within seven (7) days after the November 2024 Council Meeting. Copies of all submissions received must be referred to Council's Auditor. At the time of preparing this report no submissions have been received.

A copy of the Financial Statements and Auditor's Reports have been distributed to Councillors. The Audit reports and financial statements have been forwarded to the Office of Local Government.

Council's external auditor, Mr Unaib Jeffrey from the NSW Audit Office will be in attendance (online) at the Council Meeting to provide Councillors with a report on the conduct of the audit and the financial result for the year ending 30 June 2024.

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PRESENTATION OF 2023/2024 FINANCIAL STATEMENTS [CONTD]

BUDGET IMPLICATIONS

Nil.

CONCLUSION

Development of the financial statements and external audit has been completed and a copy of the financial statements has been forwarded to the Office of Local Government within the statutory timeframe.

RECOMMENDATION

That:

1. In accordance with Section 419 (1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for the year ended 30 June 2024 are hereby received and noted.
2. If applicable, a further report be presented to the February 2025 Council Meeting detailing any submissions received in respect of Council's audited Financial Statements.

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2. **INTERIM 2023/2024 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2024
(REVISED AS AT 28 NOVEMBER, 2024)**

Report prepared by Chief Financial Officer – Dean Hart

REASON FOR REPORT

To present the Interim Budget Review as at 30 September 2024 in accordance with Section 203 of the Local Government (General) Regulation 2005.

REFERENCE TO DELIVERY PLAN ACTION

Not Applicable – legislative requirement

DISCUSSION

The interim budget review as at 30 September 2024 is included as **(ANNEXURE 1)** for Councillors' perusal. The budget review, as presented, indicates that the projected 2024/2025 cash surplus will be \$ 11,139 which represents a reduction of \$ 7,366 on the original estimated surplus of \$18,505. The major reason for this variance is discussed below;

Local Roads and Community Infrastructure

As discussed at the Council meeting on 14th August, 2024 Council was required to lodge a revised work schedule with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts as some of the previously nominated projects were not eligible for consideration. All projects listed in the revised schedule were accepted by the funding authority. The grant funds will offset the cash spent in the 2023-2024 year. This is reflected in the budget review in the unrestricted cash reserve.

Remediation and Rehabilitation of Funks Pit

As resolved at the Council meeting on 9th October, 2024 an amount of \$230,000 has been brought out of the internal Waste Management reserve to cover the initial cost of removing the waste material to the Walla Walla Landfill, screening the material and completing the remediation of the Walla Walla landfill site.

As at 30 June 2024 the following internal cash reserves are held by Council;

Waste Management Reserve \$1,226,239

Quarries/Pits Restoration \$ 375,238

The allocation of \$375k is available to Council in the Quarries/ Pits restoration reserve to carry out the remainder of the rehabilitation of Funks Pit. As per the Council resolution a detailed cost estimate will be tabled at a future Council meeting.

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Solar Farm Voluntary Planning Agreements

As at 30 June the following amounts are held in externally restricted cash reserves for VPA contributions;

Walla Walla Solar Farm	\$738,552
Culcairn Solar Farm	\$152,455

(Please note: interest has accrued on the initial amounts received)

\$340,000 has been allocated from the Walla Walla Solar Farm contributions toward the renovation of the Walla Walla Hall in this budget review. \$100k of the Culcairn Solar farm reserve has been utilised for the Culcairn Business District Beautification. A further \$50k has been allocated to an environmental assessment of the Culcairn Rail Precinct.

Audit Fees

The Audit Office of NSW have charged Council an additional \$40k for work associated with the revaluation of infrastructure assets. The explanation for this charge was that this was not part of the original scope of the Audit for 2023-2024 as agreed in February 2024. As Council had already engaged contractors to carry out condition assessment work relating to this infrastructure it was decided to proceed with the full revaluation of assets in 2023-2024. This would then enable Council to load all the financial data relating to these assets into its asset management systems without having to repeat the process at a later date. Whilst the Audit Office had foreshadowed that an additional cost would be applicable they were unable to give Council an estimate to enable the adjustment to be taken up in the first quarter budget review. The additional cost will be taken up as a budget adjustment in the December 2024 quarter.

Depreciation Expenses Adjustment

A depreciation expense adjustment has been taken up in the September 2024 budget review to address the revised treatment of road asset sub-base components, as identified during our recent audit. This change reflects a more accurate assessment of our road infrastructure depreciation methodology and will improve our financial reporting accuracy going forward.

It's important to note that while this adjustment will affect our reported depreciation figures, it is purely a non-cash accounting entry. This means there is no impact on our available funds, cash position or bottom line budget result and our operational capabilities remain unchanged.

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Adjustment/Corrections identified by the Audit Office

Engagement Closing Report

The Audit Office of NSW Engagement Closing Report includes the following table in relation to the effect of uncorrected misstatements

Description and Effect	Net Operating Result (Increase)/Decrease \$'000s
Net operating result as reported	10,840
Current year misstatements that have not been corrected	(550)
Adjusted current year net operating result	10,290

The actual net operating result for 2023/2024 of \$10.840M is correct. The above table has been included in the Engagement Closing Report to show the impact of the uncorrected misstatement on its net operating result. The misstatement relates to the depreciation of Rural Fire Service Assets in the amount of \$550k. The Audit Office has confirmed that this will not require any adjustment in the publication of the 2023/24 financial year results advised to Council at its meeting on 22 October 2024. Council's position remains unchanged regarding non-recognition of RFS "red fleet" assets.

Operating Income

The Net Operating Income stated in the report to ARIC on 10 September 2024 was \$45.476M. The final Net Operating Income reported in the Annual Financial Statements for 2023-2024 was \$45.039M, a reduction of \$437k.

The movement in income is summarised in the table below;

Income Category	Amount \$000's
Grants and Contributions provided for Operating Purposes This was a reduction in the accrual for grants relating to natural disaster funding. The Audit Office maintained that as the claim had not been lodged for this expenditure outlaid in 2023-2024 Council could not take up the income until the following year.	(1,000)
Other Revenue This increase related to the provision for remediation and rehabilitation of tips and quarries. In 2023-24 the downward movement of inflation rates resulted in a reduction in the required provision. Initially Council treated this as a negative expense but the Audit office requested that it be shown as other revenue.	563
Net Adjustment to Income	(437)

Please note that the \$1M adjustment to Grants and Contributions for Operating Purposes will result in a positive adjustment to the 2024-2025 financial result which will be used to replenish the unrestricted cash position.

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UNCOMPLETED WORKS AND UNEXPENDED GRANTS CARRIED FORWARD

The budget has been adjusted to bring forward uncompleted works and unexpended grants.(where required). A list of the uncompleted works carried forward is listed below for Councillors reference.

OVERALL BUDGET REVIEW

Detailed below is a full review on a functional basis with comments. The commentary below provides an explanation of major variances (greater than \$5,000) except where offset within the same function. It should be noted that the variance figures quoted in the following table have been calculated on the basis of the actual budget variance figures net of the proposed carried forward amounts. A number of small adjustments have been made across functional areas to bring budget in line with actual costs for rates and insurance for 2024/2025. A positive number represents an improvement in the budget.

GOVERNANCE & ADMINISTRATION

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Elected Members Expenses	+\$3,377		
Governance Expenses	+\$1,363		
Risk Management	+\$6,218		Adjustment to Insurance Premiums due to lower than budget increases.
Corporate Services Administration	+\$501		
Information Technology Services	Nil		
Employment On-Costs	Nil		
Engineering Administration	Nil		
Depot Administration and Maintenance	+\$2,109		
Plant Operations	Nil		
TOTAL GOVERNANCE & ADMINISTRATION	+\$13,568		

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PUBLIC ORDER AND SAFETY

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Animal Control	Nil		
Fire Services	-\$227		
Emergency Services	-\$970		
TOTAL PUBLIC ORDER & SAFETY	-\$1,197		

HEALTH SERVICES

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Health Administration	Nil		
TOTAL HEALTH SERVICES	Nil		

ENVIRONMENT

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Waste Management	+\$690		
Noxious Animals & Insects	Nil		
Noxious Plants	Nil		
Street Cleaning			
Stormwater Maintenance & Drainage	Nil		
TOTAL PUBLIC ORDER & SAFETY	+\$690		

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COMMUNITY SERVICES AND EDUCATION

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Children Services	Nil		
Preschools	+\$988		
Youth Services	Nil		
Community Housing	Nil		
Frampton Court Rental Units	Nil		
Kala Court Rental Units	Nil		
Kala Court Self-Funded Units	Nil		
Aged Care Rental Units – Culcairn	Nil		
Aged Care Rental Units – Jindera	Nil		
Other Community Services	-\$170		
TOTAL COMMUNITY SERVICES & EDUCATION	+\$818		

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HOUSING AND COMMUNITY AMENITIES

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Street Lighting	Nil		
Public Cemeteries	+\$282		
Town Planning	-\$4,500		
Public Conveniences	-\$5,166		Adjustment for costs of repairing damage caused by vandalism
Council Owned Housing	Nil		
Other Community Amenities	-\$296		
TOTAL HOUSING & COMMUNITY AMENITIES	-\$9,680		

RECREATION AND CULTURE

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Public Halls	Nil		
Libraries	+\$1,170		
Museums	+\$400		
Swimming Pools	Nil		
Sporting Grounds & Recreation Reserves	Nil		
Parks & Gardens	-\$10,242		Adjustment for costs of repairing damage caused by vandalism
Other Cultural Services	Nil		
TOTAL RECREATION & CULTURE	-\$8,672		

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MINING, MANUFACTURING & CONSTRUCTION

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Building Control	Nil		
Quarries & Pits	Nil		As discussed earlier an adjustment has been made for Funks Pit clean up. This has been financed from reserves resulting in no adjustment for this period.
TOTAL MINING, MANUFACTURING & CONSTRUCTION	Nil		

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TRANSPORT AND COMMUNICATIONS

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
FAG Grant – Roads Component	Nil		
Urban Roads Local	Nil		
Sealed Rural Roads – Local	Nil		
Sealed Rural Roads – Regional	Nil		
Unsealed Rural Roads – Local	+\$14,187		Propose reallocation to Aerodromes to finance additional gravel re-sheeting works undertaken at the Holbrook Aerodrome.
Bridges	Nil		
Kerb & Gutter	Nil		
Footpaths	-\$226		
Aerodromes	-\$16,080		Propose reallocation from Unsealed Rural Roads to finance additional gravel re-sheeting works undertaken at the Holbrook Aerodrome.
Bus Shelters	Nil		
Ancillary Road Works and PAMPS	+2,000		
State Roads RMCC Works	Nil		
Natural Disaster Recovery	Nil		
TOTAL TRANSPORT & COMMUNICATIONS	+\$511		

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ECONOMIC AFFAIRS

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
Jindera Medical Centre	Nil		
Caravan Parks	-\$281		
Tourism Operations	Nil		
Visitor Information Centre & Submarine Museum	+\$90		
Economic Development	Nil		
Community Development Projects	Nil		
Real Estate Development	-\$3,213		
Real Estate Sales	Nil		
Private Works	Nil		
TOTAL ECONOMIC AFFAIRS	-\$3,404		

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GENERAL PURPOSE REVENUES

Function	Projected Budget Variance	Budget Reallocation \$	Comment (where variance exceeds \$5000)
FAG Grant – General Component	Nil		
Interest on Investments	Nil		
Rates	Nil		
TOTAL GENERAL PURPOSE REVENUES	Nil		

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SUMMARY OF BUDGET VARIATIONS

SUMMARY OF BUDGET VARIATIONS	-\$7,366		
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WATER AND SEWERAGE

General income and expenditure figures appear to be satisfactory.

SUMMARY

Council's overall budget position has reduced as at 30 September 2024 with a surplus of \$11,139 predicted.

It should be noted that this review is for one quarter only further adjustments will be necessary as the year progresses. The budget also includes a number of projects which will require additional funding to be sourced if they are to proceed. Some of this may need to come from own sourced funding which will impact on the reported surplus.

Shown below are a number of Council's financial indicators as at 30 September 2024. These indicators are consistent with those reported in Council's Annual Financial Statement.

RECOMMENDATION

That Council note and approve the Interim Budget Review Statement as at 30 September 2024.

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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATION 10.2024.42.1 – TORRENS TITLE SUBDIVISION: TWENTY (20) LOT TORRENS TITLE SUBDIVISION, INCLUDING A RESIDUAL ALLOTMENT, ALONG WITH THE CONSTRUCTION OF A ROAD, VEGETATION REMOVAL, AND ASSOCIATED EARTHWORKS - LOT: 66 DP: 1195450 AT 152 PIONEER DRIVE JINDERA NSW 2642 AND 154-212 PIONEER DRIVE JINDERA NSW 2642.**

Report prepared by Director of Environment & Planning – Colin Kane and Town Planner – Gayan Wickramasinghe.

REASON FOR REPORT

The purpose of this report is to provide an assessment and recommendation for the above Development Application for a twenty (20) lot Torrens Title Subdivision, including a residual allotment, along with the construction of a road, vegetation removal, and associated earthworks on Lot 66 DP 1195450, located at 152 Pioneer Drive, Jindera NSW 2642, and 154-212 Pioneer Drive, Jindera NSW 2642.

Following public exhibition of the Development Application (**ANNEXURE 2**) from 26 April 2024 to 27 May 2024, Council received two (2) submissions regarding the proposal. Accordingly, this matter is being reported to Council for determination as per the Council-adopted assessment of Development Applications Policy.

The submissions raised the following broader concerns about the proposal:

1. The location of infrastructure (i.e., footpath, stormwater drainage pits and channels, sewer lines) should be redesigned.
2. Block sizes are not consistent with the existing surrounding blocks.
3. There are potential traffic implications resulting from the development. These include safety concerns, access to and location of proposed roads, the proposed width of roads within the locality, the ability to handle excess traffic, and potential damage to the road.
4. Stormwater management and the levy bank need to be addressed.

A further discussion of these submissions can be found in Section 4.15(1) (d) of this report.

REFERENCE TO DELIVERY PLAN

None relevant.

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DISCUSSION - DESCRIPTION OF PROPOSAL

This development application seeks Council approval for twenty (20) allotments, including a residue allotment and associated civil works. According to the preliminary layouts, the proposed subdivision will consist of parcels ranging from 819 m² to 1,386 m². The proposed residual allotment is approximately 19.06 ha. The submitted documentation notes that all allotments are proposed to be delivered as part of one stage.

This application is supported by the following:

1. A Statement of Environmental Effects and a detailed planning report prepared by Premise, dated 28 March 2024, with an amended version dated 3 December 2024;
2. A series of preliminary engineering plans prepared by Premise (i.e., drainage layout, traffic circulation layout, earthworks layout, cross-sections of the proposed roads, etc.);
3. A Biodiversity Development Assessment Report by Damian Wall on behalf of Red-Gum Environmental Consulting, dated 15 February 2024;
4. A Bushfire Risk Assessment Report prepared by Blue Print Planning, dated August 2019.

A new service road parallel to Jindera Street is also planned for construction as part of the overall subdivision. Along the southern boundary of the road, the applicant has provided a 1.5 m wide concrete footpath, which will connect to the existing footpath along Jindera Street. The submitted engineering plans further indicate that the total width of the road (kerb to kerb) will be approximately 14.3 m. Additionally, the works required for the subdivision will include earthworks, as well as the provision and extension of infrastructure services, including sewerage, water supply, stormwater infrastructure, electricity, and telecommunications.

The development application was referred to Water NSW, the Department of Planning and Environment - Water, the New South Wales Rural Fire Service (NSW RFS), and Transport for NSW (TfNSW) for additional comments.

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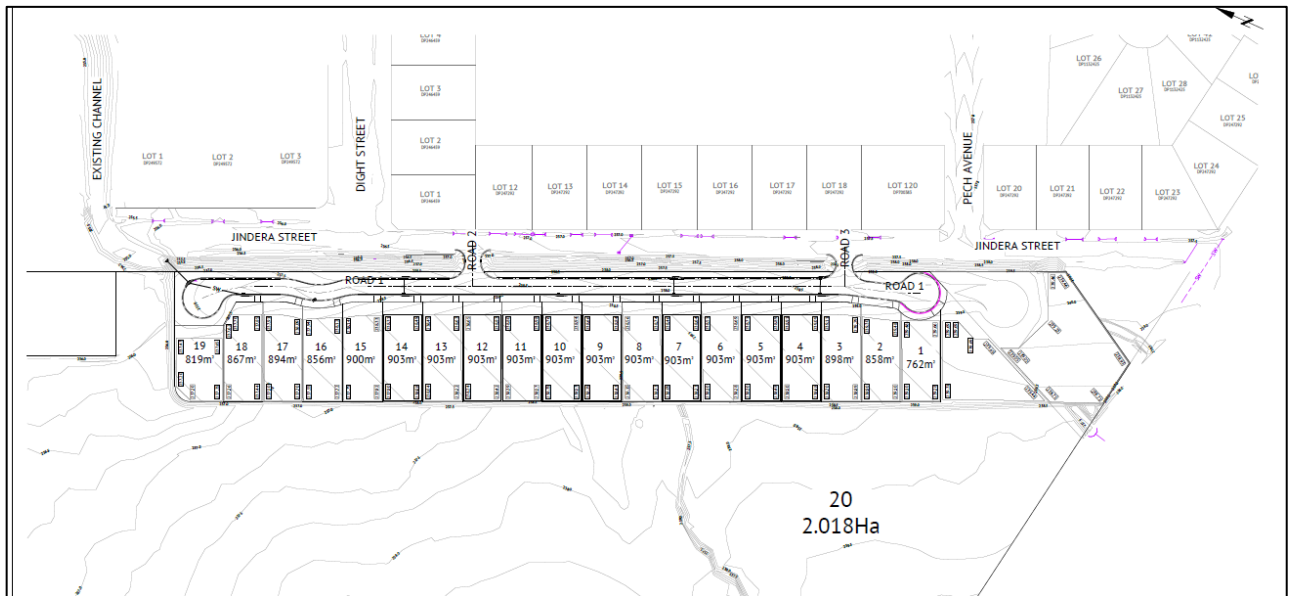


Figure 1 – An overview of the proposed subdivision layout by the Applicant.

ASSESSMENT

1.1 DESCRIPTION OF THE SITE AND LOCALITY

The site is located at 214-224 Pioneer Drive, Jindera, and is legally identified as Lot 66 DP1195450. The site is irregular in shape and has an approximate combined area 22.5 hectares (Ha). It is bound by Adams Street to the north, Jindera Street to the east, Pioneer Drive to the south.

The site is part zoned RU5 village and RU4 Primary Production Small Lots pursuant to the Greater Hume Local Environmental Plan 2012. The Bethlehem Lutheran Cemetery, a Locally Significant Heritage Item, is located on Lot 1 DP562571, to the south west of the site.

Surrounding land to the north is also zoned a combination of RU5 Village and RU4 Primary Production Small Lots with the RU5 portion containing St John’s Lutheran Primary School. Land to the east is zoned RU5 Village and contains small development single dwelling allotments. Land to the south is zoned a combination of R2 Low Density Residential and R5 Large Lot Residential with the R2 zoned portion containing a number of developed and undeveloped residential allotments. The R5 zoned land features limited development, including three single dwellings and ancillary development. Land adjoining the western boundary of the site consists of a single property containing a single dwelling and ancillary development together with the Lutheran Church to the south-west.

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A small portion of the north western extent of Lot 66 DP1195450 of the site is identified as bushfire prone land, while the eastern portion is identified as being flood prone land. The site is not currently serviced by reticulated water or sewerage. It is noted the site is located within proximity to existing water and sewer infrastructure in the area.

The following figures show the location of the development with applicable planning controls.

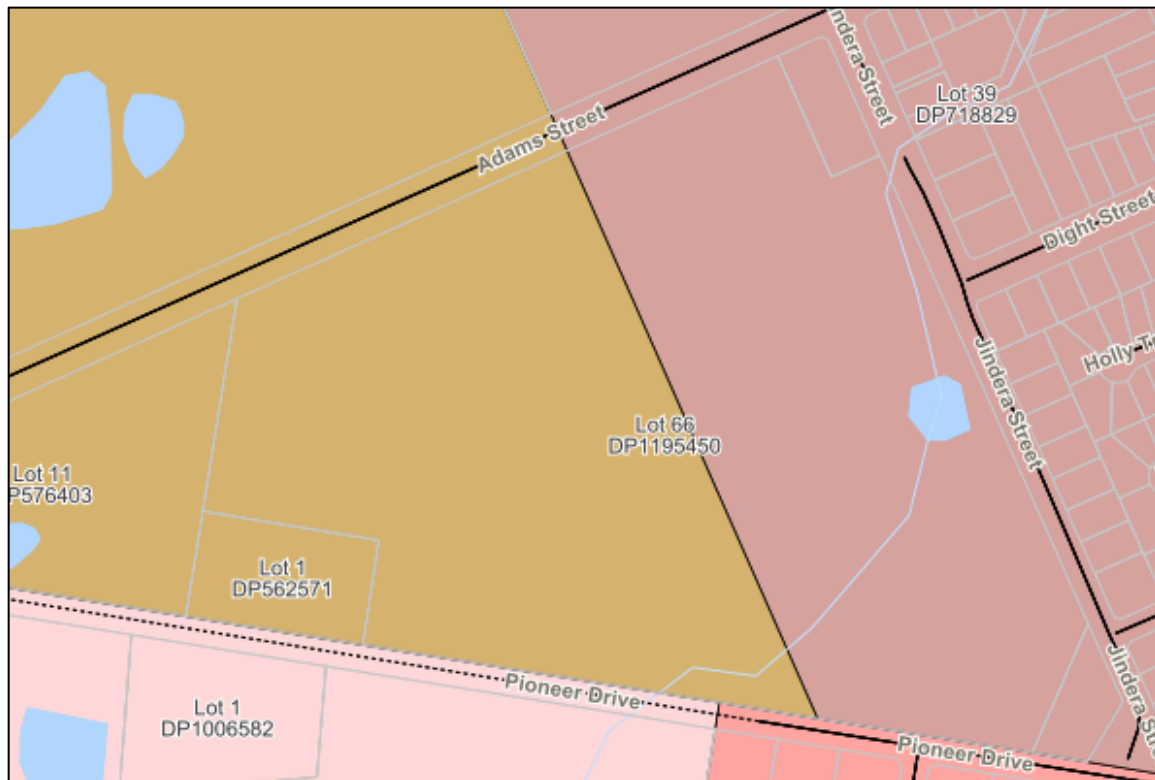


Figure 2 – The site subject of this Application with the applicable zoning controls; **Source:** IntraMaps

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Figure 3 – The site subject of this Application; **Source:** IntraMaps

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

Council assessment staff noted that no approvals under Part 7A of the Fisheries Management Act 1994 are required for the proposed development.

It is noted, however, that the proposed development will involve major ground disturbance, including excavation with the use of heavy machinery within the proposed development footprint. This will include the construction of dwellings, fences, roads, kerb and channel, and the provision of services and drainage (see Figure 4 – Existing Layout and Figure 2 – Proposed Development Layout).

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Section 7.2 of the Biodiversity Conservation Act 2016 (BC Act) notes that a development proposal is likely to significantly affect threatened species if:

- a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3; or*
- b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values; or*
- c) *it is carried out in a declared area of outstanding biodiversity value.*

The proposed development site is not within an area of Biodiversity Value as defined on the Biodiversity Value Map, and therefore entry into the Biodiversity Offsets Scheme (BOS) is not required under Section 7.2(1)(c) of the BC Act.

The applicant noted that all of the 2.82 ha of native vegetation to be cleared on the site is classified as Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277). The site is zoned RU5 Village. The Greater Hume Local Environmental Plan (GHLEP) 2012 stipulates that the minimum lot size for the site is 600 m². Based on the 'Area Clearing Threshold Technical Explanation' guidelines issued by the Department of Planning and Environment, the Area Clearing Threshold for the site is 0.25 ha. As a result of the proposed clearance, Council staff have concluded that the proposal is likely to significantly affect threatened species pursuant to Section 7.2(1)(a) of the BC Act 2016.

The applicant further noted that PCT 277 is representative of the NSW Threatened Ecological Community (TEC) White Box Yellow Box Blakely's Red Gum Woodland and Derived Native Grassland, which is listed as a Critically Endangered Ecological Community (CEEC) under the Biodiversity Conservation Act 2016 (BC Act).

Therefore, in accordance with Section 7.7 of the BC Act, the application is supported by a Biodiversity Development Assessment Report (BDAR).

The prepared BDAR nominates zero species credits to be retired, while it indicates that a total of fifty-five (55) ecosystem credits must be retired to offset the biodiversity impacts associated with the development.

Table 16 within Section 6 and Section 8.3 of the submitted BDAR identify the potential prescribed impacts and the associated management measures, respectively. According to the author, the following single prescribed biodiversity impact is likely to affect threatened species that may be using the site:

"Habitat connectivity: There is habitat connectivity within the 10.7-hectare patch that the site is part of, as well as habitat connectivity via vegetation corridors along local waterways and roads."

In order to minimise the impacts, the author has proposed several measures, such as appropriate pre-clearance protocols, habitat augmentation, and the development of a project construction environmental management plan (CEMP) based on the different phases of development (i.e., before, during, and after development). Therefore, in the event that the application is approved, Council

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assessment staff have reviewed the submitted report and agree with its conclusions. If Council grants consent for this development application, the recommendations proposed in the BDAR will form part of any consent granted. Consequently, Council considers that the proposed development will have no significant adverse impacts on the natural or built environments.

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

As per NSW ePlanning Spatial Viewer, a small portion of the north western extent of Lot 66 DP1195450 of the site is identified as bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). As a result, the DA was referred to NSW RFS in accordance with S4.46 and S4.47 of the EP&A Act for a General Terms of Approval on 13/05/2024 via the Planning Portal. Their response dated 24 June 2024, NSW RFS has granted a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997 subject to conditions.

Section 4.46 - What is “integrated development”?

As discussed above, the proposal is considered to be integrated development under this section and Section 100B of the Rural Fires Act 1997.

The applicant does not plan to carry out any drainage realignment works or flood control works as part of the overall proposal. Therefore, no additional approvals under this section or Sections 90(3) and (4) of the Water Management Act for drainage or flood control works are required.

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

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Local Environmental Plans

The GHLEP 2012 applies.

As noted previously, a portion of the subject land is zoned RU5: Village with a minimum lot size of 600 m², while the other portion is zoned RU4: Primary Production Small Lots with a minimum lot size of 8 ha. Most importantly, the proposed subdivision is limited to the area zoned RU5: Village. Therefore, Council assessment staff are satisfied that the assessment against the objectives of the proposal is sufficient for the RU5: Village zone, as outlined below:

Zone RU5 Village

Objectives of zone

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

It is considered that the proposal provides residential housing in a rural village setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. It is therefore considered that the proposal is consistent with the objectives of land zoned RU5 Village.

Section 2.6 Subdivision—consent requirements

Subdivision such as that proposed requires the consent of Council. The submitted Development Application satisfies this Section.

Section 4.1 Minimum subdivision lot size

As per the Lot Size Map of the *GHLEP 2012*, the minimum lot size provision applicable for the site is 600 m². It is noted that lots resulting from the subdivision are on or above 600m². Therefore the proposal is consistent with this section.

Section 5.10 Heritage conservation

The applicant is required to comply with the 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'. To ensure that unknown Aboriginal heritage items are protected during works any consent granted will include the standard Heritage NSW condition regarding the protection of Aboriginal cultural heritage.

It is also noted that the site subject of this Application does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the *GHLEP 2012*.

Section 5.21 Flood planning

The site is partly identified as a Flood Planning Area according to the Greater Hume Shire Council (GHSC) Jindera Floodplain Risk Management Study. The flood category over the site is identified as a combination of Flood Fringe, Flood Storage, and Floodway, with the majority of the site being identified as Flood Fringe. The study further identifies the flood hazard category over the site as mostly low hazard, with distinct portions of high hazard associated with the existing creek line traversing the eastern portion of the site.

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As per 5.21(1) of the *GHLEP 2012*, the objectives of this section are as follows:—

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

In addition to that Section 5.21(2) contains specific design criteria for developments within flood planning area as below:

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

In order to make the land free of flooding along Jindera and Adam Streets, Council completed the Jindera Flood Mitigation Channel Design Report in March 2021. Chapter six of the study also provides an indication of the design suitable for the area. In line with these guidelines, in 2022, Greater Hume Council completed a Review of Environmental Factors (REF) to construct a flood levee and channel realignment works. As a public authority, Council aims to complete these approved works as 'flood control works' under the exemptions outlined in the State Environmental Planning Policies (Infrastructure). As such, in accordance with Section 41 of the Water Management (General) Regulation 2018, Council is exempt from all controlled activities that it carries out in, on, or under waterfront land.

The development application includes the proposed surface floor height for the new allotments. The plans have been reviewed by the Council Director of Engineering and the Manager of Traffic Infrastructure. The referral response received on 3 December indicates that they are satisfied that the proposed floor height for the subdivision will eliminate any potential flood risk to the site, subject to Council carrying out channel realignment works. The referral response further indicates that the applicant cannot commence subdivision works until Council commences works associated with drainage realignment. This approach does not prohibit or stop the applicant from carrying out subdivision works; however, it will allow the applicant to carry out subdivision-related work in conjunction with the channel realignment and flood mitigation works to ensure that the works align with the approved design.

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Additionally, another condition has been recommended in the referral response to provide a follow-up survey plan verifying that the surface levels have been completed in accordance with the approved engineering plans.

Consideration must now turn to the final outcome of this exercise and it meets the objectives of this section. In this regard, the following points are noted:

- The purpose of this channel is to improve flood mitigation in the locality. As a result of realigning the channel, the flood categories identified for the land will be alleviated. This will ensure that areas of the site previously mapped as wet will remain dry during the 1% event due to the proposed works.

Consequently, Council's assessment staff are satisfied that the development, subject to the completion of the proposed mitigation works, is compatible with the flood function and behaviour of the land and will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood impact on other developments or properties.

Section 6.1 Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighboring uses, cultural or heritage items or features of the surrounding land.

As per the submitted documentation, the development involves creation of twenty-two (22) new allotments, associated civil works and creation of a number of internal public roads to support the future new allotments. The earth works associated with this development cannot be considered as of a minor nature. Therefore, the works require a separate approval, which can be granted along with this approval in the event that Council approves this Application. It is also noted the site subject of this Application is located in a nearby established residential estate to the east and south. Therefore, the proposed earthworks may have potential to bring detrimental impacts on the neighbouring properties. As such, any consent issued for this application will be appropriately conditioned to minimise impacts on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

(2) Development consent is required for earthworks unless—

- (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

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The proposed earthworks are not classed as exempt development under this plan or other applicable environmental planning instrument. (Subdivision 15 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008) Therefore, the proposed earthworks will require a separate approval.

(3) *Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*

(a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development;*

The proposed earthworks may have the potential to change the natural drainage pattern and soil stability in the locality. As discussed under 'Section 5.21 - Flood Planning' in the report, to reduce the risk of property damage during flood events on Jindera Street and Adams Street, Council is undertaking flood control and channel realignment works. This is in accordance with the 'Jindera Flood Mitigation Channel Design Report' and the approved REF. The referral response received from the Engineering Department indicates that once the approved works are completed, the existing flood threat applicable to the site will be eliminated. Consequently, it is considered that the proposed earthworks will have positive impacts on the locality.

(b) *the effect of the development on the likely future use or redevelopment of the land,*

The intent of the proposed earth works is to create additional Twenty-two (22) Torrens Title subdivision, facilitate associated civil works and to design internal roads. Therefore, it is considered that the proposed earthworks will facilitate the future development (residential) on the land.

(c) *the quality of the fill or the soil to be excavated, or both,*

The quality of soil to be used for future fill will need to be the same soil excavated from the site. A condition will be placed on any consent granted to reflect this requirement.

(d) *the effect of the development on the existing and likely amenity of adjoining properties,*

Whilst it is acknowledged that a total of two (02) submissions were received for the proposal, Council staff are satisfied that the proposal will not bring detrimental impacts on the adjoining properties subject to including appropriate conditions on any consent granted.

(e) *the source of any fill material and the destination of any excavated material,*

If in the event that the Applicant is required to source fill material, a condition will be recommended stating that the fill material is required to meet "virgin excavated natural material" as defined under the *Protection of the Environment Operations Act 1997*.

(f) *the likelihood of disturbing relics,*

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It is considered that subject to imposition of a condition related to Aboriginal Heritage, this requirement can appropriately address.

(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.

The eastern portion of the site is traversed by a third-order watercourse (a tributary of Bowna Creek). It is noted, however, as discussed previously, that Council will undertake channel realignment works as part of the approved REF to realign the channel in accordance with the relevant engineering guidelines and standards to avoid any potential adverse impact on .

(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

As discussed above within the body of the report, Council staff are satisfied that subject to imposition of standard and specific conditions, the development can proceed.

Section 6.7 Essential services

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—

Subsection	Comment
(a) the supply of water,	As per the internal engineering response received, the applicant is required to extend the water services to the proposed new allotments. A standard condition will be incorporated on any consent granted to capture this requirement.
(b) the supply of electricity,	A standard condition requiring Notice of Arrangement (NOA) to be provided is to be imposed on any consent granted prior to issue of a Subdivision Certificate.
(c) the disposal and management of sewage,	As per Council's Engineering Department referral response, the Applicant is required to provide sewer connection for the new allotments resulting from this subdivision. A condition will be included on the consent granted to reflect this requirement.
(d) stormwater drainage or on-site conservation,	Council's Engineering Department responded that the applicant is required to prepare a stormwater drainage design for the proposal. This requirement will form part of any consent granted.
(e) suitable vehicular access	As per the submitted preliminary plan, each lot will have direct or indirect access to proposed internal road.

Relevant State Environmental Planning Policies applicable for the proposal:

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State Environmental Planning Policy (Biodiversity and Conservation) 2021

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.

It is considered that the proposal is acceptable subject to imposition of condition(s) on any consent granted.

The objective of this Chapter is to “*promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment*”.

Section 4.6 of this Chapter outlines that the 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.”*

A search of Council files indicate that the land has not been used for any approved activities which would render the soil contaminated to such a degree as to prevent the future development of the land for residential purpose. Therefore, it is considered that the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

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);

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

EP&A Act - Section 4.15(1)(a)(iii) - any development control plan;

The Greater Hume Development Control Plan (GHDCP) 2013 applies to the proposal. Relevant to this Application are the following Chapters of the Greater Hume Development Control Plan 2013 (“the DCP”):

- Chapter 5 – Townships Structure Plan
- Chapter 6 – Subdivision
- Chapter 8 – Flood Liable Land
- Chapter 10 – Notification Policy

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CHAPTER 5 - TOWNSHIP STRUCTURE PLANS

CONTROLS	COMMENT
<p>This chapter of the GHDCP relates to the role of township structure plans in guiding the location of types of land uses and development within the zoned urban areas of the Shire. Such guidance is necessary because of the use of one broad-based zone in the GHLEP (the RU5 Village zone) across much of the townships.</p> <p>The structure plans are based on those prepared as part of the Greater Hume Shire Strategic Land Use Plan 2007- 2030 (“the SLUP”). The overall purpose of the SLUP is to guide the future development and use of land within the Shire for the next 20 years and beyond. In some cases the structure plans within the SLUP indicate non-rural activities around the fringes of the current zoned urban boundaries of townships. Further investigation of these areas is required before they can be considered suitable for inclusion in the zoned urban area of townships. These areas are excluded from this chapter of the GHDCP.</p>	<p>The ‘<i>Jindera Structure Plan</i>’ applies for the development site.</p> <p>The site subject to the application has been identified as suitable for residential development. It is noted that the proposal will deliver an increased supply of average to medium-density residential housing in an area where Council anticipates a greater need for residential accommodation. Therefore, it is considered that the proposal is consistent with this Chapter.</p>

CHAPTER 6 - SUBDIVISION

6. 1 Staging

<p>1. <i>Where staging of a subdivision is proposed, a staging plan must be submitted with the Development Application.</i></p>	<p>Staging of the development is not proposed.</p>
<p>2. <i>Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative impacts upon infrastructure provision and/or design.</i></p>	<p>Not applicable in this instance</p>

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6.2 Movement Network

<p><i>1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>The Application was referred to Council's Engineering Department and they did not object to the proposed subdivision in general, subject to imposition of relevant conditions on any consent granted. Therefore if in the event that Council consented for this DA, a general condition will be imposed on any consent granted stating that the development is required to be complied with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</p>
<p><i>2. All development for subdivision must comply with the Council's standards for road design.</i></p>	<p>As per the subdivision layout, the Applicant has proposed to construct a service road with two new accesses provided to the new road from Jindera Street to the east. The proposed road will enable direct movements through and between neighbourhoods for all people. The proposed subdivision layout plan was referred to Council Engineering Department, who advised that that the proposed roads are required to be designed and constructed to Council's road design specifications. A condition will be recommended on any consent granted to reflect this requirement.</p>
<p><i>3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</i></p>	<p>As discussed above the proposed allotments will have direct access via proposed service road which is dedicated to the allotments created as a result of this subdivision. It is further noted that no secondary road access is available to the site.</p>
<p><i>4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</i></p>	<p>No access easement is required in this instance as all lots will have frontage to and access from the proposed new public road.</p>
<p><i>5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</i></p>	<p>Noted. A general condition will be recommended in this regard.</p>

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6.3 Lot design	
<i>1. Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i>	As above. Refer to the assessment against Section 6.2(1).
<i>2. Multi-lot subdivisions should provide for a range of lot sizes.</i>	As per supplied subdivision master plan, the proposal includes a variety of lot sizes ranging from 819m ² to 1,386m ² . This will allow for a diversity in housing form. This approach will facilitate smooth transition between lower to medium density.
<i>3. Lots are to be provided with legal and practical public road access.</i>	As noted in Section 6.2(3), all proposed new lots are provided with legal and practical public road access.
<i>4. Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.</i>	The site subject of this Development Application is zoned RU5: Village. In accordance with the GHLEP 2012, one objective of this zone is to provide a range of land uses, services and facilities that are associated with a rural village (i.e. dwelling houses and ancillary developments). Based on the allotment sizes and their orientation, Council staff are satisfied that residential accommodation and or ancillary structures can comfortably fit within a new proposed allotment.
<i>5. For battle-axe allotments a minimum width of the access handle is to be 4.5m.</i>	No battle-axe allotments are proposed.
<i>6. Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling</i>	Due to proposed length and width of the proposed allotments Council staff are satisfied that the lots resulting from this subdivision are capable of supporting a rectangular building envelope of 10m x 15m for a dwelling.
<i>7. Lots are to be designed to maximise solar access.</i>	As per the preliminary layout, the majority of parcels are orientated towards east-west direction. It is further noted that the proposed allotments are large enough to accommodate a house and receive adequate solar access. Therefore, it is considered that the proposal is consistent with this objectives.

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6.4 Infrastructure & services	
1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i>	As above. Refer to the assessment against Section 6.2(1)
Higher density and Average density, Lower density and Rural living	As noted in Section 6.7 within this report, a condition is to be incorporated on any consent granted stating that the applicant is required to connect each allotment with Council's stormwater, water and sewer reticulated systems prior to the issue of the Subdivision Certificate
2. <i>Where a reticulated external potable water supply is provided, all lots shall be connected.</i>	
6.5 Hazards	
1. <i>On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide Planning for Bushfire Protection (2006).</i>	As noted in Section 4.14 of this report, the application was nominated as integrated development because the north western portion of the site has been identified as bushfire prone. The NSW RFS response, dated 24 June 2024, indicates that they have granted a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997, subject to conditions.
2. <i>On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the Floodplain Development Manual: the management of flood liable land (2005).</i>	Please refer to the detailed assessment against Section 5.21- Flood Planning within this report for comment.

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<p>3. <i>On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government’s Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998)</i></p>	<p>Refer to the assessment against the State Environmental Planning Policy (Resilience and Hazards) 2021 within the body of this report.</p>
<p>6.6 SITE MANAGEMENT</p>	
<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>As above. Refer to the assessment against Section 6.2(1)</p>
<p>2. <i>Compliance with Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i></p>	<p>The Development Application was referred to Council’s Engineering Department for comment and no objection was received. It is therefore considered that the DA is not inconsistent with this guideline.</p>
<p>10.0 NOTIFICATION POLICY</p>	
<p><i>This chapter of the GHDCP applies to Council’s policy for notifying development Application s.</i></p>	<p>In accordance with the <i>GHDCP 2013</i>, the Application was notified to adjoining landowners whilst it was also advertised on the NSW Planning Portal from 26 April 2024 to 27 May 2024. As outlined above, Council received a total of two (2) submissions. Please refer to <u>Section 4.15(1)(d)</u> within this report for further discussion..</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);

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

- Division 2, Subdivision 1 Development Generally – Section 69-74 & Section 81 within Subdivision 2

The relevant Prescribed Conditions as outlined in Subdivisions 1 and 2 of Division 2 are recommended to include on any consent granted, in the event if Council approves this application.

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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;

CONTEXT	COMMENT
Context & setting	<p>The proposed subdivision will provide an additional twenty-one residential allotments and a residual allotment within land zoned RU5 Village and RU4 Primary Production Small Lots. As previously discussed, the proposed subdivision only concerns the area zoned RU5 Village, which also meets the minimum allotment size requirements of the GHLEP 2012. While the immediate area surrounding the subject land is generally characterised by large residential allotments with a rural character, the 'Jindera Structure Plan' designates the site for development with higher density. Therefore, the proposed subdivision will reinforce the residential character of the locality through the redevelopment of currently under-utilised, large urban RU5 Zoned parcels of land for efficient, high-density detached development. The site is also located in close proximity to a range of community and education facilities, including recreational facilities, schools, and the Jindera Central Business District.</p> <p>The development site is currently identified as flood-prone land. However, once Council completes drainage realignment works and associated flood mitigation measures, the site will be considered free from flood risk.</p> <p>As a result, Council assessment staff consider that the proposed subdivision will have an acceptable social and economic impact on the locality, without adversely affecting the built and natural environment.</p>
Access, parking, Roads & traffic	<p>The proposed subdivision will create an additional twenty-two residential allotments in the area and is also accompanied by an internal service road specifically dedicated to serving the allotments. Council, however, acknowledges that the two submissions received noted dissatisfaction with the proposed road design in general and the traffic impacts. A further discussion of these submissions will be provided later in the report.</p> <p>Based on the internal referral response received, Council's Engineering Department did not object to the proposal. Therefore, it is considered that the proposed road network is capable of handling the traffic generated by the development. In addition, the proposed concept plan also includes a 1.5m wide footpath.</p>

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Utilities	As discussed within the body of the report, a condition will imposed stating that the Applicant is required to provide the following for the proposed new allotments: <ul style="list-style-type: none"> - Electricity; - Water; - Sewer; - Telecommunication.
Heritage	The subject site has not been identified as a heritage conservation areas in accordance with the Greater Hume Shire Community Based Heritage Study 2010. It is noted however as discussed above the proposal is not inconsistent with Section 5.10 of the GHLEP 2012 and GHDCP 2013 subject to imposition of a suitable condition on any consent granted.
Economic Impacts	New subdivisions and the subsequent provision of new housing lots will have a positive economic impact on the area, providing new jobs during construction and new accommodation to prospective buyers.
Social Impacts	The development is unlikely to create any adverse social impact. The proposal will deliver an increased supply of average density residential housing in an area which Council is anticipated to expand its infrastructure. The design of each future dwelling will be separately assessed.
Safety, security & crime prevention	The proposed subdivision does not raise any concerns in relation to these matters. The design of each future dwelling will be separately assessed.
Soils & erosion	The proposed subdivision also includes considerable amount of earthworks. This may have potential to create issues such as additional noise generated from construction equipment, dust, destablisation of soil and sediment transfer to other properties. However, Council is satisfied that the conditions of development consent will address potential impacts associated with development construction.
Flora & fauna	Please refer to discussion against 'Section 1.7' within this report.
Waste	These matters will be controlled by standard conditions of development consent.
Technological hazards	As a result of earthwork associated with the development and associated tree removal work, additional noise impacts can anticipated for a relatively short period of time. A general condition related to maximum noise level to be adhered during works will be included on any consent granted.

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

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The internal referral response received together with the above assessment against the applicable planning controls concluded that the proposal is suitable for the locality and the site subject of this application is suitable for the particular development for the following reasons:

- a) There are no constraints from surrounding land uses that would make this development prohibitive subject to adopting relevant measures outlined in the reports submitted with the Application and as previously discussed Council completing the works associated with the approved REF to mitigate issues related to flooding.
- b) The respective internal and external referral response received for the Development Application indicates that subject to implementation of standard and specific conditions the development can proceed;
- c) Adequate services and utilities can be provided to the site prior to intended use as per the respective referral response from Council's Engineering Department;
- d) The proposal is generally consistent with what was expected as part of the '*Jindera Township Structure Plan*' as outlined in the GHDCP 2013.

As there are no known specific site constraints that would render site unsuitable it is considered that the site is suitable for the particular development.

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

External Referral	Response
NSW Rural Fire Services	As noted previously, the DA was referred to NSW RFS for their respective referral response via the NSW Planning Portal on 13/05/2024. Their response dated 24 June 2024, NSW RFS has granted a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997 subject to conditions.
Transport for NSW (TfNSW)	TfNSW, in their correspondence dated 14 November 2024, indicated that they do not object to the proposal. No specific comments were provided as part of the response.
Internal Referrals	
Internal Referrals	Response
Engineering Department	As per the referral response received, Engineering Department has no objection to the proposal subject to imposition of relevant conditions on any consent granted.
Public Submissions	
As noted previously, during the notification period of the application, Council received a total of two (02) submission. A copy of the submissions have been attached. A key summary of the submissions have been outlined as follow:	
Submission	Response from the assessing officer

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<i>The location of infrastructure (i.e., footpath, stormwater drainage pits and channels, sewer lines) should be redesigned.</i>	Council's Engineering Department has reviewed the submitted plans and confirms that they do not object to the proposed arrangements.
<i>Block sizes are not consistent with the existing surrounding blocks.</i>	The portion of the site subject to the subdivision is zoned RU5 Village with a minimum lot size of 600m ² . Council staff are satisfied that the proposed lot sizes meet the minimum allotment size provision applicable to the area.
There are potential traffic implications resulting from the development. These include safety concerns, access to and location of proposed roads, the proposed width of roads within the locality, the ability to handle excess traffic, and potential damage to the road.	Council's Engineering Department has reviewed the submitted plans, together with the submissions received, and confirms that they do not object to the proposed arrangements. As a result, it is considered that potential traffic impacts are negligible.
Stormwater management and the levy bank need to be addressed.	As previously noted, Council has approved a REF that outlines how to address and manage flood-related works in the area.

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*, State Environmental Planning Policies, GHDCP 2012 and applicable strategic policies and guidelines. Based on the above assessment, the proposed development is consistent with the public interest.

Taking into account the full range of matters for consideration under Section 4.15 (1),(a),(b),(c), (d) and (e) of the *EPA Act*, no relevant evidence was found to suggest that the proposal is not consistent with the public interest subject to appropriate conditions on any consent granted.

Issues raised during assessment and public exhibition of the Application have been considered in the assessment of the Application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

BUDGET IMPLICATIONS

Section 64 contribution fees, calculated under the Local Government Act 1993, and a landscaping fee equivalent to \$200 for each allotment are payable.

CONCLUSION

An assessment of the proposal against Section 4.15 of the *Act* has been undertaken and the proposal is consistent having regard to the relevant environmental planning instruments and regulations which apply to the development.

No adverse environmental impacts are anticipated with the proposal and it is recommended that the proposal be supported subject to the recommended conditions of consent contained within this report.

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RECOMMENDATION

That Council resolves to:

1. approve Development Application No. 10.2024.42.1 at 154-212 Pioneer Drive, Jindera NSW 2642 on Lot: 66 DP: 1195450 for Twenty (20) lot Torrens Title Subdivision, including a residue allotment, along with the construction of a road, vegetation removal, and associated earthworks, 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*.

Part A – GENERAL CONDITIONS

1. 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. The development must be carried out in accordance with Greater Hume Council's Engineering Guidelines for Subdivisions and Developments Standards and applicable conditions of this consent. All conditions of consent must be fulfilled at the expense of the applicant in conjunction with advice from Council.

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

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

2. Integrated Development - General Terms of Approval

The applicant must comply with any correspondence including conditions and requirements received from the NSW Rural Fire Service.

Reason: To ensure compliance with 'NSW RFS' conditions of consent.

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PART B – BEFORE ISSUE OF A SUBDIVISION WORK CERTIFICATE

3. Subdivision Works Plans

Full Engineering Plans (Subdivision Works Plans) in respect to the provision of the following services must be submitted with the Subdivision Works Certificate Application:

- a) Road Design including intersections at Jindera Street and proposed Road
- b) Sewer;
- c) Reticulated water;
- d) Stormwater Management;
- e) Environmental and sedimentation details;
- f) Details of any fill material to be brought on site;
- g) Concrete footpaths (1.5m wide);
- h) Certified Essential Energy (electricity) plans;
- i) Street lighting;
- j) Engineering plans showing the proposed natural ground height for each allotment;
- k) Indicative details of utilities (telecommunications);
- l) A Construction Environmental Management Plan (CEMP) must be prepared and it must include measures to be implemented to reduce impact on vegetation as well as pre-clearance protocol, habitat augmentation in accordance with the guidelines outlined in the approved BDAR.
- m) Cost summary report.

NOTE: - The Subdivision Works Plans must conform and comply with the following requirements:

- NSW RFS correspondence dated 20 July 2023.

These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

Reason: To ensure the development is appropriately serviced.

4. Street Naming

A written application for street naming must be submitted to Greater Hume Council for approval. The road names proposed must comply with requirements of the NSW Geographical Names Board and Council.

The application must nominate three suggested names per street, in order of preference, and the source of the names proposed.

Fees are payable for this service as specified in Council's Fees and Charges Policy.

Reason: To comply with the Roads Act 1993.

5. Biodiversity - Species Credit Retirement

Prior to the release of the Subdivision Works Certificate the class and number of species credits in

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the following Table (**Table 1**) must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits outlined in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of **Table 1** requirements must be provided to the consent authority (Greater Hume Council).

Table 1- Ecosystem credits required to be retired

Impacted plant community type	Number of ecosystem credits	IBRA sub region
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	15	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	33	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	7	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site

Reason: To comply with the Biodiversity Conservation Act 2016.

6. Payment of Long Service Levy

A Subdivision Works Certificate will not be issued with respect to the plans and specifications for any subdivision work unless any long service levy payable under 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) has been paid in accordance with the submitted cost summary report.

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

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PART C – BEFORE SUBDIVISION WORK COMMENCE

7. Subdivision Works Certificate

An application for a Subdivision Works Certificate must be **submitted to and approved by Council** prior to any subdivision works taking place. The Subdivision Works Certificate must be lodged via the NSW Planning Portal.

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

8. Notification and Appointment of a Principal Certifier

Prior to the commencement of any works, the person having benefit of the development consent must:

- a) appoint a Principal Certifier;
- b) the Principal Certifier has provided notification to Council of its appointment no later than two days before the subdivision work is proposed to commence; and
- c) the person having the benefit of the consent has given at least two days' notice to Council of the person's intention to commence the subdivision work.

Reason: To comply with Division 6.4 of the Environmental Planning and Assessment Act 1979.

9. Planning Agreement

Prior to the Commencement of Construction, unless otherwise agreed to by Council, enter into a Voluntary Planning Agreement in accordance with

- a) Division 7.1 of Part 7 of the Environmental Planning and Assessment Act 1979
- b) The terms of letter of offer

Reason: To ensure the development is carried out as assessed

10. No Subdivision Construction Work to Commence

Subdivision construction works cannot commence until such time as Council commences work on the primary flow channel depicted in the Jindera Flood Mitigation Channel Design Report.

Reason: To ensure the development is carried out as assessed

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11. Erosion and Sedimentation Controls

The approved 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: "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.

12. Temporary Water Closet Accommodation

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 SUBDIVISION WORK

13. 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.

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

14. 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.

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15. Site Management – Flora and Fauna

The following measures are to be undertaken to minimise flora and fauna impacts during construction:

- a) Mitigation measures are to be implemented in accordance with the submitted Biodiversity Development Assessment Report prepared by Red-Gum Environmental Consulting; BAAS18081 and dated 15 February 2024. In particular Section 8.4 page 74.

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

16. Imported Fill Material

Any imported fill must comprise either uncontaminated Virgin Excavated Natural Material (VENM)(as defined within the *Protection of the Environment Operations Act 1997*) or Excavated Natural Material (ENM)(as defined within the NSW EPA Resource Recovery Order '*The excavated natural material order 2014*').

Certification supporting any source fill material must be provided to Council.

Reason: To ensure fill which is placed on the site is not contaminated and to comply with relevant EPA requirements.

17. 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.

18. Compaction – Landfill

All fill including existing fill must be compacted in accordance with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

Reason: To ensure the lots are filled and compacted.

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19. Vehicles During Construction

Vehicles must be clean and free of debris prior to leaving the site during construction. 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. No Pollution of Waterways

The Applicant must take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.

Reason: To comply with the requirements of NSW Environmental Protection Authority.

21. Disposal of Waste

Designated waste containment areas must be provided on site and must be maintained to prevent any windblown litter escaping from the site. The applicant must also ensure all waste generated from construction of the development is disposed of at a site which can lawfully accept the waste.

Reason: To comply with the requirements of the [Protection of the Environment Operations Act 1997](#).

22. Minimise Noise

The operating noise level of plant and equipment during subdivision works must not exceed 5dB(A) 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 preserve the environmental health and amenity of the adjoining area.

23. Dust Control Measures

Adequate measures must be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted;

- a) All materials must be stored or stockpiled at the best locations;
- b) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent runoff occurs;
- c) All vehicles carrying spoil or rubble to or from the site must at all times be covered to prevent the escape of dust or other materials;
- d) Cleaning of footpaths and roadways must be carried out regularly; and
- e) Rumble grids must be installed at access points to the site.

Reason: To preserve the environmental health and amenity of the adjoining area.

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24. No Obstruction of Road Reserve Permitted

The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

Reason: To protect the amenity of the area.

PART E – BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

25. Subdivision Certificate

An application for a Subdivision Certificate must be submitted to and approved by Council. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#).

The application must include formal subdivision plans, an Administration Sheet and relevant Instrument Sheet (if applicable). Easements must be shown over all services and covenants as required by the conditions of consent must be incorporated into the appropriate instruments.

The Subdivision Certificate is not released prior to all applicable conditions of consent for this development being complied with to the satisfaction of Council.

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

26. Completion of Primary Flow Channel

No subdivision certificate will be issued until such time as Council has completed construction of the Flow Channel depicted in the Jindera Flood Mitigation Channel Design Report.

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

27. Completion of Subdivision Works

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by Condition 3 of this consent and a satisfactory final inspection of the works by Council's Engineering Department.

Reason: To ensure the development is appropriately serviced.

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28. Development Contribution

Section 64 and Landscape Contribution

The payment of Section 64 sewerage, water headwork charges and landscape contribution fees are (is) applicable and must be paid to Council prior to the release of the Subdivision Certificate. Contributions are calculated per allotment created. **The fees will be charged and calculated in accordance with Council's adopted Fees and Charges Policy at the time the application for Subdivision Certificate is lodged with Council.**

DEVELOPMENT	STANDARD RESIDENTIAL LOT
SEWER	Rate at time of SC lodgment per lot X 19
WATER	Rate at time of SC lodgment per lot X 19
Landscape Contributions Fee - per block for supply, planting and maintenance of a street tree.	\$200 X 19 = \$ 3800.00

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

29. Correspondence From Agencies

Prior to the issue of the Subdivision Certificate, the following documents must be submitted to Council to demonstrate that the requirements of the public utility services and recommended conditions outlined in the Government Department respective referral responses have been met;

I. Integrated Development - General Terms of Approval

Prior to the release of the Subdivision Certificate, the applicant must provide documentary evidence to Council outlining how conditions and requirements outlined in the General Terms of Approval from NSW Rural Fire Service have been complied with. The evidence must be to the satisfaction of Council and the relevant Government authority;

II. Electricity

A Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to Council confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot;

III. Telecommunications and Fiber-ready Facilities

Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for the installation of fibre-ready facilities to proposed Lot 1 - 19 in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

Reason: To ensure the development is carried out as assessed and the development site is appropriately serviced.

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30. Engineering Certification

Prior to the release of the Subdivision Certificate, the applicant must supply Council with an appropriate survey detailing and an engineering certificate verifying that all lots have been constructed in accordance with the approved plans.

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

31. Compaction of Lots

Prior to the release of the Subdivision Certificate, the applicant must provide Council with the appropriate evidence outlining the entirety of the lots has been filled and compacted to the relevant Australian Standards. This evidence must be to the satisfaction of Council.

Reason: To ensure the lots are filled and compacted.

32. Conveyancing Act 1919 Instruments

A copy of an instrument prepared in accordance with the Conveyancing Act 1919, must be submitted with the application for a Subdivision Certificate for Council's endorsement.

The instrument must contain the following:

- (i) A 3-meter wide easement for sewer benefiting Greater Hume Council for sewerage drainage shall be created over all sewer assets that will be vested in Council's ownership, where that asset is located within private property. This must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of the Subdivision Certificate. The instrument is to be registered at the same time as registration of the plan of subdivision.

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

33. Private Infrastructure

Any private services/assets or alike (i.e. water, stormwater, sewer etc.) which are located within the new allotments and benefit other allotments must be removed **OR** be shown within an appropriate easement to be registered. Any such easements must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

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

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34. Works as Executed Plans

Works as Executed (WaE) plans of all infrastructure and services (including all pipes and drainage structures are contained within the proposed drainage easements) must be provided to Council in electronic format (i.e. PDF and AutoCAD dwg. formats). The submitted WaE plans must be to the satisfaction of Council and must contain the true and correct locations and details of all installed infrastructure. The applicant must also provide Council with an asset value for all installed infrastructure which will be transferred to and/or managed by Council, along with street numbering shown on submitted plans.

Reason: To ensure Council receives true and correct details/location for all installed infrastructure and services in the form of Works as Executed plans.

35. Defects Liability Period

The defects liability period for subdivision works shall be a minimum of twelve (12) months from the date of registration of the plan of subdivision at the Land Registry Services, upon which the subdivision road and associated infrastructure is dedicated to Council.

Reason: To comply with the requirements of Council's Engineering Department.

36. Defects Liability Bond (Security)

A defects liability bond to the value of 5% of the total cost of the subdivision works must be submitted to Greater Hume Council prior to issue of the Subdivision Certificate. The bond will be held for the duration of the defect liability period.

During this period the developer shall be responsible to remedy any construction defects or omissions in the subdivision works. Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents.

The bond is refundable on application to Council and upon satisfactory final inspection by Council.

Reason: To comply with the requirements of Council's Engineering Department.

37. Repair of Public Infrastructure

Any damage or deterioration to any portion of the footpath and/or kerb and guttering or other Council property including road reserves, during construction must be reinstated to its original condition at the owner's expense to the satisfaction of Council.

Reason: To maintain safe access for pedestrians and to protect the amenity of the adjoining area.

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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. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
- c. 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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2. **DEVELOPMENT APPLICATION 10.2024.140.1 – SHED LOT 184 DP753339 - 93 MARGARET STREET, GEROGERY WEST**

Report prepared by Building Surveyor – Robert Rampal

REASON FOR REPORT

Council is in receipt of a development application for a residential shed & carport (“proposed development”). The site is 93 Margaret Street, Gerogery described as Lot 184 DP753339 (“the subject land”). The applicant and land owner is Mr Ulf Fredrik Strandberg.

This report represents an assessment of the application under the requirements of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and is being reported to Council because of a submission to the proposal being received.

REFERENCE TO DELIVERY PLAN

Nil relevant.

DISCUSSION

An application has been received for the construction of a residential carport and shed. The zoning is R5 and the development is permissible within this zone.

The proposed development is for the construction of a carport and residential shed, both positioned forward of the Dwelling house and will be used for storage and carparking. The proposed development meets the requirements of Council’s Development Control Plan (DCP) under the section for residential development.

A submission (**ANNEXURE 3**) has been received where the submitter is requesting the shed be built in the rear yard and at a smaller size. The submission does not indicate in detail why the submitter has objected. The submission refers to the shed being built in the back yard with measurements of 3.6 x 6 and 2.7m tall.

The proposed development meets the following DCP requirements including gross floor area, context, streetscape impact, location, colour, height and appearance.

The proposed carport and shed are forward of the building line. The DCP requires a minimum front setback for dwellings and ancillary development of 15.0m for sites over 4000m².

The proposed carport will be setback 9.0m from the front boundary on an existing concrete pad which was approved with the original dwelling. The proposed carport will not look out of place and would look as if were “attached” to the front facade of the dwelling.

The proposed shed will have a setback from the front boundary of 2.0m.

Margaret Street does not have a formalised streetscape and is a gravel road with a heavily vegetated verge. The proposed shed although forward of the building line, will not detrimentally affect the streetscape. Neighbouring properties have similar sized sheds within the front setbacks along Margaret Street so any impact would be considered minimal.

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The DA assessment determined that there will be no negative changes to the current site/property or the streetscape.

The submission and its points have been addressed fully in the table below.

ASSESSMENT

A development application is required to be assessed by Council against the following 'matters for consideration' listed in Section 4.15(1) of the EP&A Act.

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

State Environmental Planning Policies

Nil.

The Greater Hume Local Environmental Plan 2012 ("the LEP") is the principal environmental planning instrument applicable to the property. The relevant matters of the LEP are addressed as follows.

The construction of any development or structure which would be permissible in the zone is permitted with consent. In this instance the proposed development is permissible with consent in the R5 Large Lot residential zone.

There are no Council affectations (bushfire, flood, heritage, biodiversity or contaminated land) burdening the lot.

Development Control Plans

This development application is for the construction of a residential shed. The proposed development meets all the requirements of the Greater Hume Development Control Plan 2013 ("the DCP"), for residential development.

- The proposed development is permissible.
- The proposed development meets the requirements of the development control plan.
- The proposed development will suit the existing scale, density, setbacks and character of the neighbourhood.
- The proposed development will not have any adverse impact to the existing neighbourhood character.

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 environmental impacts of the development.

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ISSUE	ACCEPTABLE	RESPONSE
Context & setting	✓	<p>The subject site is located in the township of Gerogery. The subject site and surrounding properties are larger semi – rural blocks with larger homes and outbuildings.</p> <p>Margaret street does not have a formalised streetscape. Margaret street is a gravel road with a heavily vegetated verge.</p> <p>The proposed shed although forward of the building line and will not detrimentally affect the streetscape. The proposed carport will not look out of place and would look as if were “attached” to the front facade of the dwelling.</p> <p>The proposed development will have impacts on the context and setting of the allotment, as all development has some form of impact, however it is considered that the impact is minimal.</p> <p>The proposed development is consistent with the adjoining dwellings and appropriate for the site in regard to lot size, building form, materials and orientation.</p> <p>There will be no negative changes to the current site/property or the streetscape.</p>
Noise	✓	Noise issues have not arisen yet and may not.
Access & parking	✓	The proposed shed is to be used for residential storage. The proposed Carport will aid with on-site carparking.
Roads & traffic	✓	No extra traffic.
Utilities	✓	Nil effect
Heritage	N/A	-
Archaeology	N/A	-
Stormwater	✓	Nil effect
Soils & erosion	✓	Nil effect
Flora & fauna	N/A	-
Flooding	N/A	-
Bushfire	N/A	-
Technological hazards	N/A	-
Safety, security & crime prevention	✓	Nil effect
Privacy	✓	Nil effect
Landscaping	✓	No impact on landscaping.

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ISSUE	ACCEPTABLE	RESPONSE
Overshadowing	✓	The proposed development will not cause any overshadowing.
Land resources	N/A	-

The suitability of the site for the development

The proposed development is for a residential carport and shed in a rural residential neighborhood. The proposed development meets all the requirements of the Greater Hume Development Control Plan 2013 (“the DCP”), for residential development.

Any submissions made in accordance with this Act or the Regulations

As mentioned, a submission has been received (**ANNEXURE 3**) that raises concerns about the impact of the proposed shed with regard to location and size.

The concerns are addressed in the table below:

1 Shed to be constructed in the rear yard	The shed location is consistent to similar size outbuilding within the front setback on Margeret Street, and would not have a detrimental effect to the streetscape or setting.
2 Shed size 3.6m x 6 x 2.7m tall	The proposed development meets the DCP requirements for building height and outbuilding floor area. The DCP stipulates an outbuilding height requirement of 4.8m. The proposed shed and carport have a maximum height of less than 3.7m. The DCP stipulates a floor area of 100m ² for outbuildings and the proposed shed has a floor area of 98m ² .

The public interest

The question of ‘public interest’ within the context of Section 4.15.

- Essentially requires consideration of the weight in the assessment to be given to the general public benefit of the proposal versus that of the general public detriment.

In this case there is no potential detriment to immediate adjoining neighbours that should result in a refusal of the application or additional conditions on the consent.

The general public benefit outweighs the general public detriment.

The proposed development meets all the requirements of Council’s DCP.

The view from adjoining properties is not considered to be detrimentally impacted in context of the residential suburban setting.

BUDGET IMPLICATIONS

Nil.

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CONCLUSION

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

1. Approve the application, with or without conditions;
2. Defer the application for further information or redesign; or
3. Refuse the application.

After considering the assessment requirements of Section 4.15 of the EP&A Act, the application is supported for conditional approval.

RECOMMENDATION

That Council approve the development application with the recommended conditions.

APPROVED PLANS

1 Compliance with Plans and Conditions

The development shall take place in accordance with the approved development plans, except as modified in red by Council and/or any conditions of this consent.

2 Time Period of Consent

This consent will lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifying Authority can either be Greater Hume Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

3 Construction Certificate Required

Prior to the commencement of any works, a construction certificate is required to be issued by a Certifying Authority.

Enquiries regarding the issue of a construction certificate can be made to Council on 02 6036 0100.

4 Appointment of a Principal Certifier

Prior to the commencement of any works, the person having benefit of a development consent, or complying development certificate must:

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

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5 Notify Council of Intention to Commence Works

The applicant must notify Council, in writing of the intention to commence works at least two (2) days prior to the commencement of any works on site.

6 Erosion and Sedimentation Control

Prior to the commencement of any works on site, controls shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

7 Toilet Facility

Prior to the commencement of any works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Greater Hume Council.

8 Sign During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited,
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours, and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

Note: A \$1500 on the spot fine may be issued for non-compliance with this condition.

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PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate or Final Occupation Certificate by the Principal Certifying Authority.

9 Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either a part Occupation Certificate or whole Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent or Construction Certificate.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifying Authority can either be Greater Hume Council or an accredited certifier.

10 Compliance with Construction Certificate

All building works approved in this development consent must comply with the terms of the consent the plans, specifications and any other approved documents relevant to the approved Construction Certificate.

11 Compliance with the National Construction Code (NCC)

All building work must be carried out in accordance with the provisions of the NCC. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

12 Use of Building

The building shall not be used for industrial or commercial purposes, any prohibited uses outlined in the Local Environmental Plan 2012 or human habitation without further consideration by Council.

13 Critical Stage Inspections

In accordance with Section 6.5 of the Environmental Planning and Assessment Act 1979 the Principal Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 109E(3)(d) Environmental Planning and Assessment Regulation 2000.

Note: A \$1500 on the spot fine may be issued for failing to request the Principal Certifying Authority to undertake the above inspections.

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14 Stormwater Disposal

All stormwater shall be directed to the existing stormwater disposal system or alternatively to the stormwater connection point at the front north/western corner of the lot.

15 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.

In the event that the demolition/construction relates to works inside the building and does not involve external walls or the roof, and do not involve the use of equipment that emits noise then the works are not restricted to the hours stated above. The provisions of the Protection of the *Environment Operations Act, 1997* in regulating offensive noise also apply to all construction works.

16 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, 2005, the Plumbing & Drainage Act 2011 and Plumbing & Drainage Regulations 2017.

PRESCRIBED CONDITIONS OF CONSENT

The following conditions are known as “Prescribed Conditions” and are required by the Environmental Planning and Assessment Regulation 2000 to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council’s Development Department who will be happy to advise you as to whether or not the conditions are relevant to your consent.

17 All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).

18 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

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- 19** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of the Act,
 - in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

- 20** A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work is being carried out and must be removed when the work has been completed.

NOTE: This condition does not apply to building work that is carried out inside an existing building that does not affect the external walls of the building.

- 21** Any development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.

NOTE: The condition referred to in sub clause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

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3. **PLANNING PROPOSAL TO AMEND GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 – REZONING OF PART LOT 2 DP 801591, FROM RU4 TO RU5 VILLAGE, WITH A REDUCTION OF THE MINIMUM LOT SIZE FROM 8 HA TO 600 M² AT 197 URANA ROAD NSW 2642.**

Report prepared by Director Environment & Planning – Colin Kane & Town Planner – Gayan Wickramasinghe

REASON FOR REPORT

The purpose of this report is to seek a resolution from Council to proceed with a planning proposal and to request a Gateway Determination from the Department of Planning to amend the Greater Hume Local Environmental Plan (GHLEP) 2012. More specifically, the proposal involves the rezoning of part Lot 2, DP 801591, from RU4 Primary Production (RU4) to RU5 Village (RU5), with a reduction in the minimum lot size from 8 ha to 600 m² at 197 Urana Road, NSW 2642.

REFERENCE TO DELIVERY PLAN

The following strategies have direct or indirect connection with the proposed rezoning proposal as outlined in the Greater Hume Council Community Strategic Plan 2022-2032:

- *Promote Greater Hume as a great place to live, work, visit and invest;*
- *Pursue a high standard of planning, urban design and development that supports urban centres and rural localities.*

DISCUSSION

Council has received a privately initiated Planning Proposal (**ANNEXURE 4**) from Habitat Planning (the Applicant hereafter), for the amendment of the GHLEP 2012. The proposal essentially seeks to rezone part of Lot 2, DP 801591, on the north-western portion of the site (approximately 1.197 ha) from RU4 zoned land to RU5, with a reduction in the minimum lot size from 8 ha to 600 m².

The overall subject site is irregular in shape, with access to both Urana Street to the west and Molkentin Road to the north via an approximate 40 metre wide access handle. According to Council's GIS system, the property has a total area of 8.1 hectares. The subject site is improved and has been developed for St Mary MacKillop College, including a main reception/administration building, as well as associated classroom buildings, amenities buildings, and outdoor recreation facilities such as basketball courts and a football oval. An associated church and cemetery also adjoin the school and form part of the overall site.

Council's assets system indicates that the site has access to all reticulated Council-managed infrastructure and services, including reticulated water, sewerage, and stormwater lines. Vehicular access to the site is currently available from the adjoining Urana Street, accessed via two existing concrete driveway crossovers. The site contains both planted and remnant vegetation. The vegetation on the north-eastern corner along the eastern border is covered by Council's biodiversity mapping. The development site has not been identified as a potentially contaminated site on the Council-managed contaminated land register. Therefore, Council staff are satisfied that no preliminary contamination investigation is required in support of the proposal. The Jindera Floodplain Risk Management Study and Plan, carried out by the Council in 2017, indicates that most of the land subject to this Planning Proposal is prone to flooding, though the flood threat has been identified as a 'low hazard'.

The submitted Planning Proposal has been prepared in accordance with the 'Local Environmental Plan Making Guidelines' and through extensive consultation with Council's Engineering and Planning staff.

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The applicant noted that the purpose of this **‘spot rezoning’** exercise is to allow for the development of this land for seniors housing in response to ongoing and predicted demand for aged care housing. This will involve the construction of approximately ten (10) freestanding dwellings for seniors, which will be accessed via a centralised access road. The Planning Proposal also includes an indicative site plan, floor plan, and elevation diagrams of the proposed units.

The subject land is shown below in Figure 1, 2 and 3.

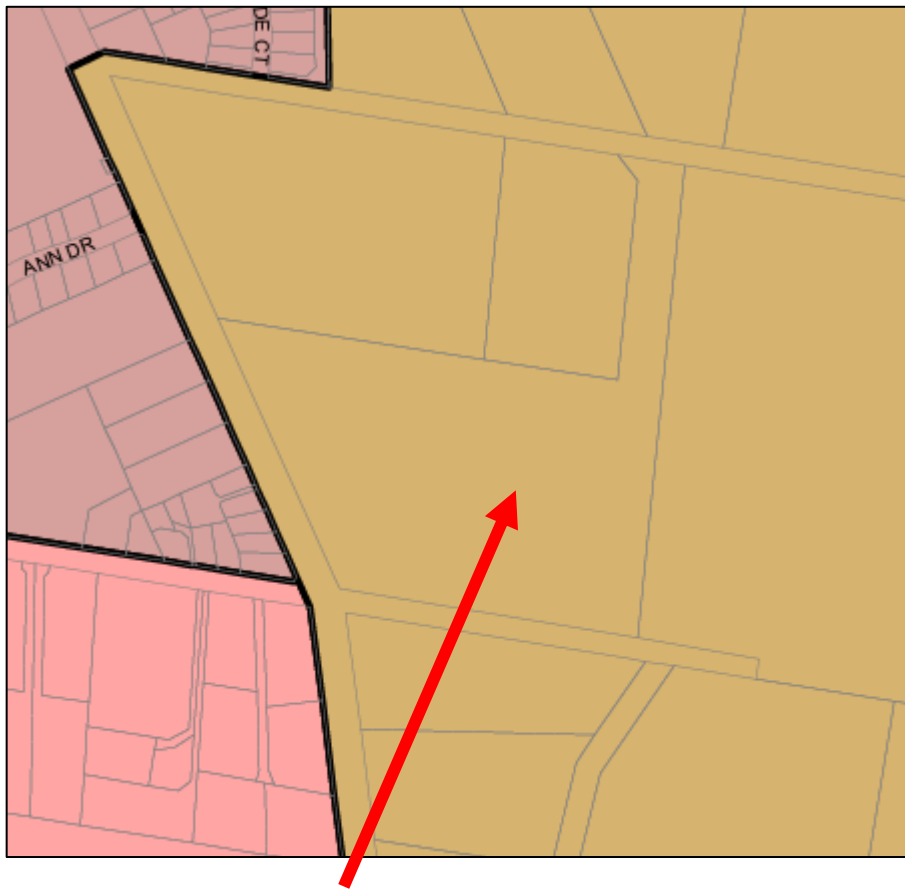


Figure 1 – The site subject of the proposal as shown on the GHLEP 2012 Land Zoning Map LZN_002C; GHLEP 2012

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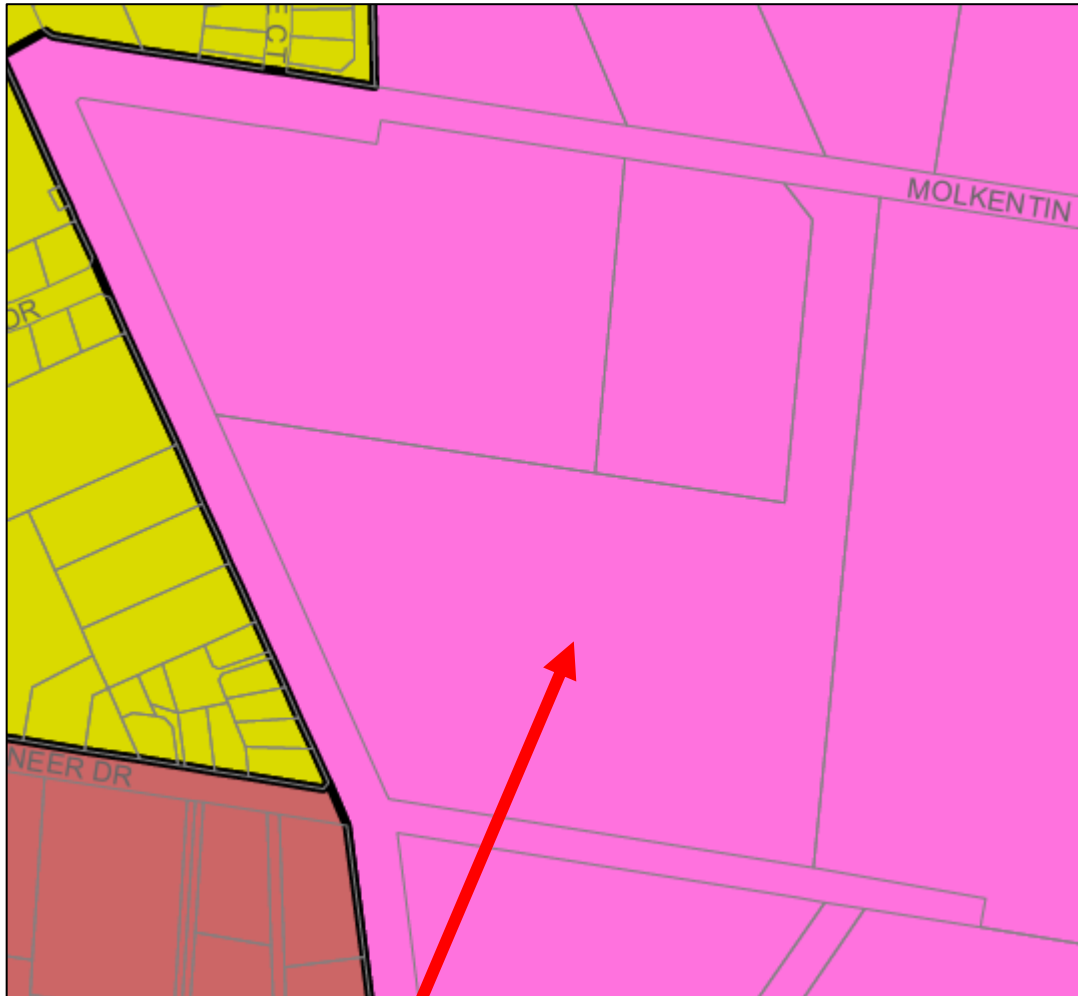


Figure 2 – The site subject of the proposal as shown on the GHLEP 2012 Lot Size Map LZN_002C; GHLEP 2012

Minimum Lot Size (sq m)	
M	600
U	1,200
V	2,000
W	4,000
Y	10,000
Z1	20,000
Z2	40,000
AA	80,000
AD	100 ha

Figure 3 – The colour index as shown on the GHLEP 2012 Lot Size Map LZN_002C.

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The site is currently zoned RU4 Primary Production pursuant to the GHLEP 2012. The land use table contained within the GHLEP 2012 indicates that the development of senior housing is a prohibited form of development. This is due to the prohibition of residential accommodation within this zone. Therefore, despite being centrally located within Jindera’s Central Business District (CBD) and having access to all relevant infrastructure, the current landowners are unable to develop residential care facilities for seniors or people with disabilities.

Now, consideration must be given to whether **‘spot rezoning’** is the best means of achieving the same objectives or intended outcome. In this regard, the applicant noted that they have explored two other options: namely, **listing the land or a portion of the land as an Additional Permitted Use within Schedule 1 of the GHLEP 2012**, or **amending the RU4 Primary Production land use table to allow for senior housing to be permitted with consent**. Within the submitted Planning Proposal, the applicant has also outlined why those options are not practicable. Council staff also agree with the justification provided and, therefore, in this instance, **‘spot rezoning’** of the land is considered to be the most appropriate approach to achieve the intended outcome of developing senior housing. The conceptual proposed site plan and conceptual elevation diagrams have also been included within the report below to help clearly understand the proposal.

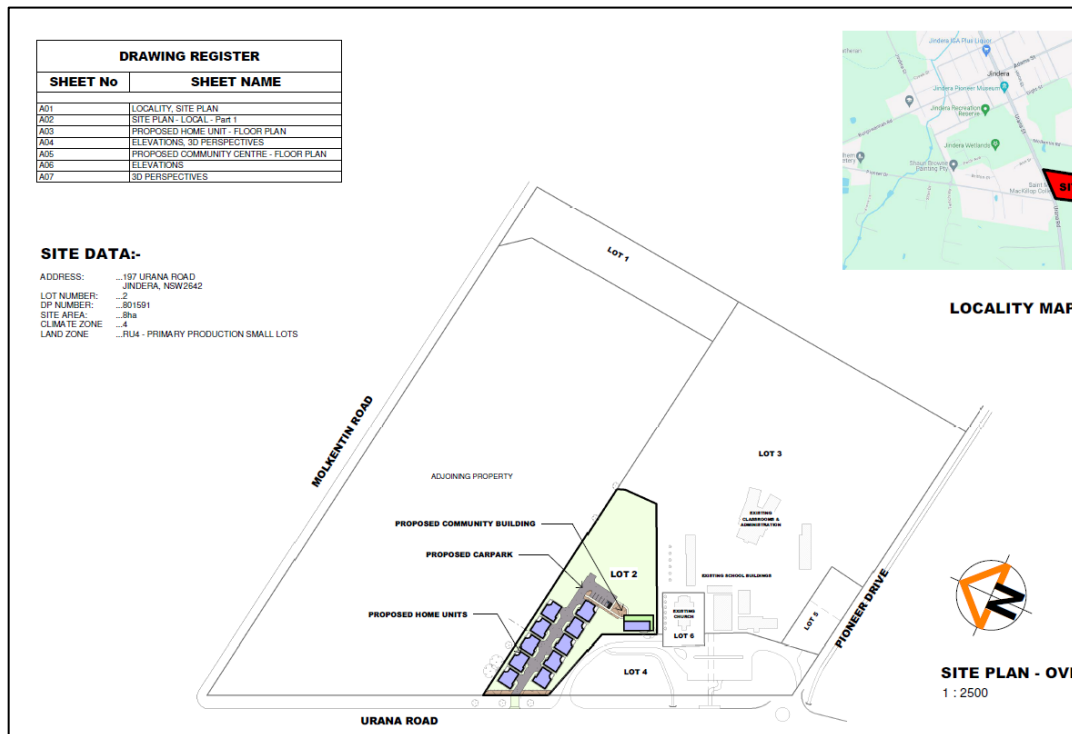


Figure 4 – The proposed conceptual site plan by the applicant.

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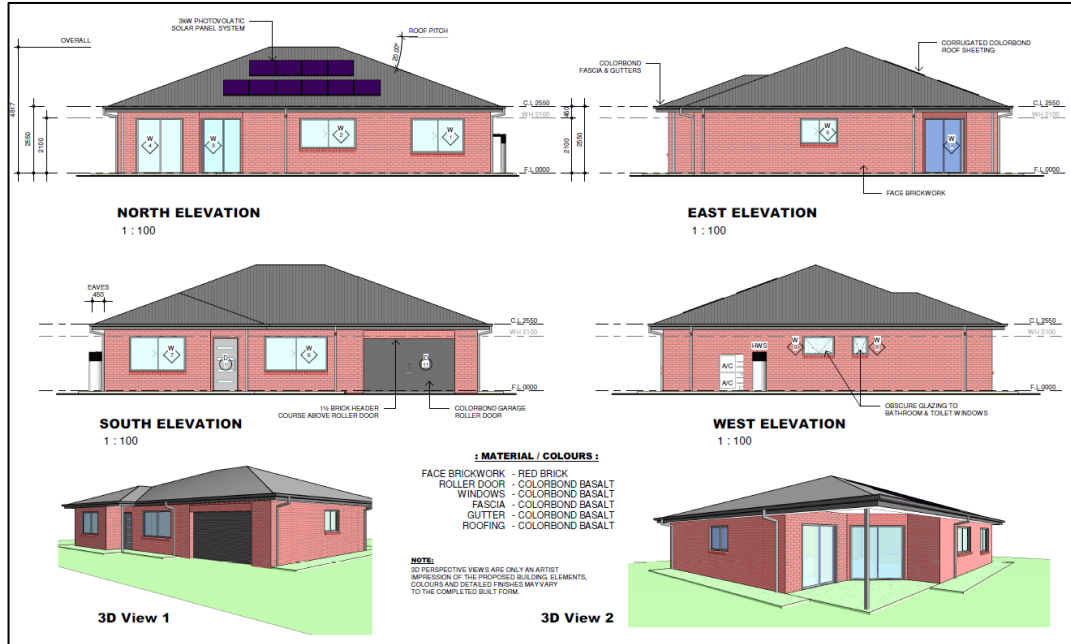


Figure 5 – The proposed conceptual site plan by the applicant

The following figure (Figure 6-7) indicates the specific location and the total extent of the site subject to this planning proposal on existing Lot 2, DP 801591.

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Figure 6– An Aerial Image of the site subject of proposed ‘spot rezoning’ by the applicant.

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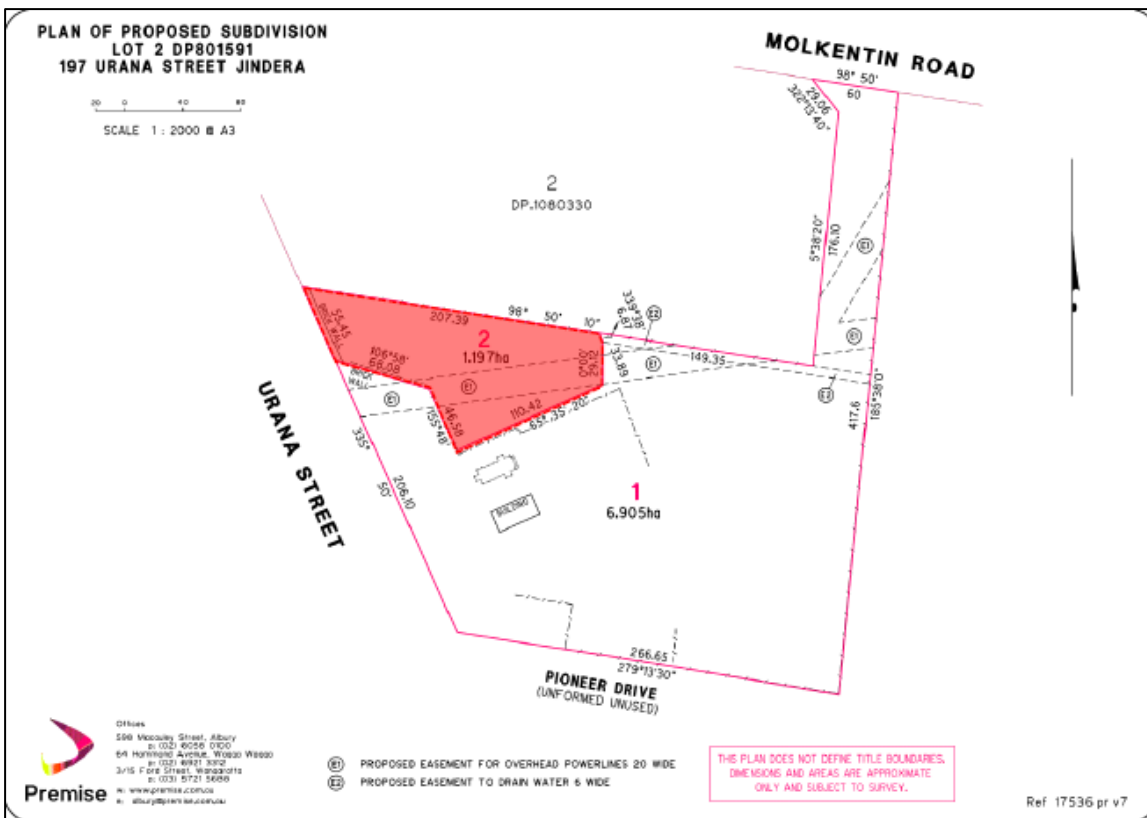


Figure 7– A survey layout showing the total extent of the site subject of proposed ‘spot rezoning’ by the applicant.

In addition to consulting with Council’s Planning and Engineering Staff due to the flood threat applicable to the site, the applicant has also liaised and negotiated with the Flood Management Division within the NSW Biodiversity Conservation and Science Unit. As a result of this consultation, the applicant has provided a localised flood impact assessment. The flood assessment has been reviewed by Council’s Director of Engineering, who noted that the submitted addendum to the flood impact assessment, dated 16 September 2024, needs to be amended to show no impact on adjacent properties (i.e., less than 10 mm). Therefore, this requirement will form part of any recommendations in the Planning Proposal.

It is, however, important to note that, in the event the Proposal receives the Gateway Determination from the Department of Planning, Council expects that the Proposal will need to be referred to the NSW Biodiversity Conservation and Science Unit for further consultation. The applicant noted that, in order to reduce flood impacts on the subject land and adjoining land, the adjoining unused Crown Road Reserve to the south will need to be upgraded in accordance with the flood impact assessment. Therefore, the applicant was required to consult with NSW Crown Lands regarding the acquisition of the land and its transfer to Council. The attached correspondence, received together with the Planning Proposal, indicates that Crown Lands does not object to the proposed arrangement.

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The summary of the proposal is as below:

LEP map proposed to be amended	Description of the amendment
<i>Land Zoning Map LZN_002C</i>	Rezone the north western corner of land described as Part Lot 2, DP801591 and addressed as 197 Urana Street, Jindera from RU4 Primary Production Small Lots to RU5 Village.
<i>Lot Size Map LZN_002C</i>	Reduce the minimum lot size for the north western corner of land described as Part Lot 2, DP801591 and addressed as 197 Urana Street, Jindera from 8 hectares down to 600m ² .

The applicant has also provided the following proposed zoning map and lot size map, which indicate the changes resulting from the Planning Proposal.



Figure 8 – Proposed land zoning changes to the GHLEP 2012 in relation to Lot 2 DP 801591 by the applicant.

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Figure 9 – Proposed minimum lot size changes to the GHLEP 2012 in relation to Lot 2 DP 801591 by the applicant.

Consideration must now be given to whether the planning proposal is generally consistent with the applicable guidelines. In this regard, the following is noted:

The Planning Proposal is generally consistent with the Greater Hume Local Strategic Planning Statement (LSPS) 2018. In particular, the following are relevant to the Planning Proposal:

- *Planning Priority One - Housing and Land Supply*
- *Planning Priority Three - Utility Infrastructure*
- *Planning Priority Four - Agricultural Land*
- *Planning Priority Nine - Climate Change and Natural Hazards*

The Planning Proposal is also considered to be generally consistent with other higher-level strategic planning documents (e.g., Greater Hume Community Strategic Plan, Riverina Murray Regional Plan, and The 20-Year Economic Vision for Regional NSW), the applicable State Environmental Planning Policies, and ministerial directions. Where applicable, the applicant has justified any inconsistencies

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As previously discussed, the site contains both planted and remnant vegetation on the north-eastern corner along the eastern border, which is covered by Council's biodiversity mapping. However, it is noted that the specific location subject to this '**spot rezoning**' proposal is free of vegetation, and therefore no further assessment against biodiversity requirements is needed. The applicant noted that, as part of flood mitigation works, a total of six (6) trees will need to be removed. Given that these trees are either considered non-native or in poor condition, with no connection to the trees located on the adjacent lot to the east (Lot 2 DP 247311), it is considered that the potential removal is justifiable with no further assessment required.

A small portion of the site in the north-eastern corner has been identified as bushfire-prone land, on the map maintained by the NSW RFS. Most importantly, the bushfire overlay does not extend towards the specific '**spot rezoning**' site. It is also considered that this requirement can be appropriately addressed as part of any development application for future development (e.g., senior housing).

As per additional advice received from Council's Director of Engineering, once the applicant has provided the amended flood impact assessment and carried out the works in accordance with that study, Council is satisfied that any future development of the area to be rezoned will be flood-free and that the development will not adversely affect any adjoining properties.

Due to the close proximity to the larger regional centres of Albury and Wodonga, Jindera has experienced consistent and sustained residential growth. Therefore, expanding the housing supply will help meet the growing demand within Greater Hume, while also easing some of the housing pressures in Albury. By offering senior housing options in a smaller township, it will reduce the need for older residents to move to Albury.

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BUDGET IMPLICATIONS

All associated cost will be borne by the beneficiary of the proposal.

CONCLUSION

It is considered that the Planning Proposal is a suitable outcome for the Jindera Township. The planning proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979 and is considered adequate to proceed to lodgement for Gateway Determination with the Department of Planning. Council Staff are satisfied that if in the event that the Proposal is to proceed, the subsequent development of the land will not create any unacceptable environmental or social impacts as it seeks to facilitate seniors housing within a central portion of Jindera where free of natural hazards and other constraints.

RECOMMENDATION

That Council:

1. In accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979 Council request a Gateway Determination from the Department of Planning and Environment;
2. Request the applicant to amended the flood impact assessment in line with the advice received from Council's Engineering Department prior to seeking the Gateway Determination;
3. Upon receipt of a Gateway Determination, Council place the Planning Proposal on public exhibition pursuant to any requirements of the determination and Section 3.34(2) of the Environmental Planning and Assessment Act 1979.

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4. **AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 2028 CULCAIRN-HOLBROOK ROAD AND MORVEN-COOKARDINIA ROAD MORVEN**

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

The purpose of the report is for Council to resolve to seek from the Department of Planning Housing Infrastructure (DPHI) a Gateway Determination relating to a planning proposal looking to make a change to the Greater Hume Local Environmental Plan 2012 (“the LEP”) for the zoning and minimum lot size (MLS) to facilitate Large Lot Residential land at 2028 Culcairn-Holbrook Road and Morven-Cookardinia Road, Morven.

DISCUSSION

Council has received a planning proposal (**ANNEXURE 5**) from Habitat Planning on behalf a number of affiliated landholders seeking to amend the land zoning map of the LEP from RU4 Primary Production Small Lots and RU1 Primary Production to R5 Large Lot Residential. The planning proposal also seeks to change the minimum lot size map applicable to the land by reducing the minimum lot size from 8 hectares and 100 hectares to 2 hectares

The following extract from the planning proposal describes the subject land.

2.2. Site Description

The subject land is a grouping of four (4) lots at the northern extent of the Morven township, described as Lot 136 in DP753751, Lot 137 in DP753751, Lot 138 in DP753751 and Lot 1 in DP240321. The land is bounded by Culcairn-Holbrook Road to the south and Morven-Cookardinia Road to the east. Privately owned properties adjoin the west and northern boundaries of the site, comprise RU4 zoned and RU1 zoned land respectively. The position of the subject land relative to Morven is shown below:

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The site can be described as being flat cleared agricultural land which has been used for cropping, grazing and the agistment of horses. There is a dwelling on the property, a number of sheds and infrastructure associated with the keeping of horses. The land is adjacent to the residential area of Morven. There are rural residential properties located to the West and the South East. The Planning Proposal indicates that the land should be considered for the change of zoning to R5 Large Lot Residential and change the minimum lot size to 2 hectares for the following reasons:

- The proposal is generally consistent with the strategic planning framework including State, Regional and local planning strategies for Greater Hume Shire.
- It is considered that Morven provides a 'rural living' extension to the Culcairn village area, in that it offers lifestyle opportunities in close proximity to a main village area.
- There is demand for larger lot residential properties within Morven, given its close proximity to Culcairn and ease of access to major transport corridors to larger regional centres.
- There is an opportunity for the land to utilised in a form that is expected to better represent the long-term requirements for the Morven township.

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- The subject land is well placed to integrate with the core urban area of the Morven township, and represents a transition from the higher density lots to rural land beyond.

The following is an analysis of the constraints associated with the proposed planning proposal which is seeking the land to be rezoned from RU4 Primary Production Small Lots and RU1 Primary Production to R5 Large Lot Residential with a change in the minimum lot size from either 100 hectares or 8 hectares to 2 hectares. The constraints that will be discussed include the presence of bushfire prone land, native vegetation, flooding, land contamination, servicing infrastructure, use of roadways and aboriginal heritage.

The land that is subject to this planning proposal is not mapped as bushfire prone land however Council has not yet mapped Vegetation Category 3 (Grasslands).

With respects to biodiversity the land has been used intensively for primary production. There are some scattered trees present however the land is significantly cleared of native vegetation. The indicative lot layout reveals that it will be possible to avoid the need to clear existing vegetation.

The planning proposal contains a Flood Impact Assessment Report which is acceptable to Council. That flood impact assessment has demonstrated that:

- The flood depths and hazards are generally low across the site, and it is concluded that the proposed low density residential development is appropriate from a floodplain management perspective, provided that the recommended flood mitigation measures such as minimum floor levels are implemented.
- A freeboard of 500 mm above the applicable 1% AEP flood level is recommended for the proposed dwellings. Specific levels can be provided once building footprint locations are known.
- A sensitivity analysis on Billabong Creek has been conducted and shows that the site is not impacted in the 1% AEP by Billabong Creek.

Council engineering staff have indicated that the construction of dwellings on this flood plain in an R5 Low Density Residential setting will not have detrimental effects to adjacent land.

A Preliminary Site Investigation (PSI) for land contamination was submitted with the planning proposal material. This investigation concluded that contamination is potentially present and the information available is insufficient to enable an appropriate level of site-specific risk assessment for future development. The following are the recommendations from the PSI:

- Targeted localised assessment for potential asbestos in soil is recommended to be conducted around the location of the demolished house. The asbestos pipes in the rubbish pile on Lot 136 are to be removed in line with standard industry practice with clearance issued by an appropriately trained and experienced person who is independent of the removal work. It is possible that more asbestos pipes are underground, and care should be taken during development.

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- The bonfire remnants, the laydown area, and the rubbish piles on Lot 137 and 138 are an aesthetic issue and the soil in these areas is recommended to be excavated and disposed of at an appropriately licenced landfill.
- Further information is required to assess the risk of contamination from potential underground fuel tanks at the old general store.
- Data gaps exists around the suitability of the site for future development however the identified potential contamination sources do not preclude the proposed rezoning.
- In conclusion based on the findings of this report, a Detailed Site Investigation (DSI) is required as soil contamination is potentially present and the information available is insufficient to enable an appropriate level of risk assessment for future development. The DSI should identify the nature of the potential contamination and delineate its lateral and vertical extent to a sufficient degree that appropriate site management strategies can be devised, if required.

It is indicated above that the possible contamination should not preclude the proposed rezoning. It is considered should a gateway determination be issued by DPHI then the proponent be required to provide a DSI concurrently whilst Council is advertising the Gateway Determination.

The land is able to be provided with reticulated water and onsite sewerage management systems will be able to effectively manage waste water generated from the dwellings. The small number of lots created will have a negligible impact on the local road network.

An Aboriginal Due Diligence assessment report has been submitted with the Planning Proposal which considers that it is unlikely that the proposal will adversely affect any potential sites of Aboriginal Cultural Heritage. The land is considered highly disturbed and devoid of features where typically items of Aboriginal Cultural Heritage are located.

It is not envisaged that a site specific contribution plan will need to be developed for the development area. The proponent can be required through development consent conditions to improve public infrastructure that is impacted upon by the development proposal. Councils section 7.12 contribution plan would apply to all future development.

Part 4 of the planning proposal outlines the community consultation that is proposed to be undertaken as the public exhibition process. The consultation will include providing written notification to landowners directly affected by proposed land use zone and minimum lot size changes.

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BUDGET IMPLICATION

There will be a cost in processing the Planning Proposal documents that is covered by the application fees.

CONCLUSION

The Planning Proposal is seeking to amend the Greater Hume Local Environment Plan 2012 and rezone the land from RU4 Primary Production Small Lots and RU1 Primary Production to R5 Large Lot Residential. The planning proposal also seeks to change the minimum lot size map applicable to the land by reducing the minimum lot size from 100 hectares and 8 hectares to 2 hectares.

The above assessment has discussed that there is the constraint of potentially contaminated land affecting the development area within the planning proposal. It should be noted that there is large portions of this land area that will be relatively unconstrained. The author considers that the proponent should be required to provide the required Detailed Site Investigation concurrently with Council advertising a Gateway Determination.

RECOMMENDATION

That:

1. In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning Housing Infrastructure the planning proposal for changes to the zoning and minimum lot size at 2028 Culcairn-Holbrook Road and Morven-Cookardinia Road, Morven and seek a conditional Gateway Determination.
2. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.
3. Concurrently with Council advertising a Gateway Determination the proponent is to undertake the Detailed Site Investigation for Council consideration.

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5. **REQUEST BY GRANSOLAR GROUP FOR COUNCIL TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FOR THE PROPOSED JINDERA BATTERY ENERGY STORAGE SYSTEM**

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Gransolar Group, the developers of the proposed Jindera Battery Energy Storage System has written to Council requesting in principle support for Council and Gransolar Group to enter into a Voluntary Planning Agreement (VPA).

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

Gransolar Group, the developers for the proposed Jindera Battery Energy Storage System has written to Council (**ANNEXURE 6**) seeking a response as to whether in principle Council would be prepared to enter into a Voluntary Planning Agreement (VPA).

This report addresses this request by providing Council with the following details:

- Describing the proposed development inclusive of its approval pathway;
- Explaining the regulatory framework relating to Council entering into the suggested VPA;
- Clarifying that Council's in principle support for the VPA will not prejudice its ability to lodge a submission with the Consent Authority objecting to the Jindera Battery Energy Storage System
- Discussing the proposed VPA being offered to Council by Gransolar Group for the Jindera Battery Energy Storage System.

The Preliminary Environmental Assessment prepared by Gransolar Group for the Jindera Battery Energy Storage System describes the proposal and its location as follows:

The BESS is proposed on a portion of Lot 204 DP 753342 at 204 Ortlipp Road, Glenellen New South Wales (NSW) 2642 (the 'BESS Site'). The existing JINDERA 330/132 kV TS is located on Lot 1 DP 588720, 140 Ortlipp Road, Jindera NSW 2642 (the 'Substation Site'), approximately 500m south of the BESS site. The TL will traverse an area of unformed crown road. Collectively, these properties are hereafter referred to as the 'Subject Sites.'

The BESS comprises of 200 lithium batteries, each contained individually within a modular container. A total of 100 inverters (one per every two batteries) will be located externally to the modular containers. Batteries and inverters are fixed to hardstand footings where they are accessible by an internal road. Other physical features of the Project include a TL, control room/switchgear and auxiliary transmission, car parking, landscaping, security fencing/lighting, and a single storage structure.

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REQUEST BY GRANSOLAR GROUP FOR COUNCIL TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FOR THE PROPOSED JINDERBA BATTERY ENERGY STORAGE SYSTEM
[CONTD]

*The Project is self-operating and only requires minor periodic visitation by an authorised person.
The facility is otherwise restricted to the public.*

Division 4.7 of the Environmental Planning and Assessment Act 1979 (EPA Act 1979) relates to State Significant Development (SSD) and Section 4.36(2) indicates that a State Environmental Planning Policy (SEPP) may declare any development to be SSD. The proposed Jindera Battery Energy Storage System development is consequently SSD due to the provisions of schedule 1 of SEPP (Planning Systems) 2021. Section 4.5 of the EPA Act 1979 indicates that the consent authority could be the Independent Planning Commission or the Minister. The Independent Planning Commission will be the consent authority for SSD proposals:

- That are not supported by relevant council(s), or
- Where the Department has received more than 50 public objections, or
- That has been made by a person who has disclosed a reportable political donation in connection with the development application.

Gransolar Group have received Environmental Assessment Requirements from NSW Planning Housing Infrastructure (the Department) which they will utilise to prepare an Environmental Impact Statement that will be assessed to determine the proposed Jindera Battery Energy Storage System.

All applications for SSD are publicly exhibited for a minimum 28 days (longer if the exhibition overlaps with the Christmas/New Year period between 20 December and 10 January (inclusive)).

During the public exhibition period for SSD applications, the Department will:

- Notify surrounding residents in writing (council is consulted on the notification area, which will vary depending on the scope of the proposal).
- Place an advertisement in a State wide and local newspaper.
- Place electronic copies of the application and all supporting information on the Department's major projects website.

Council is advised that the requirements pertaining to a VPA, such as the one offered by Gransolar Group are discussed in Part 7 of the EPA Act 1979 and Section 7.4 (1) of Subdivision 2 which are as follows:

- A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):
- (a) who has sought a change to an environmental planning instrument, or
 - (b) who has made, or proposes to make, a development application or application for a complying development certificate, or
 - (c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,

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[CONTD]

Under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.

In regard to the abovementioned Section of the EPA Act 1979, Council is a Planning Authority and Gransolar Group proposes to make a development application where the NSW Department of Planning Housing and Infrastructure Benefit Sharing Guidelines would require payment of a monetary contribution via a Voluntary Planning Agreement.

Section 7.7 of the EPA Act 1979 describes circumstance in which planning agreements can or cannot be required to be made and in this instance Section 7.7(2) and (3) are relevant and are provided below:

- (2) A consent authority cannot refuse to grant development consent on the ground that a planning agreement has not been entered into in relation to the proposed development or that the developer has not offered to enter into such an agreement.
- (3) However, a consent authority can require a planning agreement to be entered into as a condition of a development consent, but only if it requires a planning agreement that is in the terms of an offer made by the developer in connection with:
 - (a) the development application or application for a complying development certificate, or
 - (b) a change to an environmental planning instrument sought by the developer for the purposes of making the development application or application for a complying development certificate, or that is in the terms of a commitment made by the proponent in a statement of commitments made under Part 3A.

The ramification of the abovementioned Section of the EPA Act 1979 is that Gransolar Group and Council can prepare the VPA and have in principle agreements in place so that Gransolar Group can include the VPA in their statement of commitments and the consent authority can as a condition of consent require the imposition of the VPA.

The EPA Act 1979 Section 7.4(9) clearly states that a planning agreement cannot impose an obligation on a planning authority to grant development consent. As mentioned Council is a planning authority however it is not the consent authority for the Jindera Battery Energy Storage System. Consequently Council electing to enter into the VPA will have no bearing on its later decision to either support or not support the development proposal when the application is placed on public exhibition by the Department of Planning Housing and Infrastructure.

It is apparent from Gransolar Group letter of offer that they are seeking to enter into the VPA in lieu of making a payment under Council's Contribution Plan and they are offering to pay an amount equal to what has been set in the Department of Planning Housing and Infrastructure Benefit-Sharing Guideline. That amount is \$150 per megawatt hour per annum for stand-alone battery energy systems.

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The Benefit-Sharing Guideline is a relatively new document released in November 2024. On review of the document the benefits arising to Council are significantly reduced when compared to VPA that were negotiated with proponents of other renewable projects

There are numerous VPA templates in existence which can be used as a basis for the proposed agreement. Typically the Council prepares the agreement subject to the developer paying all reasonable costs.

BUDGET IMPLICATIONS

Council will receive a contribution from a VPA negotiated with Gransolar Group which aligns with the Department of Planning Housing and Infrastructure Benefit-Sharing Guideline. That amount is \$150 per megawatt hour per annum for stand-alone battery energy systems increasing with CPI for the operational life of the project.

CONCLUSION

Council agreeing in principle to sign a VPA with Gransolar Group is considered to be advantageous to Council as the proceeds from the agreement can be utilised towards essential public infrastructure.

Finally it is noted that the determination of Gransolar Groups request to enter into the VPA need not influence Council in deciding whether to support the proposed development when the application is placed on public exhibition by the Department of Planning Housing and Infrastructure.

RECOMMENDATION

In response to the Gransolar Group request for Council to enter in a VPA Council resolves the following:

1. Subject to negotiation of a suitable VPA with Gransolar Group, Council agrees to receive at a rate of \$150 per MWh paid annually increasing with CPI for the operational life of the project.
2. The payment of the contribution to Council under the VPA is made in lieu of a contribution under the Greater Hume Council S7.12 Development Contributions Plan 2023.
3. Gransolar Group be requested to mention the existence of the in principle VPA as a commitment in a statement of commitments.

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GOVERNANCE

1. RETAIL ENERGY TENDER SMALL SITES

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

This report seeks Council's approval to participate in a joint retail energy tender process with Riverina Eastern Regional Organisation of Councils (REROC) for small tariff sites (< 100MWh) per annum, and delegate authority to execute the contract for the supply of electricity to the General Manager to facilitate efficient turnaround of tender responses.

REFERENCE TO DELIVERY PLAN ACTION

Objective	Our leadership and communication cultivate confidence in our future direction
Outcome L1	Our decision-making is inclusive, collaborative and encourages ownership of our future

BACKGROUND

In 2022 REROC together with CNSWJO facilitated a retail energy tender for large sites energy sites. Councils participating in the arrangement secured a Power Purchase Agreement (PPA) with Iberdrola for a period of 8 years.

The tender did not include small sites and as part of the process, the ROC and JO explored other ways of securing lower energy costs for small sites (those using below 100GWh per annum), many of which were in the REROC Region. Working with consultants Presync (who were provided to us by the JONZA program) we identified that Shell Energy had a small sites electricity contract that provided the most competitive arrangements. In addition, the Shell Energy contract was already an approved contract under NSW Buy and its terms and conditions permitted councils to exit at any time without penalty.

The councils that were part of the PPA (Bland, Coolamon, Cootamundra-Gundagai, Greater Hume and Temora), also agreed to enter into the Shell Energy small sites contract.

REROC, working with CNSWJO and Southern Lights monitors both contracts. Although the Shell Energy contract is for a period of 10 years, pricing was only secured for the first 3 years (until 30 June 2025).

REROC has recently become aware that the pricing for the energy component of the bill will more than double from 1 July 2025. Shell Energy has also advised that the environmental charges have not yet been negotiated and therefore won't be known until early 2025. Further the network charges (passed through from Essential Energy) have also increased from 1 July 2024 with another increase expected from 1 July 2025.

REROC and CNSWJO along with the other members of Southern Lights agreed that this is an issue for our Member Councils, who will now face a significant increase in the retail energy price for their small sites. We further agreed that we should go out to market to test whether or not better pricing could be achieved with another retailer post 30 June 2025.

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RETAIL ENERGY TENDER SMALL SITES [CONTD]

There were some issues with the last Group Tender that we undertook for the PPA due to so many councils being involved, which led to inefficiencies in the process because it was too hard to manage a tender that required such a swift turnaround. Energy tenders need to be executed quickly because energy is purchased on a highly volatile spot market; the more players there are in the tender the harder it is to meet short, hard deadlines.

Consequently, we also agreed that rather than preparing one large, aggregated tender across all the Southern Lights councils that we would instead work collaboratively on the preparation of the documentation, but tender as individual ROCs or JOs with the possibility of co-ordinating the time that we went to market.

At the August REROC Board meeting it was agreed that we should explore this approach with CNSWJO and subsequently REROC has been working with CNSWJO to develop the documentation required for the tender.

As stated above, this is a volatile, demand-driven market so timing is everything. REROC has made a decision to try to get our tender out to market by early in 2025. If we do not go out now, then we will need to wait to March or April 2025 when prices are likely to drop. If we can manage to release the tender this month, and if the pricing is not particularly good, we could choose to **not accept** any of the pricing and re-tender in March or April 2025. So, by moving now there is the added benefit of having “two bites at the cherry”.

DISCUSSION

Procurement Process

The procurement will be for the purchase of retail energy for either 2 or 3 years and the process will be as follows:

1. Data consolidation confirmation and sign-off for small market loads – data is being obtained by the JONZA Project Officer, Will Adlong who has access to council data. Based on the data that we have; we will be making some forecasts that councils will need to review.
2. Preparation of the tender documents
3. Draft tender sent to participating councils for approval.
4. Incorporation of amendments into tender documentation.
5. Releasing of RFX for a 3-week response.
6. Providing technical support for retailer questions.
7. Analysing responses from received proposals or quotations.
8. Evaluation of the supplier and contractual offers by the Evaluation Committee
9. Provision report comparing pricing, contractual terms and addressing of mandatory and/ or preferred requirements.
10. If required, the response will be referred to an energy consultant for a second opinion.
11. REROC and its member councils will individually decide whether or not to proceed on the basis of recommendation, and if comfortable, accept the pricing offer. Councils would then be provided with individual contracts to sign.
12. A formal report summarising the process, recommendation and outcomes will be supplied.

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RETAIL ENERGY TENDER SMALL SITES [CONTD]

The evaluation panel will be formed with representatives from each of the Member Councils, the REROC CEO and JONZA project officer, in addition the CNSWJO JONZA officer, Kate Barker is also expected to participate.

Finalisation

Councils will enter into an individual contract with the successful supplier, there is no contract between the supplier and REROC.

Risk Considerations

The volatility in the electrical market poses a financial risk to Council; by seeking to go to tender early gives Council some surety moving forward. The procurement of electricity is complex and challenging for Councils, for example the short timeframes to accept prices offered by retailers is typically 2 business days which is outside the Council meeting timeframes for even an extraordinary meeting. Reasons around the short timeframe are that retail offers are based on a fast-moving futures market. If Councils were to seek a longer timeframe for the acceptance of offers, a large risk component is likely to be added to the price by the retailer.

BUDGET IMPLICATION

The current small sites contract with Shell Energy under NSW State Government Contract 3062 is due to expire in June 2025, with the volatility with expectations that pricing for the energy component of the bill will more than double from 1 July 2025. Shell Energy has also advised that the environmental charges have also not yet been negotiated. It is felt that it is in Council's best interests financially to go back to the market and seek the best possible option for Council.

RECOMMENDATION

That Council

- 1) participates in the joint REROC small sites' electricity tender,
- 2) acknowledge that there are extenuating circumstances surrounding the procurement of electricity due to the short validity period of offers (approx. 2-3 days) from electricity retailers where anything longer than this is likely to include a price risk component and as such Council should be excused from the tendering requirements under S55(3)(i) of the LG Act for the procurement of electricity for small tariff sites,
- 3) delegates the authority to accept or reject the recommended retailer to the General Manager.

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2. GENERAL MANAGER'S LEAVE

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

To advise Council of the appointment of an Acting General Manager by the Mayor in accordance with the Mayoral delegation.

REFERENCE TO DELIVERY PLAN ACTIONS

Statutory Matter

DISCUSSION

In accordance with the Mayoral delegation leave has been approved for the General Manager from Monday 24 February 2025 to Friday 21 March 2025.

Following discussions with the General Manger, the Mayor has approved the appointment of Council's Director Engineering, Greg Blackie, to act in the position of General Manager for the period the General Manager's annual leave.

BUDGET IMPLICATIONS

Nil, allowances are made in the budget for annual leave and additional payments for acting roles.

CONCLUSION

This is an information report in accordance with the Mayoral delegation

RECOMMENDATION

That Council, delegate authority under section 377 of the Act to the Mayor to exercise and/or perform on behalf of the Council the following powers.

- 1.To approve the application of leave by the General Manager.
- 2.To Appoint a Director as an Acting General Manager from time to time as might be required by the absence of the General Manager.
- 3.In accordance with the delegations that leave for the General Manager be approved and the Director of Engineering, Greg Blackie, is appointed to act in the position of General Manager

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ENGINEERING

1. ACTIVE TRANSPORT FUND – AUSTRALIAN GOVERNMENT

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

For Council to nominate projects for grant funding under the Active Transport Fund Program.

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

The Australian government has advised of the commencement of the \$100 million Active Transport Fund.

The program is part of the Australian Government's commitment under the National Road Safety Strategy 2021-30, to improve road safety outcomes for bicyclists and pedestrians. The program also supports the Australian Government's commitment to reducing transport emissions and supporting active and liveable communities.

The aim of the program is to encourage an increase in active transport through the upgrade of existing and construction of new bicycle and walking pathways across Australia.

The program is an application-based, merit-assessed funding program, open to all state and territory governments and Local Government Authorities. Applications must be for bicycle or walking pathways and must directly address at least one of the program's focus areas which are linked to active transport priorities.

The focus areas for the program are:

- *road safety*
- *reducing transport emissions*
- *active and livable communities*

The commencement date of the program has been brought forward to allow for earlier project planning and for projects to get underway sooner.

Applications open today and close on Monday 13 January 2025 at 11:59pm (AEDT).

A copy of the Active Transport Program Guidelines is attached in **Annexure 7**

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ACTIVE TRANSPORT FUND – AUSTRALIAN GOVERNMENT [CONTD]

The program requires Council to provide 50% matching funding, unlike the NSW Get Active Program that is 100% funded.

As projects from Jindera and Holbrook were nominated for NSW Get Active Program it was considered that only projects from other location be considered for this funding.

From priorities provided to Council from the community presentations and due to the limited time to get applications lodged three projects have been included as suitable for submission

The three projects are:

1. Burrumbuttock Walking Path – Completing the Loop. Total Cost \$746,958
2. Culcairn Golf Course Walking Path Total Cost \$413,240
3. Henty CBD to Recreation Reserve Shared Path Total Cost \$689,666

Plans and cost estimates for projects are attached in **Annexure 7**.

Councils matching funding is therefore

1. Burrumbuttock Walking Path – Completing the Loop. \$373,479
2. Culcairn Golf Course Walking Path \$206,620
3. Henty CBD to Recreation Reserve Shared Path \$344,833

Note the Burrumbuttock path include the construction of a footpath in Burrumbuttock along the Howlong Burrumbuttock Road that will require the enacting of Councils Footpath Contribution policy for 50% owner contribution to the construction of the path adjacent to the owners property. This is also the case in Henty for one property as part of that project

Unfortunately, due to the tight timelines further projects could not be considered due to requirements to complete the grant applications and all the information required.

Whilst the submission deadlines are very tight acknowledgement of funding won't be known until mid-2025 with projects considered for construction not needed to be constructed to be completed until mid-2028 and design and construct project by mid-2029

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ACTIVE TRANSPORT FUND – AUSTRALIAN GOVERNMENT [CONTD]

BUDGET IMPLICATION

The Active Transport Program requires 50 % contribution by Council towards any project. Therefore, there is a need for Council to commit to the funding detailed in this report if any of the applications are successful in a future budget.

CONCLUSION

As shown Council staff have proposed three projects to be lodged for Active Transport Program funding. All of these projects have been requested for a substantial period of time by the communities, but due to the costs could not be completed under Council budget.

The Active Transport program provides an opportunity to apply for funding for these projects to be completed and it is considered all are worthy of submission

The three projects considered worthy for application under Australian Government Active Transport Program are:

1. Burrumbuttock Walking Path – Completing the Loop. Total Cost \$746,958
2. Culcairn Golf Course Walking Path Total Cost \$413,240
3. Henty CBD to Recreation Reserve Shared Path Total Cost \$689,666

RECOMMENDATION

That Council approve the lodging of the following applications for funding under the Federal Government Active Transport Program:

1. Burrumbuttock Walking Path – Completing the Loop. Total Cost \$746,958
2. Culcairn Golf Course Walking Path Total Cost \$413,240
3. Henty CBD to Recreation Reserve Shared Path Total Cost \$689,666

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2. JELBART ROAD CONSTRUCTION PROJECT UPDATE – TREE MANAGEMENT

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

The purpose of the report is to provide Council information on the Jelbart Road Construction Project that is planned for construction over the next two years and reply to comments received on the tree removal associated with the project.

REFERENCE TO DELIVERY PLAN ACTION

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

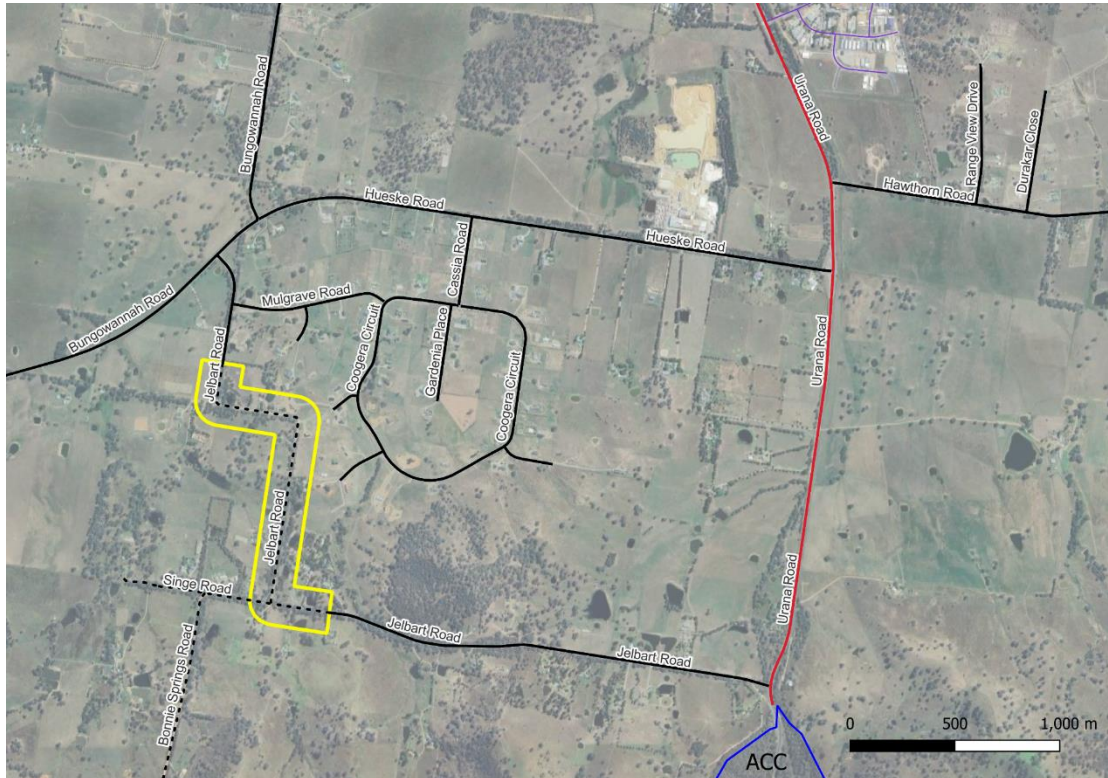
Initiative N2.1.1. Implement asset management and renewal programs in accordance with adopted budgets and capital works programs.

DISCUSSION

The Jelbart Road Construction Project involves the construction of 1.8km of Jelbart road that is currently unsealed. (See below image) The completion of the construction and sealing of this section of Jelbart Road then makes the full length of Jelbart Road fully sealed. The project is in Council's Road strategy for construction due to its traffic volume, location in rural residential zone, high ongoing maintenance costs and numerous requests from adjoining landowners over many years. Council has allocated \$750k this financial year and \$750k next financial year to allow the project to be fully completed. The project will require the removal of a substantial number of trees to provide a road that meets current engineering standards. The road traverses a significant environmental area due to the number of trees in the road reserve and associated wildlife.

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JELBART ROAD CONSTRUCTION PROJECT UPDATE – TREE MANAGEMENT [CONTD]



Preparatory works undertaken so far include:

Full survey and design of the project has been completed

A Review of Environmental Factors (REF) report has been completed that includes

1. Road Safety Audit
2. Biodiversity Assessment
3. Aboriginal Heritage Due Diligence Assessment

It is noted that the REF was completed over the entire length of Jelbart Road - 4.5km but only 1.8km is being constructed.

As part of the approval process a number of trees are proposed for removal and as required by Councils Tree Policy advice of their removal is required to be notified to local residents via marking crosses on the trees programmed for removal and placement of signs to alert people of when comments would be received to and how to make comments. From the notification Council received correspondence from a number of persons including three residents on the road advising of their objection to the removal of such a large amount of trees for the project. It was noted that the objectors were not against the upgrade of the road but believed the road could be upgraded without such a significant environmental impact.

Following the receipt of the correspondence the Director Engineering met with three residents that had concerns (who all are involved in the professional lives heavily in the environmental space).

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JELBART ROAD CONSTRUCTION PROJECT UPDATE – TREE MANAGEMENT [CONTD]

The Director Engineering along with the objectors undertook a walk though of the site to review the 65 larger trees marked for removal to discuss why they were required to be removed, how important they were and could any be saved with a design change or installation of safety/guard rails.

From the review it was determined

1. 28 trees had to be removed due to their location and there were no options to save them.
2. 18 trees could be saved by installation of guardrail at an estimated cost of \$127,670
3. 4 trees were deemed a, lower importance and could if required be saved for an estimated cost of \$45,820
4. 15 trees were deemed by all on site as justifiable for removal as they were not a viable tree, or alternate trees provided suitable travel routes for native animals and also the high the cost to save was an estimated cost of \$82,350

The budget for the project is \$1.5 Million. With the most recent estimate for construction being \$1.34 Million with a 10 % Contingency (Not including tree removal)

The estimated cost to remove trees are \$80k which is planned to be done by specialized contractor's separate from the road construction so that it will be undertaken by tree removal specialists to the REF requirements (involving "knocking" of hollow bearing trees, having a dedicated ecologist onsite if any animal is detected during removal and managing risk to the environment)

Following the advertising of the tree removal and the project Council has I believe three options.

1. Obviously, the project will proceed unless Council chooses they do not wish this to occur. As shown by attendees at the Council meeting last month and underlying support of an upgrade to the road by all parties including the objectors, and the advantage to Council of a road that requires ongoing substantial maintenance that will be reduced, it is considered that is not a preferable option.
2. With approvals already obtained, Council advises all objectors to the current proposal that work will proceed as designed and all trees designated to be removed.
3. As shown lessen the number of trees to be removed by the installation of guardrail in certain locations to protect at least a further 18 trees

From the options it is considered that: Option 3 is preferred for the following reasons:

It allows the road to be built with "minimal impact possible" to the environment

Endorse Council values showing that Council is consulting with the community and listening to their issues especially ones concerning the environment.

By installing additional guard rail and leaving more trees will itself create a road environment inductive of a lower speed of travel whilst still providing the appropriate levels of safety, and the additional cost can be met within the current budget and cost estimates

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JELBART ROAD CONSTRUCTION PROJECT UPDATE – TREE MANAGEMENT [CONTD]

BUDGET IMPLICATION

Total current allocation is \$1.5 Million

Most recent estimate is \$1.34 Million with 10 % Contingency (Not including tree removal)

The 18 trees could be saved by installation of guardrail at an estimated cost of \$127,670

Current estimated cost to remove trees are \$80k this cost will be less with the retention of the additional trees if saved

CONCLUSION

From the options it is considered that the saving of the additional 18 trees in this environment is preferred for the following reasons:

It allows the road to be built with “minimal impact possible” to the environment

Endorse Council values showing that Council is consulting with the community and listening to their issues especially ones concerning the environment.

By installing additional guard rail and leaving more trees will itself create a road environment inductive of a lower speed of travel whilst still providing the appropriate levels of safety, and

The additional cost can be met within the current budget and cost estimates

RECOMMENDATION

That:

1. Council proceeds with the project with inclusion of \$128 K of additional guard rail and retain 18 additional trees from the originally proposed design
2. Arrange for tree removal to occur and tendering of project as soon as possible

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3. LRCIP ROUND 4 – PROPOSED PROJECT SUBSTITUTION

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To determine a project to reallocate funding received under LRCIP Round 4 for the Burrumbuttock Recreation Ground Community facility 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

Council nominated 19 projects to be completed under the LRCIP Round 4 with one being a contribution of \$230,000 towards the construction of the Burrumbuttock Recreational Ground Community Facility.

It is a requirement that all funding is spent by 30 June 2025.

Due to the size of the Burrumbuttock project another grant application has been lodged to obtain funding using the funding allocated under the LRCIP as support funding to the grant however the outcome of the grant won't be known for a number of months and if successful will not allow enough time for the project to be completed. There is also the possibility of the grant being unsuccessful. Therefore reallocation is essential to happen or Council will lose the funding.

As projects take up to at least two months to reallocate it is imperative that the reallocation be forwarded to the NSW Government so there is enough time following approval to undertake any works associated with the reallocated funds.

From the respective presentations to Council recently on priority needs for their community, the Brocklesby Community have requested sealing of the roads in the Recreational Grounds around the football / community rooms, playground and tennis netball courts.

This project meets all the criteria of the LRCIP program and Council has investigated the works proposed, which can be undertaken without extensive preliminary/preparatory works.

The cost of this project has been estimated and can be completed to the \$230,000 budget

See **Annexure 8** for a copy of the plan and estimate for the project

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BUDGET IMPLICATION

As council has committed \$230,000 towards the Burrumbuttock Facility in their grant application, if successful Council will be required to allocate the equivalent amount in funding in the 2025/26 budget to the Burrumbuttock Rec Ground Community Hub Project

CONCLUSION

Whilst there are many projects worthy to be undertaken, unfortunately time is of the essence to reallocate the funds or the have the possibility of losing the funding.

The sealing of the roadways at the Brocklesby grounds is deemed a suitable project to be supported by Council with the outcomes providing a benefit to all of the community.

RECOMMENDATION

That Council reallocate funding of \$230,000 currently allocated to the construction of the Burrumbuttock Recreation Ground Community Facility under the LRCIP program Round 4 to the sealing of the roads in the Brocklesby Recreational Ground around the football / community rooms, playground and tennis netball courts.

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4. SUPPORT FOR HENTY HERITAGE MUSEUM

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To provide a support letter from Council to the Heritage Museum Committee at Henty to use Council land leased from ARTC at Bicentennial Park area to construct a museum building

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 most Councillors would know, the Henty Heritage Museum Committee are hoping to construct a Museum building to display a number of vintage headers in Henty.

Following many discussions a site in Bicentennial Park to the north of the existing building displaying the Headlie Taylor Header has been deemed suitable as it is easily accessible and suitably visual from the Olympic Hwy to attract visitation. There is suitable space available for the size of building required (Approx. 1000m²) to display the number of headers proposed.

See attached plan in **Annexure 9**

The Committee has now formally requested a support letter so they can “*move forward with planning, seek funding and encourage support for our endeavours*” See attached letter in **Annexure 9**

The construction of purpose-built museum is seen by management as a positive step forward to support the history of Henty and the promotion of Henty as “the Home of the Header”

BUDGET IMPLICATION

The Henty Heritage Museum Committee is undertaking the project and as such all construction and maintenance costs will be responsibility of the committee.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, HOLBROOK LIBRARY, HOLBROOK
ON WEDNESDAY, 18 DECEMBER 2024

SUPPORT FOR HENTY HERITAGE MUSEUM [CONTD]

CONCLUSION

It is considered appropriate that Council provide a letter of support including in principle support for the construction of a Header Museum at Bicentennial Park

RECOMMENDATION

That Council provide a letter of support including in principle support for the construction of a Header Museum at Bicentennial Park at Henty

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, HOLBROOK LIBRARY, HOLBROOK
ON WEDNESDAY, 18 DECEMBER 2024

5. PROVISION OF FOOTPATH, BALFOUR STREET CULCAIRN

Report prepared by Engineering Admin Officer – Amanda Williams

REASON FOR REPORT

To inform Councillors of the response from landowners following their notification of apportioned contributions for the construction of a new concrete footpath in Balfour Street, Culcairn.

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

This project was added to the Council 2024/25 Delivery Plan. Construction costs for the footpath at along Balfour Street Culcairn is *estimated* as at 16 February 2024 of \$87,433.50 inc GST. Funding will be allocated of \$80,000 from Council contributions and \$7,710.86 from Landowners contributions.

This project was endorsed by council at the August 2024 Council meeting to receive funding, and upon confirmation of the funding landowners were notified of the amount of their contribution to the project.

The proposed works include the construction of a 1.5m footpath on the northern side of Balfour Street from McBean Street to the Stock Route for approximately 240m. This path will link the Culcairn Residential Subdivision, now nearing completion, to the central business area of Culcairn.

A plan of the proposed works below:

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PROVISION OF FOOTPATH, BALFOUR STREET CULCAIRN [CONTD]



As required by Council policy landowners are required contribute to the construction of new a footpath adjacent to their property.

Following the Council meeting landowners were notified via a letter, mailed on the 24 October 2024 of the amount of their contribution to the project.

One submission was received from a landowner regarding the proposed charges. The submission is **ENCLOSED SEPARATELY 1**

As per Council policy the submission is to be considered by Council prior to making a decision to proceed with the project.

Management has considered that as the Culcairn Community prioritised the construction of the footpath with Council only receiving one objection, then it is considered that a majority of the landowners and residents support the construction of the project.

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PROVISION OF FOOTPATH, BALFOUR STREET CULCAIRN [CONTD]

BUDGET IMPLICATION

Total Project Cost Estimated as at 16/2/24 (inc GST)	\$87,433.50
Council Contributions	\$80,000.00
External Contribution (Approx. Landowner contributions as per policy)	\$7,710.86
TOTAL	\$87,710.86

CONCLUSION

A Resolution of Council is now sought to:

1. Council adopt the scheme as detailed and arrange for construction to proceed for proposed footpath construction on Balfour St Culcairn (McBean St to Stock Route).
2. The landowner be notified of the intention to proceed with the scheme as previously advised.

RECOMMENDATION

That Council approve the proposed construction of Footpath on Balfour Street Culcairn (McBean St to Stock Route):

1. Adopt the scheme as detailed and arrange for construction to proceed for proposed footpath construction on Balfour St Culcairn.
2. The landowner to be notified of the intention to proceed with the scheme as previously advised.

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

CORPORATE AND COMMUNITY SERVICES

1. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 30 NOVEMBER 2024

Report prepared by Senior Accountant/Finance Team Leader – Camilla Webb

REASON FOR REPORT

This report presents to Council details of all funds invested as at 30 November 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.

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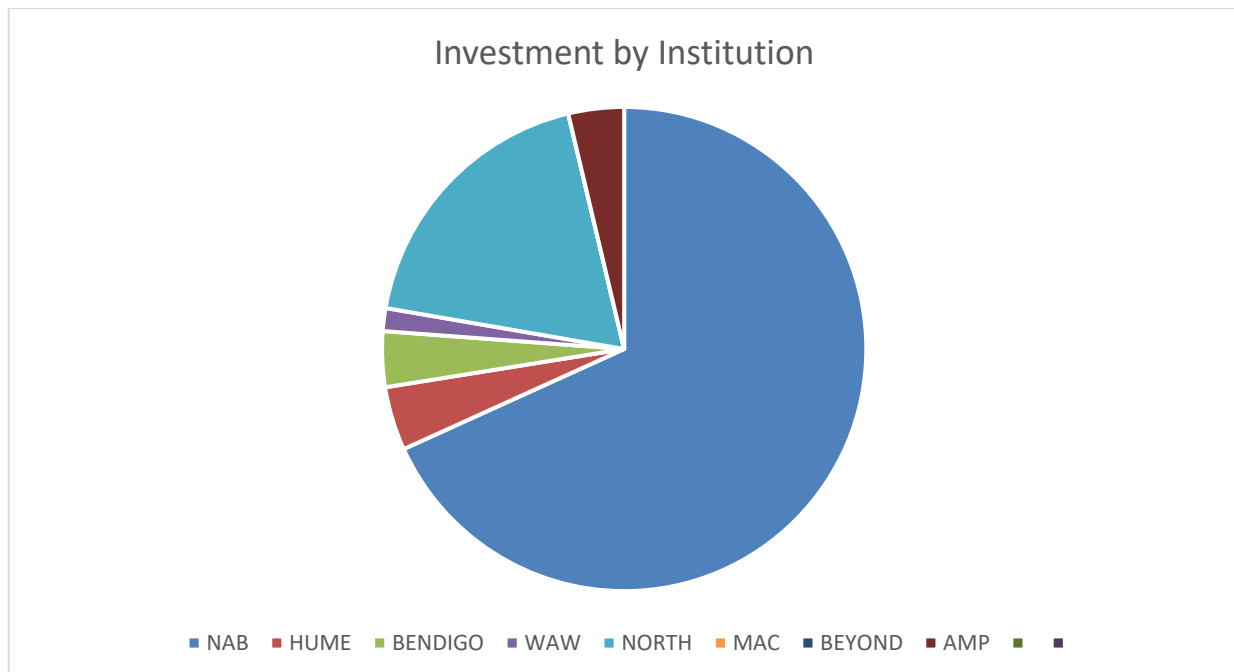
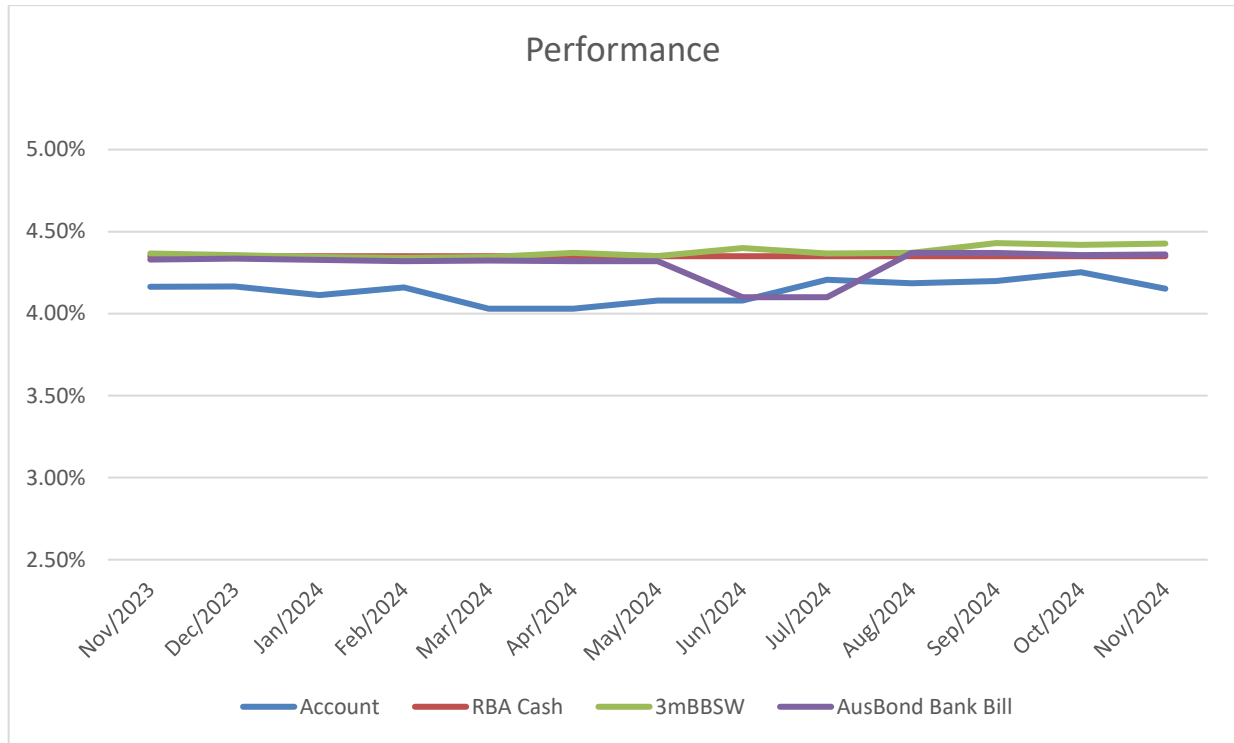
COMBINED INVESTMENT ACCOUNT – MONTH ENDED 30 NOVEMBER 2024 [CONTD]

Greater Hume’s overall investment portfolio

Term Deposits and Treasury Bonds		
Balance held as at 31 October 2024	24	\$19,575,487.69
Add: New Investments this month	1	\$500,000.00
		\$20,075,487.69
Less: Matured Investments this month	2	\$1,000,000.00
Balance held as at 30 November 2024	23	\$18,575,487.69
At Call Account		
Account balance as at 31 October 2024		\$9,506,319.13
Add: Net movement to/from At Call account		\$2,359,139.36
Account balance as at 30 November 2024		\$11,865,458.49
Total Portfolio Value as at 30 November 2024		\$30,440,946.18
Investment Yield		
Weighted Average Yield (rolling 13 months)		4.28%
Reserve Bank Cash Rate (remained unchanged)		4.35%
Notes:		

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 30 NOVEMBER 2024 [CONTD]



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Investment Register

Contract Number	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Monthly Accrued Interest
69094	NAB	\$1,000,000	12/12/2023	11/12/2024	365	5.20%	\$4,273.97
78830	NAB	\$500,000	26/08/2024	20/12/2024	116	4.90%	\$2,013.70
76030	Bendigo And Adelaide Bank	\$1,000,000	3/07/2024	3/01/2025	184	5.15%	\$4,232.88
76029	Bank Of Queensland	\$500,000	3/07/2024	3/01/2025	184	5.20%	\$2,136.99
72363	Bank Of Queensland	\$500,000	18/06/2024	14/01/2025	210	5.15%	\$2,116.44
78907	WAW Credit Union	\$411,143.90	7/08/2024	9/02/2025	186	4.50%	\$1,520.67
78613	Bank Of Queensland	\$1,000,000	14/08/2024	10/02/2025	180	4.95%	\$4,068.49
80235	NAB	\$500,000	11/11/2024	10/02/2025	91	4.95%	\$1,356.16
70654	Hume Bank	\$71,245.02	1/03/2024	1/03/2025	365	5.10%	\$298.64
79513	NAB	\$500,000	1/10/2024	3/03/2025	153	4.95%	\$2,034.25
76031	Bank Of Queensland	\$1,000,000	3/07/2024	31/03/2025	271	5.20%	\$4,273.97
79512	NAB	\$1,000,000	1/10/2024	1/04/2025	182	5.00%	\$4,109.59
79149	Bank Of Queensland	\$519,489.73	10/09/2024	8/04/2025	210	4.87%	\$2,079.38
79379	NAB	\$500,000	19/09/2024	17/04/2025	210	4.95%	\$2,034.25
79887	NAB	\$500,000	23/10/2024	22/04/2025	181	5.00%	\$2,054.79
72064	Hume Bank	\$46,751.06	2/05/2024	2/05/2025	365	5.20%	\$199.81
72069	Hume Bank	\$1,000,000	10/05/2024	10/05/2025	365	5.20%	\$4,273.97
79227	NAB	\$2,000,000	12/09/2024	12/05/2025	242	4.95%	\$8,136.99
78549	AMP Bank	\$1,000,000	9/08/2024	5/06/2025	300	5.20%	\$4,273.97
56079	Northern Territory Treasury Corp	\$1,000,000	14/01/2022	15/06/2025	1,248	1.40%	\$1,150.68
52490	Northern Territory Treasury Corp	\$1,500,000	27/05/2021	16/06/2025	1,481	1.10%	\$1,356.16
75895	Hume Bank	\$26,857.98	27/06/2024	27/06/2025	365	5.00%	\$110.38
51782	Northern Territory Treasury Corp	\$2,500,000	15/04/2021	15/06/2026	1,887	1.30%	\$2,671.23
49570	NAB	\$11,865,458.49	30/11/2024	1/12/2024	1	4.40%	\$1,430.36
Total		\$30,440,946.18					\$62,207.72

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 30 NOVEMBER 2024 [CONTD]

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 30 November, 2024 total Investments held were \$30,440,946.18. The year to date accrued investment earnings for 2024/2025 was \$485,715.12. The rolling 13 month average investment yield is 4.28%.

RECOMMENDATION

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

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ENGINEERING

1. UPDATE ON FUNKS PIT REHABILITATION

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To update Council on a Clean-up notice (“notice”) issued on Council relating to the rehabilitation of an old gravel pit “Funks Pit” on Red Hill Road Tabletop

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 advised to Council at the Ordinary Meeting of Council held on the 9 October 2024 Council was issued a Clean-up notice on rehabilitation works that Council was undertaking at Funks Pit near Jindera.

The Clean-up notice required:

2. *If the outcome of the trial is deemed to be unsuccessful or not to EPA’s satisfaction, Greater Hume Shire Council must remove all imported material from the premises and take it to a facility that can lawfully accept it by 5pm 20 December 2024*
3. *By no later than 31 January 2025, engage a suitably qualified person/consultant to undertake post validation sampling representative of the area where imported fill material has been applied at the Premises, and provide a report that adequately demonstrates all imported fill material has been satisfactorily removed.*
4. *By no later than 5pm on 31 January 2025, provide the EPA with the following information and/or records in relation to the removal and disposal of the waste:*
 1. *The name, address and contact details of the waste facility where the waste was taken;*
 2. *Copies of all invoices and/or receipts for waste transportation and disposal;*
 3. *The post validation sampling report; and*
 4. *Photographs of the completed works.*

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UPDATE ON FUNKS PIT REHABILITATION [CONTD]

As of Tuesday 10 December I advise that:

Council had

1. Removed all fill material from Funks Pit and transported it to the Walla Walla Landfill where it was being screened to remove the inert contaminants (asphalt etc)
2. Consultants employed by Council were onsite on Tuesday 10 December at Funks pit undertaking investigations to provide Council with a post validation sampling report to state that all material had been satisfactorily removed from the pit.
3. Council staff were collecting all dockets/records from contractors who transported the material to collate for the EPA report
4. Screening of the last few loads of material was occurring at the Walla Walla Landfill. All screened material was tested and will meet the requirements of the EPA "*the excavated natural material order 2014*" prior to be using as capping for the landfill.

Council staff are currently investigating a number of sources of material for use at the Funks Pit rehabilitation. Prior to any use the material will be tested to ensure compliance with EPA requirements.

It is proposed that the work will recommence on the rehabilitation of Funks Pit in early 2025, with completion by mid-2025.

BUDGET IMPLICATION

Council has a reserve fund for the rehabilitation of existing Council quarries and gravel pits from which the cost of the required work will be funded from. As such there will be no impact on Councils current delivery program and operational plan.

CONCLUSION

Council has completed the removal of the fill material from Funks Pits as required by the clean-up notice. The remainder of the requirements of the clean-up notice will be completed within the required timeframes as set out in the notice. The next stage of the rehabilitation of Funks Pit will be undertaken once the material to be used has been selected and tested prior to use.

RECOMMENDATION

That Council receive and note the report

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PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. REROC SUBMISSION – COUNCILLOR CONDUCT AND MEETING PRACTICES

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

To provide a copy of the Riverina Eastern Regional Organisation of Councils (REROC) response to the Minister for Local Government request for submissions in relation to the review of the current Councillor Code of Conduct and Code of Meeting Practise

REFERENCE TO DELIVERY PLAN ACTION

Objective Our leadership and communication cultivate confidence in our future direction

Outcome 2.2 Collaborate with partners to deliver positive outcomes for the community, economy and environment

DISCUSSION

The Riverina Eastern Regional Organisation of Councils (REROC) represents eight Member Councils, Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, Temora and Goldenfields Water.

In September of 2024, the Minister for the Government the Hon Ron Hoenig MP, released a discussion paper introducing a proposed new framework to reform the approach to Councillor conduct and meeting practises. The terms of discussion paper are attached in **Annexure 10**.

At the request of the member Council's, REROC complied a submission that details our circumstances and concerns as a sector and as a region. This report is attached in **Annexure 11**.

BUDGET IMPLICATION

There would be no budget implications.

RECOMMENDATION

That Council notes the REROC report.

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2. TOURISM AND PROMOTIONS REPORT – NOVEMBER 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(Open Cities) 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.au	
November 2024		Previous	Current	Previous	Current	Previous	Current
Website Traffic	New	10510	7843	458	525	1637	1314
	Returning	3838	3279	184	202	919	697
Traffic Source	Organic	8091	6117	339	322	1131	865
	Direct	1393	1232	114	173	174	181
	Referral	181	107	1	5	324	246
	Social	694	346	4	22	3	22
Device Paths	Desktop	2369	2021	765	159	474	445
	Mobile	4173	2997	655	242	834	627
	Tablet	127	82	27	2	38	30

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

Living in Greater Hume – Public Swimming Pools
Living in Greater Hume – Waste and Recycling
Your Greater Hume Council – Council Meetings
Your Greater Hume Council – Careers With Us
Contact Us

www.visitgreaterhume.com.au – top pages:

Natural Wonders – Table Top Reserve
Natural Wonders – Wymah Ferry
Culcairn – Culcairn Caravan Park
Holbrook
Natural Wonders – Lake Hume

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TOURISM AND PROMOTIONS REPORT – NOVEMBER 2024 [CONTD]

www.ghchildren.com.au – top pages:

Family Day Care
Enroll your Child/Children
Centre Based Care
Contact Us
Enrolment Process for Family Day Care

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 – 1181 followers
Individual Facebook pages:
Greater Hume Council – 4028 followers
Visit Greater Hume – 850 followers
Holbrook Submarine Museum – 1312 followers
Greater Hume Children's Services – 1100 followers
Greater Hume Youth Advisory Committee – 483 followers
Buy Local in Greater Hume – 672 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
Council Summer newsletter has just been released. This edition features events, Library and Children Services updates, important information regarding the Australia Day Celebrations in Henty and community updates and information.

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TOURISM AND PROMOTIONS REPORT – NOVEMBER 2024 [CONTD]

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 Summer 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. Also submitted advertising within the Official Henty Machinery Field Days guide and the Hume League Football and Netball Grand final Border Mail specials.

Emailed (over 600) 'What's On in December' 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.

A photo shoot was held in Henty to capture attractions and businesses within the Henty Community. A local Henty family was the talent for the shoot and a local photographer was used.

Currently redoing signage around Greater Hume, including visitor signage and billboard designs.

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:

November 24 - Walk In – 1217, Phone Calls - 25, Emails – 0.

November 23 - Walk In – 1326, Phone Calls - 30, Emails – 0.

Submarine Museum Statistics:

November 24 - Adult - 159, Child - 30, Concession - 193, Family - 42, Group - 62, Total - 486.

November 23 - Adult - 118, Child - 20, Concession - 152, Family - 35, Group - 42, Total - 367.

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TOURISM AND PROMOTIONS REPORT – NOVEMBER 2024 [CONTD]

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 events across Greater Hume, including Henty Ag Show, Various Library events, Tom Curtain's Good Life Tour, Holbrook Long Lunch, Telstra Truck Visits, Homestead Agronomy Workshops and Jindera Pioneer Events. We are currently supporting events such as Table Top Mountain Charity Walk, Service NSW visits, Christmas markets and Carols by Candlelight and various Jindera Pioneer Museum events.

Australia Day

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

Comments

Preparations for Australia Day 2025 in Henty have begun. Council was successful in receiving the National Australia Day Grant for the 2025 event which will ensure that the event will be accessible and family friendly for residents and visitor alike. Nominations have now closed and we have received 19 nominations for the awards program for 2025.

Signage

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

Comments

Tourism and Village Signage is being developed in Burrumbuttock, the Submarine Precinct and Gallipoli Park, Holbrook.

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.)

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TOURISM AND PROMOTIONS REPORT – NOVEMBER 2024 [CONTD]

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 now been completed with statistics to be released shortly.
- Staff are undergoing Social Media Training which begun February, led by Murray Regional Tourism. This training includes one on one mentoring sessions.
- A photo shoot was held, showcasing new Tourism Operators and landscape locations with the West and North areas of Greater Hume.
- Partnered with MRT to provide various programs to Greater Hume Tourism Operators. These have been promoted, supported and utilised by a variety of TOs over the year. Three more programs have just been launched for 2025.
- Murray River was announced by National Geographic as one of the 'Best of the World' 2025 destinations. This list consists for 25 destinations, with Murray River being the only Australian destination named.

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 (Maggi Solly) – In partnership with Albury City Council and Museums and Galleries NSW.

Comment

A full training/workshop program has been held and conducted by the Museum Adviser with museum volunteers, staff of Albury and Greater Hume at the new Digitisation Hub. A new Community Museum engagement, training plan has been developed by the Museum Advisor. Staff are working towards completing this plan with Community Museum volunteers. Museums included within this program have been supported with grant applications, mission statements, collection support and community mapping programs. The 2025 Workshop and Training program will commence in February with a site visit to all participating Museums.

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 CUSTOMER RELATIONS AND 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- November 24

Library Programs	Location	Event
Juvenilia Exhibition	Culcairn	November marked the final days of the 'Juvenilia' exhibition that had been displayed over four weeks in the Culcairn Library for our community members to view and enjoy.
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	Story time continues to be held at the libraries each month. Participants include before school aged children, preschool and school students.
Knitting Club	Culcairn	The Culcairn knitting Club packed up all of their beautifully crafted blankets to be sent via, Joel, our Riverina Regional Library courier who will deliver these to Wrapped With Love on behalf of our knitting ladies.
Billabong High School	Culcairn	Weekly volunteering from our students to assist residents with their tech needs.
Food and Gift Appeal	Culcairn, Holbrook, Jindera, Henty	Non-perishable food items and gifts are placed at all libraries from 16 November – 16 December.

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GREATER HUME CUSTOMER RELATIONS AND LIBRARY SERVICES [CONTD]

Upcoming Library Programs – December 24/January 25

Upcoming Programs	Location	Event Description
Christmas Food and Gift Appeal	Culcairn, Holbrook, Jindera, Henty	Non-perishable food items and gifts are placed at all libraries from 16 November – 16 December.
Christmas Craft	Henty, Culcairn, Holbrook & Jindera	Christmas craft tables and card making for the month of December.
January School Holiday program Reptiles on the Go	Culcairn and Jindera Libraries	Reptiles on the Go features a fun and educational showcase where children learn about fabulous Australia native reptiles in the safety and comfort of our Libraries.
January School Holiday Program	Henty, Culcairn, Jindera and Holbrook	Children get to make their own snow globe with clay.
Billabong High School	Culcairn	Weekly volunteering from our students to assist residents with their tech needs.
Knitting Club	Culcairn	Bi-weekly visits to knit and connect with other group members.
Story Time	Henty, Culcairn, Holbrook and Jindera	Story time continues to be held at the libraries each month. Participants include before school aged children, preschool and school students.
Vacation Care Visit	Holbrook, Henty, Culcairn and Jindera	Greater Hume Children’s Services will be visiting during the month of January for stories and craft.

Library Statistics - November 24

Library Statistics – November 24	Henty	Culcairn	Holbrook	Jindera
Issues	210	268	447	102
Online Resources	NA	NA	NA	NA
Door Count	NA	1724	2486	1676

(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)

Due to a reporting issue with RRL the online Resources statistics were unavailable for the month of November.

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GREATER HUME CUSTOMER RELATIONS AND LIBRARY SERVICES [CONTD]

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, a combination of events has led to an exceptionally busy period for the Customer Relations team, and they have managed the increased demand with dedication and efficiency. Planning is in progress for the redesign of Culcairn's Library after a successful grant application has seen Council received \$192,464 and we hope to start construction in February 2025.

2. STATEMENT OF BANK BALANCES AS AT 30TH NOVEMBER 2024

The statement of bank balances as at 30th November is attached as **ANNEXURE 12**

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ENGINEERING

1. NOVEMBER 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).

Heavy Patching on MR284 is complete.

Heavy Patching on MR78 has commenced from the southern end

Regional Roads

General maintenance is continuing on all Regional Roads.

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 2) Road reconstruction is continuing. 1.1km is programmed to be sealed prior to Christmas.

Shoulder repairs on various local roads from natural disaster AGRN1034 are continuing.

Natural disaster heavy patching on various local roads is continuing.

Unsealed:

Gravel resheeting as per Council's Resheeting Program is continuing on various local roads.

The installation of a floodway culvert is almost complete on Galena Hills Road, Holbrook.

Maintenance grading has been carried out on the following roads during November. See Map **ANNEXURE 13**

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Road Name	Location	Length Graded (km)
ROAD NAME	LOCATION	APPROX. LENGTH
Bobs Creek Rd	570m in middle, rest at end of road	1.7
Four Mile Ln	First unsealed section from Hume end	4.5
Mahers Rd	Approx half from Wagga Rd end	2
Roachdale Rd	Full length	5.2
Schneiders Rd	Full length	3.2
Taylor's Rd	Middle section	1.6
Trebleys Rd	Full length	2.2
Vokins Creek Rd	Full length	4.7
	Total	25.1

Urban Streets:

General maintenance of urban streets including signage replacement is continuing.

Street Light installation at Hueske Road and Urana Road intersection is continuing.

General:

General maintenance of public toilets and parks is continuing.

New toilet block construction is nearing completion at Burrumbuttock Recreation Reserve.

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Monthly Works Maintenance Expenditure:

Local Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Vandalism	Natural Disaster & Pothole Expenditure to Date	Comments
Urban Roads Maintenance	\$248,307	\$103,461	\$50,616	\$52,845	\$0	\$16,851	
Urban Roads Town Maintenance	\$439,945	\$183,310	\$195,943	-\$12,632	\$0	\$0	Monitor in future months
Rural Roads Sealed	\$1,011,459	\$421,441	\$384,160	\$37,281	\$1,430	\$867,248	
Rural Roads Unsealed	\$1,548,030	\$645,013	\$532,348	\$112,665		\$622,058	
Street Tree Maintenance	\$264,195	\$110,081	\$109,995	\$86	\$0	\$0	

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Vandalism	Natural Disaster & Pothole Expenditure to Date	Comments
Sportsground Maintenance	\$391,477	\$163,115	\$136,840	\$26,276	\$1,922	\$0	
Parks & Gardens Maintenance	\$307,863	\$128,276	\$131,827	-\$3,551	\$10,109	\$0	Monitor in future months
Public Toilets Maintenance	\$281,042	\$117,101	\$91,444	\$25,657	\$4,783	\$0	

NB : Sportsground Maintenance excludes annual GHC contribution payment

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Major Projects Expenditure:

Project	Budget	YTD	Committed	Total	% Budget Expended	% Work Completed	Comments
2024-2025 Resealing Program	\$1,538,700	\$151,016	\$785,675	\$936,691	9.81%	9.81%	Resealing has commenced and PO's are issued as required.
2024-2025 Gravel Reheating Program	\$1,640,000	\$299,562	\$355,290	\$654,852	18.27%	19.00%	Resheeting has commenced.
Brocklesby Balldale Road Rehab - Stage 1 & 2	\$4,671,579	\$3,246,769	\$311,152	\$3,557,921	69.50%	70.00%	Stage 2, construction has re-commenced and 1 km is scheduled to be sealed prior to the Christmas break.
Regional Emergency Road Repair Program	\$9,130,569	\$6,985,657	\$0	\$6,985,657	76.51%	76.43%	Works are Progressing as per Approved Project Plan.
Jingellic Road - 5 Bridges/culverts	\$4,520,000	\$3,595,767	\$18,940	\$3,614,707	79.55%	79.00%	Work is continuing on the Wantagong Bridge widening.
Culcairn Residential Subdivision	\$3,217,391	\$2,651,149	\$46,625	\$2,697,774	82.40%	95.00%	Project nearing completion.

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF NOVEMBER 2024

ANNEXURE 14

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PART D

COMMUNITY MEETING- MINUTES

Attached in **Annexure 15**, are minutes of the following items:

1. **CULCAIRN CDC MINUTES 19 NOVEMBER 2024**