



Greater
Hume
Council

To: «Name»

Ordinary Meeting of Greater Hume Council

Wednesday, 20 February 2019

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at the Community Meeting Room, Library Complex, Library Court, Holbrook, commencing at 6.00pm.

STEVEN PINNUCK
GENERAL MANAGER

Public Forum Speakers

1. Darryl Jacob and Stacey Bell – Wirraminna Toilets
2. Paul Rowe – Proposed logging in Woomargama State Forest

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Ordinary Meeting of Greater Hume Council

Wednesday, 20 February 2019

BUSINESS TO BE CONSIDERED

1. PRAYER

2. ACKNOWLEDGEMENT OF COUNTRY

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

**3. DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY INTEREST
(CONFLICT OF INTEREST)**

4. APOLOGIES

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 19 December 2018

6. ACTION REPORT FROM THE MINUTES

7. REPORTS FROM OFFICERS

PART A For Determination

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

PART B For Information

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

PART C For Information

8. MATTERS OF URGENCY

9. COMMITTEE OF THE WHOLE – CONFIDENTIAL CLOSED COUNCIL REPORT

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TO BE HELD AT THE
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OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **REQUEST BY CWP RENEWABLES FOR COUNCIL TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT IN LIEU OF A \$7.12 PAYMENT PAYABLE FOR THE PROPOSED GLENELLEN SOLAR FARM**

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council at the November 2018 Ordinary meeting considered a report responding to Council receiving a written request from CWP Resources seeking in principle support for Council and CWP Resources to enter into a Voluntary Planning Agreement (VPA) in lieu of Council receiving a payment under the provision of the Greater Hume Council S94A Levy Development Contributions Plan 2017 (Contribution Plan).

At that meeting Council deferred this matter so that a Councillor workshop could be held to address issues relating to both solar farm developments and associated Voluntary Planning Agreements. The required Councillor Workshop was held on 6 February and now this report will enable Council to make a resolution in relation to the written request from CWP Resources.

REFERENCE TO DELIVERY PLAN

Nil.

DISCUSSION

CWP Resources, the developers for the proposed Glenellen Solar Farm, has written to Council seeking a response as to whether in principle Council would be prepared to enter into a Voluntary Planning Agreement (VPA) in lieu of receiving a payment under the provisions of the Greater Hume Council S94A Levy Development Contributions Plan 2017 (Contribution Plan).

Council received a report at its November 2018 Ordinary Meeting to determine a response to the request made in CWP Resource's letter. In response to the report Council made the following resolution:

5122 MOTION [Quinn/Weston]

That:

- 1. this matter lay on the table until the February 2019 meeting.*
- 2. a workshop be held in February with all nine Councillors present to discuss the implications of solar farms in the shire, the revenue they may bring in and the project or projects Council may expend the funds on.*

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REQUEST BY CWP RENEWABLES FOR COUNCIL TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT IN LIEU OF A \$7.12 PAYMENT PAYABLE FOR THE PROPOSED GLENELLEN SOLAR FARM [CONT'D]

Subsequently a workshop was held on 6 February 2019 where Council was advised of the following:

- the status of solar farm proposals within the Greater Hume area;
- benefits to Council of entering into VPAs;
- general information relating to VPAs;
- possible projects where revenue generated from VPAs could be expended.

To comply with the abovementioned resolution of Council this matter has been returned to Council for further consideration.

BUDGET IMPLICATIONS

Council will receive a considerable contribution from a VPA negotiated with CWP Renewables which equates to 1% of the capital investment of the project.

CONCLUSION

To enable Council to make a resolution in response to the in principle offer of VPA from CWP Resources, this report provides an amended recommendation for Council's consideration.

It should be noted that the VPA will only come into effect should approval for the Glenellen Solar Farm be granted by the Department of Planning & Environment.

RECOMMENDATION

In the event that the Glenellen Solar Farm development is approved by NSW Planning and in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and to respond to the CWP Renewables request for Council to enter in a VPA, Council resolves the following:

1. Subject to negotiation of a suitable VPA with CWP Renewables, Council agrees to receive a 1% contribution of the capital investment value of the Glenellen Solar Farm under the following terms:
 - The agreed initial payment will be \$500,000;
 - The balance payable in equal proportions over nine consecutive payments, each payment indexed for CPI from the base year;
 - The agreed initial payment being quarantined as a contribution towards the Jindera Multi-Purpose Centre with the expenditure of the balance of payments to be used for funding of rural roads;
 - The payment of the contribution to Council under VPA is made in lieu of a contribution under the Greater Hume Council S94A Levy Development Contributions Plan 2017.
2. Council and CWP Renewables write to the Minister advising of the in principle VPA requesting in accordance with Section 7.7(3) of the EPA Act 1979 that the VPA be entered into as a condition of any subsequent development consent.
3. CWP Renewable be requested to mention the existence of the in principle VPA as a commitment in a Statement of Commitments.

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2. DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667 HUESKE ROAD JINDERA

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council is in receipt of a development application for a two lot subdivision of Lot 2 DP1245667 Hueske Road Jindera (the subject land). The applicant is Habitat Planning and landowner J H Van Dorssen and M E Van Dorssen.

This report represents an assessment of the application under the requirements of Division 4 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) and is being reported to Council because the proposal will not comply with a development standard relating to minimum lot size and the applicant is seeking to utilise Clause 4.6 of the Greater Hume Local Environment Plan 2012 (GHLEP 2012).

REFERENCE TO DELIVERY PLAN

Nil.

DISCUSSION

The lot to be subdivided is described as Lot 2 DP1245667 Hueske Road, Jindera. The allotment is 15.87 hectares in area and is rectangular in shape. The majority of the property is primarily cleared of vegetation, with the exception of a large cluster of trees occupying approximately half of the lot. There are two dams within the property.

The subdivision will result in two lots of which lot 2 will be 7.78 hectares in size and accessed via a 6 metre wide battle axe handle along a 300 metre boundary with lot 1 which is 8 hectares. The two lots will share an existing vehicle crossing in Hueske Road to minimise access points to this road. Reticulated potable water and cabled electricity and telecommunications are available to the lots from Hueske Road.

ASSESSMENT

A development application (**ANNEXURE 1**) is required to be assessed by Council against the following 'matters for consideration' listed in Section 4.15 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

State Environmental Planning Policy 55 - Remediation of Land (SEPP55) requires Council to consider the potential for any land proposed for development to be contaminated. The site is vacant former agricultural land and there is nothing to suggest that it has been used for activities that may lead to site-specific contamination.

State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44) is applicable for the subject land which is located in the former Hume Shire Council area. A development assessment report which has been submitted with the development application contains an assessment against SEPP 44. The assessment aligns with the requirements of the SEPP and is supported by the author.

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

State Environmental Planning Policy Rural Lands (2008) must be considered in relation to this development application as the subject land is zoned rural and it will be possible for a dwelling to be erected on the proposed lots. Following is an assessment against the requirements of Clause 10(3):

- a. the existing uses and approved uses of land in the vicinity of the development: *The land in the vicinity of the subject land is used for small scale agriculture with associated dwellings. The proposal is compatible with this use.*
- b. whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development: *The proposal will not affect adjacent land uses which are the same as the proposal.*
- c. whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b), *The proposal will be compatible with adjacent land uses.*
- d. if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone: *N/A*
- e. any measures proposed by the applicant to avoid or minimize any incompatibility referred to in paragraph (c) or (d). *None required.*

The Greater Hume Local Environmental Plan 2012 (“the GHLEP2012”) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU4 Primary Production Small lots and the objectives of this zone are provided below:

Objectives of zone

- *to enable sustainable primary industry and other compatible land uses.*
- *to encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *to minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposal does not derogate from the objectives of the zone.

Clause 2.6 of the GHLEP 2012 is applicable and stipulates that development consent is required for this subdivision and that development consent for subdivision cannot be given in a situation which would result in a dwelling and a secondary dwelling being located on allotments beneath the minimum lot size (MLS). The applicant has applied for development consent and no dwellings are located upon the subject land so the proposal does not derogate from the provisions of this clause.

Clause 4.1 of the GHLEP 2012 stipulates that if development consent is required for subdivision of a lot (such as the subject land) that is shown on the lot size map, then the size of any lot resulting from that subdivision is not to be less than the minimum size shown on the Lot Size Map.

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

The objective of Clause 4.1 is “to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of the relevant zone”. The applicant contends that Clause 4.6 of the GHLEP allows for consideration of lots less than the minimum lots size which is discussed later. However, at 7.87 hectares in size the smaller lot in the proposal remains capable of being used for agricultural purposes just like any other rural living lots in the vicinity of the northern side of Hueske Road.

The objectives of Clause 4.6 of the GHLEP 2012 are to:

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

The applicant suggests that these objectives are met as the proposed subdivision:

- Is seeking flexibility on the basis that the subject land is just 1300sqm short of qualifying for a two lot subdivision based on a 8 hectare minimum lot size; and
- It will not result in a lot density out of character with the surrounding area.

It is in sub clause 3 of this clause that contains stipulations that Council must consider in deciding to approve the requested variation and sub clause 3 states:

- 3 *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - a. *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - b. *that there are sufficient environmental planning grounds to justify contravening the development standard.*

In response to sub clause 3 the applicant indicates that the requirements are met because:

- This report represents the ‘written request’;
- The MLS is unreasonable in this circumstance as the minor variation will not result in development that is clearly different to that in the area;
- The ‘circumstances of the case’ include Council resolution to support three lots (of which these two lots are the second step);and
- A variance will not result in any additional environmental impacts.

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

As this application is a subdivision subclause 6 relates and it indicates the following:

- 6 *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
- a. *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - b. *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

The proposed subdivision satisfies sub clause 6 because:

- Only one lot is less than the minimum lot size; and
- At 7.87 hectares the area of the smaller lot is not less than 90 percent of the minimum lot size of 8 hectares.

In deciding to approve a variation under Clause 4.6 the consent authority must consider sub clause 4 which indicates:

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- a. *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - b. *the concurrence of the Secretary has been obtained.*

On consideration of sub clause 4 the applicant's written request adequately addresses matters in sub clause 3 and it is considered that the proposal does not derogate from the objective of Clause 4.1 and the RU4 zone objective. The requirement to grant concurrence of the Secretary in this instance has been delegated to Council (PS 18-003) and the matters to be considered by Council in assuming this delegation is provided in Clause 5 which is provided below:

- 5 *In deciding whether to grant concurrence, the Secretary must consider:*
- a. *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - b. *the public benefit of maintaining the development standard, and*
 - c. *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

This application is the second development application for subdivision of land from an allotment that had an area that was too small to yield three allotments of land in one development application because of the requirements of Clause 4.6(6) of the LEP. The

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HUESKE ROAD JINDERA [CONT'D]

granting of consent to this application will circumvent the requirements of clause 4.6(6) of the GHLEP 2012 which could be a matter of concern to the Secretary on a precedence basis. Terrestrial Biodiversity Clause 6.2 of the GHLEP 2012 applies to this application. Sub clause 3 of the GHLEP 2012 requires Council to consider environmental impacts that may arise as a result of undertaking the development. Sub clause 4 requires Council to consider what can be done to mitigate any environmental impacts that could arise.

There are many mature trees located on the property however there is not an understorey of native plants as the property has been grazed. The proposed subdivision will not result in works that will result in any tree removal and therefore no impact on biodiversity.

Clause 6.1 A of the GHLEP 2012 deals with flood planning and specifies requirements for land that is beneath the flood planning level. Part of the subject land is beneath the flood planning level however there will be areas on each of the allotments where a dwelling could be erected on land that is above the flood planning level.

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

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

- a. *The supply of water.*
- b. *The supply of electricity.*
- c. *The disposal and management of sewage.*
- d. *Stormwater drainage or on-site conservation.*
- e. *Suitable vehicular access.*

As a condition of consent the applicant will need to supply proof that adequate services are provided.

Greater Hume Development Control Plan 2013

The Greater Hume Development Control Plan 2013 (“the DCP”) applies to all land within the Shire. Chapter 6 of the DCP relates to subdivision generally and sets out relevant considerations.

DEVELOPMENT STANDARD	COMMENT
<p>Staging</p> <p>1. Where staging of a subdivision is proposed, a staging plan must be submitted with the development application.</p> <p>2. 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.</p>	<p>No staging to occur.</p>

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

DEVELOPMENT STANDARD	COMMENT
<p>Movement network</p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. All development for subdivision must comply with the Council's standards for road design.</p> <p>3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</p> <p>4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</p> <p>5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>No roads will be created as part of this subdivision.</p> <p>N/A.</p> <p>Direct access to a public road will be provided to each allotment.</p> <p>N/A.</p>
<p>Lot design</p> <p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Multi-lot subdivisions should provide for a range of lot sizes.</p> <p>3. Lots are to be provided with legal and practical public road access.</p> <p>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.</p> <p>5. For battle-axe allotments a minimum width of the access handle is to be 4.5m.</p> <p>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.</p> <p>7. Lots are to be designed to maximise solar access.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>N/A</p> <p>All lots are provided with frontage to a public road.</p> <p>Lots are adequate.</p> <p>A battle axe handle is provided to Lot 2 that is 6 metres wide.</p> <p>N/A</p> <p>These lots will afford excellent solar access.</p>

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

DEVELOPMENT STANDARD	COMMENT
<p>Infrastructure & services</p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Where a reticulated external potable water supply is provided, all lots shall be connected.</p> <p>3. Where a reticulated external sewerage system is provided, all lots shall be connected.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>All lots to be connected.</p> <p>N/A.</p>
<p>Hazards</p> <p>1. On land mapped as bushfire prone, compliance with the <i>NSW Rural Fire Service guide Planning for Bushfire Protection</i> (2006).</p> <p>2. 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 <i>Floodplain Development Manual: the management of flood liable land</i> (2005).</p> <p>3. 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 <i>State Environmental Planning Policy No.55 – Remediation of Land</i>. An investigation should be in accordance with the process detailed in the State Government's <i>Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land</i> (1998).</p>	<p>N/A.</p> <p>The subject land is affected by flooding however each of the allotments will have a portion where a dwelling could be erected outside of the area affected by flooding.</p> <p>There is no evidence to suggest the lot is potentially contaminated and hence further investigation in this regard is not necessary.</p>
<p>Site management</p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Compliance with <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i>.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>No details were provided with the application in regards to soil and water management. Having regard for the characteristics of the lot and the low risk of erosion etc, it is acceptable that a condition be included on the consent to comply with these guidelines.</p>

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

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

The following table assesses the likely environmental impacts of the development.

ISSUE	ACCEPT- ABLE	COMMENT
Context & setting	✓	The adjacent land is zoned RU4 or R5 The proposed subdivision will be in keeping with the existing use of land in the locality.
Access & parking	✓	All lots will have access to a public road. Parking is not an issue for the proposal.
Roads & traffic	✓	All lots have frontage to a public road and the traffic impacts from the subdivision will not result in an adverse outcome in terms of the road network.
Utilities	✓	The applicant will need to demonstrate that adequate arrangements can be made to access utilities.
Heritage	✓	The lot is not a heritage place nor contains any heritage items.
Archaeology	✓	There are no known archaeological items on the lot. As disturbance of the site has already been incurred through agricultural activity this issue is not a concern for the subdivision.
Stormwater	✓	The subdivision itself will have no impact on stormwater.
Soils & erosion	✓	Any works associated with the subdivision will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> .
Flora & fauna	✓	The lot is mostly cleared of vegetation and hence the subdivision will have little impact on flora and fauna.
Flooding	✓	The subdivision will not result in additional infrastructure being exposed to the effects of flooding.
Bushfire	N/A	
Technological hazards	N/A	-
Safety, security & crime prevention	N/A	-
Privacy	✓	
Landscaping	N/A	-
Overshadowing	N/A	-
Land resources	N/A	-

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

The site is suitable for the subdivision, one of the lots is compliant with the minimum lot size of 8ha and the other is not. Both allotments would not derogate from the objective of the RU4 zoning and can easily accommodate new dwellings and associated infrastructure.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT THE
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY COURT, HOLBROOK
ON WEDNESDAY, 20 FEBRUARY 2019**

DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

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

No submission has been received to the notification of the proposed subdivision.

- **4.15(1)(e) The public interest.**

Although one of the proposed lots is inconsistent with the minimum lots size for the RU4 zoning this subdivision undertaken in accordance with the applicable requirement of the Greater Hume Local Environment Plan 2012 is not against the public interest. The collective proposal mentioned in the development application may not be in the public interest due to the precedent which may be set.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

1. Approve the application, subject to conditions;
2. Defer the application for further information or redesign; or
3. Refuse the application.

To approve the application the Council must assume the concurrence of the secretary of Department of Planning and Infrastructure and so must be satisfied that the requirements of Clause 4.6 of the GHLEP have been met.

If Council is willing to assume the concurrence of the secretary of the Department of Planning and Infrastructure then there is no impediment to Council approving this development application.

RECOMMENDATION

That application DA10.2018.199.1 for a subdivision yielding 2 lots at Lot 2 DP1245667 Hueske Road Jindera be approved subject to the following conditions:

- 1 The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2018.199.1 except where amended by any conditions of this consent.
- 2 Prior to the issue of a Subdivision Certificate for any lot the applicant shall provide to Council for approval:
 - a. Written advice from a suitably qualified person and Telstra indicating the availability of electricity and telecommunications to each lot.
 - b. **Payment of the following Development Servicing Plan (DSP) charges for water and sewer:**
 - (i) Water Supply \$3230.00.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

NB. Contributions are due prior to the release of the Subdivision Certificate and will be calculated or recalculated at the rate applicable under the plans current at the time of payment.

- 3 Prior to the issue of a Subdivision Certificate for any lot the applicant shall undertake the following works in accordance with Council's specifications and at the applicant's expense:
 - a. Connection of both lots to Council's Villages Water Supply.
- 4 All easements necessary to ensure the supply of services and access shall be provided.
- 5 No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 6 Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 7 All Stormwater drainage shall be to natural drainage lines.
- 8 Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.
- 9 This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 10 It will be necessary to ensure that all dams comply with the appropriate 'harvestable rights' or are appropriately licensed as a result of the subdivision. [NOTE: In respect of this condition please refer to the 'Farm Dams Policy' administered by the Department of Primary Industries Office of Water.]
- 11 During construction, work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.
- 12 Prior to the issue of a Subdivision Certificate, payment of \$110 per lot (except for lots that only provide access to other lots) for the provision of Rural Addressing Number plates for each lot in the development is to be made to Council (ie 20 lots x \$110 = \$2200). In addition payment of \$250 per sign for the installation of road signs (including posts) for all road intersections created in the development (ie 4 intersections x \$250 = \$1000). All proposed roads (including private roads) must be named with all names to be approved by Council.

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DEVELOPMENT APPLICATION 10.2018.199.1 – 2 LOT SUBDIVISION - LOT 2 DP1245667
HUESKE ROAD JINDERA [CONT'D]

- 13 Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form attached) and payment of the fee applicable when the subdivision certificate is issued.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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ON WEDNESDAY, 20 FEBRUARY 2019**

3. DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052 DUNWANDREN LANE JINDERA

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council is in receipt of a development application for a two lot subdivision of lot 1 DP1047052 Dunwandren Lane Jindera (the subject land"). The applicant and landowner is KR Girling-Jhonston.

This report represents an assessment of the application under the requirements of Division 4 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) and is being reported to Council because the proposal will not comply with a development standard relating to minimum lot size and the applicant is seeking to utilise Clause 4.6 of the Greater Hume Local Environment Plan 2012 (GHLEP 2012).

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

The subject land is 15.9 hectares in area and is rectangular in shape. The majority of the property is cleared of vegetation and a number of dams are also contained throughout the property. There are 2 dwellings and sheds that are located on lot A.

The subdivision will result in lot A which will be 7.9 hectares and accessed via existing access ways from Dunwandren Lane and lot B which will be 8 hectares and accessed from Colonial Drive. Reticulated potable water is available and the applicant will need to establish the availability of electricity and telecommunications for proposed lot B.

ASSESSMENT

A development application (**ANNEXURE 2**) is required to be assessed by Council against the following 'matters for consideration' listed in Section 4.15 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

State Environmental Planning Policy 55 - Remediation of Land (SEPP55) requires Council to consider the potential for any land proposed for development to be contaminated. The site is vacant former agricultural land and there is nothing to suggest that it has been used for activities that may lead to site-specific contamination.

State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44) is applicable for the subject land which is located in the former Hume Shire Council area. Council is satisfied that the subject land is deemed not to be 'core koala habitat' and Council can consent to the application without the need for a Koala Management Plan.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

State Environmental Planning Policy Rural Lands (2008) must be considered in relation to this development application as the subject land is zoned rural and it will be possible for a dwelling to be erected on the proposed lots.

Following is an assessment against the requirements of Clause 10(3):

- a. The existing uses and approved uses of land in the vicinity of the development: The land in the vicinity of the subject land is used for small scale agriculture with associated dwellings. The proposal is compatible with this use.
- b. Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development: The proposal will not affect adjacent land uses which are the same as the proposal.
- c. Whether or not the development is likely to be incompatible with a use referred to in paragraph a. or b. The proposal will be compatible with adjacent land uses.
- d. If the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone: N/A.
- e. Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph c. or d. None required.

The Greater Hume Local Environmental Plan 2012 (“the GHLEP2012”) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU4 Primary Production Small lots and the objectives of this zone are provided below:

Objectives of zone:

- *to enable sustainable primary industry and other compatible land uses.*
- *to encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *to minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposal does not derogate from the objectives of the zone.

Clause 2.6 of the GHLEP 2012 is applicable and stipulates that development consent is required for this subdivision and that development consent for subdivision cannot be given in a situation which would result in a dwelling and a secondary dwelling being located on allotments beneath the minimum lot size (MLS). The applicant has applied for development consent and both of the existing dwellings will be located on lot A which will be beneath the minimum lot size however the applicant is planning to utilise the provisions of clause 4.6.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

Clause 4.1 of the GHLEP 2012 stipulates that if development consent is required for subdivision of a lot (such as the subject land) that is shown on the lot size map, then the size of any lot resulting from that subdivision is not to be less than the minimum size shown on the Lot Size Map.

The objective of Clause 4.1 is *“to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of the relevant zone”*. The applicant contends that Clause 4.6 of the GHLEP allows for consideration of lots less than the minimum lots size which is discussed later. However, at 7.91 hectares in size the smaller lot in the proposal remains capable of being used for agricultural purposes just like any other rural living lots in the vicinity of the subject land.

The objectives of Clause 4.6 of the GHLEP 2012 are to:

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

The applicant suggests that these objectives are met as the proposed subdivision:

- is seeking flexibility on the basis that the land is less than 0.09 of a hectare short of qualifying for a two lot subdivision
- it will not result in a lot density out of character with the surrounding area.

It is in subclause 3 of this clause that contains stipulations that Council must consider in deciding to approve the requested variation and subclause 3 states:

- 3 *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - a. *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - b. *that there are sufficient environmental planning grounds to justify contravening the development standard.*

In response to subclause 3 the applicant indicates that the requirements are met because:

- This report represents the ‘written request’;
- The MLS is unreasonable in this circumstance as the minor variation will not result in development that is clearly different to that in the area;
- A variance will not result in any additional environmental impacts.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

As this application is a subdivision subclause 6 relates and it indicates the following:

- 6 *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*
- a. *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
 - b. *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

The proposed subdivision satisfies subclause 6 because:

- Only one lot is less than the minimum lot size; and
- At 7.91 hectares the area of the smaller lot is not less than 90 percent of the MLS of 8 hectares.

In deciding to approve a variation under Clause 4.6 the consent authority must consider subclause 4 which indicates

- 4 *Development consent must not be granted for development that contravenes a development standard unless:*
- a. *the consent authority is satisfied that:*
 - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - b. *the concurrence of the Secretary has been obtained.*

On consideration of subclause 4 the applicant's written request adequately addresses matters in subclause 3 and it is considered that the proposal does not derogate from the objective of Clauses 2.6 and 4.1 and the RU4 zone objective. The requirement to grant concurrence of the Secretary in this instance has been delegated to Council (PS 18-003) and the matters to be considered by Council in assuming this delegation is provided in Clause 5 which is provided below:

- 5 *In deciding whether to grant concurrence, the Secretary must consider:*
- a. *whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - b. *the public benefit of maintaining the development standard, and*
 - c. *any other matters required to be taken into consideration by the Secretary before granting concurrence.*

The applicant's proposal to subdivide the subject land in itself will not raise any matter of significance for state or regional environmental planning.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

Terrestrial Biodiversity Clause 6.2 of the GHLEP 2012 applies to this application. Subclause 3 of the GHLEP 2012 requires Council to consider environmental impacts that may arise as a result of undertaking the development. Subclause 4 requires Council to consider what can be done to mitigate any environmental impacts that could arise.

There are mature trees located on the property however, there is not an understorey of native plants as the property has been grazed. The proposed subdivision will not result in works that will result in any tree removal and therefore no impact on biodiversity.

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

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

- a. *The supply of water.*
- b. *The supply of electricity.*
- c. *The disposal and management of sewage.*
- d. *Stormwater drainage or on-site conservation.*
- e. *Suitable vehicular access.*

As a condition of consent the applicant will need to supply proof that adequate services are provided.

Greater Hume Development Control Plan 2013

The Greater Hume Development Control Plan 2013 (“the DCP”) applies to all land within the Shire. Chapter 6 of the DCP relates to subdivision generally and sets out relevant considerations.

DEVELOPMENT STANDARD	COMMENT
<p>Staging</p> <p>1. Where staging of a subdivision is proposed, a staging plan must be submitted with the development application.</p> <p>2. 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.</p>	<p>No staging to occur.</p>

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

DEVELOPMENT STANDARD	COMMENT
<p>Movement network</p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. All development for subdivision must comply with the Council's standards for road design.</p> <p>3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</p> <p>4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</p> <p>5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>No roads will be created as part of this subdivision.</p> <p>N/A.</p> <p>Direct access to a public road will be provided to each allotment.</p> <p>A driveway will be constructed across an unmade road reserve.</p>
<p>Lot design</p> <p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Multi-lot subdivisions should provide for a range of lot sizes.</p> <p>3. Lots are to be provided with legal and practical public road access.</p> <p>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.</p> <p>5. For battle-axe allotments a minimum width of the access handle is to be 4.5m.</p> <p>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.</p> <p>7. Lots are to be designed to maximise solar access.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>N/A</p> <p>All lots are provided with frontage to a public road.</p> <p>Lots are adequate.</p> <p>N/A</p> <p>N/A</p> <p>These lots will afford excellent solar access.</p>
<p>Infrastructure & services</p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Where a reticulated external potable water supply is provided, all lots shall be connected.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>Reticulated water to be provided.</p>

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

DEVELOPMENT STANDARD	COMMENT
3. Where a reticulated external sewerage system is provided, all lots shall be connected.	N/A.
Hazards	
1. On land mapped as bushfire prone, compliance with the <i>NSW Rural Fire Service guide Planning for Bushfire Protection</i> (2006).	N/A.
2. 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 <i>Floodplain Development Manual: the management of flood liable land</i> (2005).	N/A
3. 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 <i>State Environmental Planning Policy No.55 – Remediation of Land</i> . An investigation should be in accordance with the process detailed in the State Government's <i>Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land</i> (1998).	There is no evidence to suggest the lot is potentially contaminated and hence further investigation in this regard is not necessary.
Site management	
1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i> .	Council's Engineers have assessed the application and provided their conditional approval.
2. Compliance with <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> .	No details were provided with the application in regards to soil and water management. Having regard for the characteristics of the lot and the low risk of erosion etc, it is acceptable that a condition be included on the consent to comply with these guidelines.

- **79C(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

The following table assesses the likely environmental impacts of the development.

ISSUE	ACCEPT- ABLE	COMMENT
Context & setting	✓	The adjacent land is zoned RU4 or RU1. The proposal subdivision will be in keeping with the existing use of land in the locality.
Access & parking	✓	All lots will have access to a public road. Parking is not an issue for the proposal.
Roads & traffic	✓	All lots have frontage to a public road and the traffic impacts from the subdivision will not result in an adverse outcome in terms of the road network.
Utilities	✓	The applicant will need to demonstrate that adequate arrangements can be made to access utilities.
Heritage	✓	The lot is not a heritage place nor contains any heritage items.
Archaeology	✓	There are no known archaeological items on the lot. As disturbance of the site has already been incurred through agricultural activity this issue is not a concern for the subdivision.
Stormwater	✓	The subdivision itself will have no impact on stormwater.
Soils & erosion	✓	Any works associated with the subdivision will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> .
Flora & fauna	✓	The lot is mostly cleared of vegetation and hence the subdivision will have little impact on flora and fauna.
Flooding	N/A	
Bushfire	N/A	
Technological hazards	N/A	-
Safety, security & crime prevention	N/A	-
Privacy	✓	
Landscaping	N/A	-
Overshadowing	N/A	-
Land resources	N/A	-

• **79C(c) The suitability of the site for the development**

The site is suitable for the subdivision, one of the lots is compliant with the minimum lot size of 8ha and the other is not. Both allotments would not derogate from the objective of the RU4 zoning and can easily accommodate existing and new dwellings and associated infrastructure.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

- **79C(d) Any submissions made in accordance with this Act or the regulations**

No submission has been received to the notification of the proposed subdivision. It should be noted that Council undertook to notify another nearby landowner who could be affected by the use of Colonial Drive. That landowner has until 22 January 2019 to respond with their concerns. If concerns are raised the determination will be deferred until the March meeting.

- **79C(e) The public interest**

Although one of the proposed lots is inconsistent with the minimum lots size for the RU4 zoning this subdivision, undertaken in accordance with the applicable requirement of the Greater Hume Local Environment Plan 2012, is not against the public interest.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

4. Approve the application, subject to conditions;
5. Defer the application for further information or redesign; or
6. Refuse the application.

To approve the application Council must assume the concurrence of the Secretary of Department of Planning and Infrastructure and so must be satisfied that the requirements of Clause 4.6 of the GHLEP have been met.

If Council is willing to assume the concurrence of the Secretary of the Department of Planning and Infrastructure then there is no impediment to Council approving this development application.

RECOMMENDATION

Subject to Council not receiving a response to additional neighbour notification that application DA10.2018.202.1 for a subdivision yielding 2 lots at Lot 1 DP1047052 Dunwandren Lane Jindera be approved subject to the following conditions:

- 1 The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2018.202.1 except where amended by any conditions of this consent.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

- 2 Prior to the issue of a Subdivision Certificate for any lot the applicant shall provide to Council for approval:
 - a. Written advice from a suitably qualified person and Telstra indicating the availability of electricity and telecommunications to each lot.
 - b. **Payment of the following Development Servicing Plan (DSP) charges for water and sewer:**
 - (i) Water Supply \$3230.00.

NB. Contributions are due prior to the release of the Subdivision Certificate and will be calculated or recalculated at the rate applicable under the plans current at the time of payment.
- 3 Prior to the issue of a Subdivision Certificate for any lot the applicant shall undertake the following works in accordance with Council's specifications and at the applicant's expense:
 - a. Construction of a driveway crossover to the satisfaction of Council.
 - b. Connection of lots to Council's Villages Water Supply.
- 4 All easements necessary to ensure the supply of services and access shall be provided.
- 5 No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 6 Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 7 All Stormwater drainage shall be to natural drainage lines.
- 8 Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.
- 9 This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 10 It will be necessary to ensure that all dams comply with the appropriate 'harvestable rights' or are appropriately licensed as a result of the subdivision. [NOTE: In respect of this condition please refer to the 'Farm Dams Policy' administered by the Department of Primary Industries Office of Water.]
- 11 During construction, work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.

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DEVELOPMENT APPLICATION 10.2018.202.1 – 2 LOT SUBDIVISION - LOT 1 DP1047052
DUNWANDREN LANE JINDERA [CONT'D]

- 12 Prior to the issue of a Subdivision Certificate, payment of \$110 per lot (except for lots that only provide access to other lots) for the provision of Rural Addressing Number plates for each lot in the development is to be made to Council (ie 20 lots x \$110 = \$2200). In addition payment of \$250 per sign for the installation of road signs (including posts) for all road intersections created in the development (ie 4 intersections x \$250 = \$1000). All proposed roads (including private roads) must be named with all names to be approved by Council.

- 13 Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form attached) and payment of the fee applicable when the subdivision certificate is issued.

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**4. DEVELOPMENT APPLICATION 10.2018.159.1 – PRIMITIVE CAMPING GROUND
LOT 10, LOTS 14-19 AND LOT 93 DP753327 KANIMBLA ROAD HOLBROOK**

Report by Director Environment and Planning – Colin Kane

REASON FOR REPORT

Council is in receipt of a development application for a Primitive Camping Ground (PCG) at Lot 10, Lots 14-19 and Lot 93 DP753327 (“the subject land”) Kanimbla Road Holbrook. The applicant is MD and DM Jones.

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 Council has received a number of submissions to the notification process.

REFERENCE TO DELIVERY PLAN ACTION

Outcome 3.2 Our towns and villages are revitalised
Action 3.2.1.1 Undertake community consultation and undertake data collection to inform amendments to the Greater Hume Local Environmental Plan 2012.

DISCUSSION

DESCRIPTION OF PROPOSAL

The proposed PCG was initially planned to be located in various locations along the Billabong Creek which is the south western border of the property. Due to concerns raised in submissions from adjacent landowners the author consulted with the applicant and the proposal was modified to be in one location on the south western corner of the property (**ANNEXURE 3**). The application has not defined the area of the PCG and it will be a condition of consent that the area is no greater than 2ha within which up to four camp sites can be established at any given time. There are no defined camp sites within the PCG.

The construction of fireplaces and improvements to the access roads are the only works proposed in association with the PCG and the requirement for water, toilets and a waste receptacle is to be provided by the users of the PCG.

Access to the PCG will be via Holbrook Wagga Road over the existing accessway, which includes a Right of Way with Lot 24 DP753327 and Lot 11 DP1063380.

CONSULTATION & REFERRAL PROCESS

The application was notified to all adjacent landowners on 16 October 2018 and 5 submissions were received. After the proposal was modified the application was again renotified to all adjacent landowners and 4 submissions were received. Consideration of the submissions is undertaken later in the report.

ASSESSMENT

A development application is required to be assessed by Council against the following ‘matters for consideration’ listed in Section 4.15 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***

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DEVELOPMENT APPLICATION 10.2018.159.1 – PRIMITIVE CAMPING GROUND LOT 10,
LOTS 14-19 AND LOT 93 DP753327 KANIMBLA ROAD HOLBROOK [CONT'D]

State Environmental Planning Policy 55 - Remediation of Land (SEPP55) requires Council to consider the potential for any land proposed for development to be contaminated. There is no evidence or known specific locations within the subject land that may have been utilised for activities leading to potential contamination. Consequently Council can be satisfied that further investigation of the land for potential contamination is not warranted.

Local Environmental Plans

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.

Under the LEP the proposal is defined as a ***camping ground***, which is:

an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

The subject land is zoned RU1 Primary Production under the LEP within which a ‘*camping ground*’ is permissible with consent.

The objectives of the RU1 zone are:

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

The proposal is consistent with some of the objectives but has the potential to be inconsistent with others:

- it is diversifying a primary industry which could be appropriate in the area.
- If not properly managed there is the potential for detrimental impacts being experienced at neighbouring properties which would cause conflict between land uses within the zone.

Development Control Plans

There are no matters in the *Greater Hume Development Control Plan 2013* (“the DCP”) directly relevant to the proposal.

Regulations

The *Local Government (Manufactured Homes Estates, Caravan Parks and Moveable Dwellings) Regulation 2005* (“the Regulations”) is applicable to a range of camping ground developments and provides standards and guidelines which should be addressed by proposed developments.

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The Regulations provide standards for a number of camping grounds and caravan parks, of which one type is defined as 'primitive camping ground'. No definition is provided within the Regulations for PCGs, other than:

... a camping ground that is specified in its approval as being a primitive camping ground.

A 'camping ground' is not defined within the Regulations, however a 'camp site' is defined as being:

... an area of land within a camping ground on which a campervan or tent may be installed or, in the case of a primitive camping ground, on which a campervan, tent or caravan may be installed, and that is designated as a camp site by the approval for the camping ground.

It is understood then, that a PCG can be considered as an informal camp site, of which campervans, tents or caravans can be placed in accordance with the approved density of site. As such, a PCG differs from conventional camping grounds by way of density, as opposed to actual development, ie caravans or moveable dwellings.

Part 3 of the Regulations refer to caravan parks, camping grounds and moveable dwellings. Division 3 refers to 'Caravan Parks' with the following subdivisions of 1 to 8 specifying a range of standards which must be met by a caravan park proposal. The design standards relate to a caravan park or camping ground for ablutions block, laundry facilities, roads etc none of which are applicable to a PCG.

Subdivision 9 of Division 3 (clause 132) of the Regulations refers to PCGs. The table attached as **ANNEXURE 3** provides an assessment of the proposal against the standards specified within clause 132 of the Regulations.

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	ACCEPT -ABLE	RESPONSE
Context & setting	✓	<p>The site of the PCG is located in the south western section of the subject land along a common boundary which is the Billabong Creek. Due to the size of the allotments and location of the camping ground, one neighbouring property is in very close proximity to the camping ground.</p> <p>The Billabong Creek contains mature native trees in an otherwise cleared landscape. The presence of the trees along the creek means that this area is a habitat utilised by native animals.</p> <p>The selected location takes advantage of the most scenic location on the subject land. However the location has the potential to have impacts on the neighbouring property which can be addressed through effective management of the PCG and controlled through conditions of consent.</p>
Noise	✓	<p>Taking into account appropriate setbacks from boundaries (see conditions of consent) the nearest residence is over 1000 metres to the north east. At these distances the noise generated by a maximum of four camp sites is not considered to have any detrimental impact on amenity at that residence.</p>
Access & parking	✓	<p>Access to the PCG will be via the existing access to the subject land from the Holbrook Wagga Wagga Road. The access is over other landowners property and Council's research indicates that a registered Right of Way exists.</p> <p>There is ample parking for vehicles associated with a maximum of four camp sites.</p>
Roads & traffic	✓	<p>The traffic generated by a maximum of four camp sites per day will be negligible and have no impact either within the site or on surrounding streets.</p>
Utilities	✓	<p>As mentioned, the proponent is suggesting that users of the PCG will bring their own water, use their own chemical toilet and collect and remove their rubbish.</p> <p>A reticulated electricity supply is not available to users of the PCG.</p>
Heritage	✓	<p>There are no heritage items in the vicinity of the camping ground</p>
Archaeology	✓	<p>There are no known archaeological items at the PCG site. There is the potential for archaeological items to be located along the Billabong Creek.</p> <p>The PCG does not involve any soil disturbance, hence there is no opportunity to disturb unknown archaeological items beneath the surface.</p>

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ISSUE	ACCE PTABL E	RESPONSE
Stormwater	✓	The PCG will not alter the topography of the land or install structures that alter the flow of stormwater across the site. The site is relatively well drained and suitable for a PCG in all but the wettest periods. If the conditions at the site are deemed unsuitable for camping then the PCG will be closed.
Soils & erosion	✓	No soil disturbance is proposed hence the risk of soil erosion at the site is not exacerbated by the PCG.
Flora & fauna	✓	No trees are to be removed to accommodate the PCG. There has been concerns raised about impacts on flora and fauna associated with the use of the PCG through collection of firewood and accessing the creek area.
Flooding	✓	The PCG is to be located above the high bank. The use of PCG would need to be suspended if flooding was anticipated.
Bushfire	✓	The PCG site is not mapped as bushfire prone. The proponent has indicated that provision will still be made to mitigate the risk of bushfire.
Technological hazards	✓	Not applicable
Safety, security & crime prevention	✓	Submissions received indicate that there is concern about PCG users trespassing onto adjacent land which could present a risk to personal safety and property theft.
Privacy	✓	The distance of camp sites from nearest residences is sufficient to negate any privacy impacts.
Landscaping	✓	No landscaping is proposed.
Overshadowing	N/A	
Land resources	N/A	-

The suitability of the site for the development

For a PCG the suitability of the site is very much dependent on the management of the PCG. Consequently it will be necessary to determine this application with a consent that is for a limited period of time and with stringent conditions so that the effectiveness of management can be ascertained.

Any submissions made in accordance with this Act or the Regulations.

Nine submissions were received objecting to the application (**ANNEXURE 3**). The issues raised from the initial and subsequent submissions are summarised and responded to in the following table. The applicant was asked to address the issues raised and their response is also included in (**ANNEXURE 3**).

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ISSUE	RESPONSE
What is the maximum number of patrons?	As mentioned above a condition of consent will restrict the area of the PCG to 2 hectares which means 4 campsites would be permitted with up to 12 people per camp site
Issues associated with pets, fire, waste management, smoke, dust and noise.	Inadequate management of the PCG could cause adverse impacts to arise as a result of these factors raised in the submissions. To address these concerns it is suggested that the consent be time limited and the applicant be required to provide a management plan for the approval of Council which will outline management measures to prevent adverse impacts. The management plan would require details as to how complaints can be registered and resolved and acceptable key performance indicators for the condition of the PCG and immediate surrounds. The key performance indicators can be monitored by Council and the applicant.
The proposal may have detrimental environmental impacts, particularly in the vicinity of the adjacent creek. Potentially through use of bikes and collection of firewood.	The Billabong Creek which is adjacent to the PCG is an environmental feature which warrants conservation. It is thought that users of the PCG should be able to walk through this area without causing environment harm. Other uses such as the collection of fire wood and riding of bikes etc have the potential to degrade the area. Measures to protect the environment along the creek line should be addressed in the management plan and again acceptable key performance indicators for the condition of the creek line should be developed.
Issues with PCG users utilising a Right of Way over an adjacent property. These issues include impacts on stock and compromising bio-security.	As a condition of consent the applicant will need to provide details as to what measures will be implemented to ensure access to the PCG does not compromise the farming operation on the adjacent property.
Maximum time period for camping within the PCG.	Division 9 of the Regulations is silent on the maximum period of time that camping is permitted. It does say that caravans and tents cannot be left unoccupied for more than 24 hours. The proponent has nominated a month as the maximum length of occupancy. Given that campers need to be fully self-sufficient it is unlikely that long term camping will occur.
Trespassing and public liability issues	<p>The submitters are concerned about users of the PCG entering their properties. The expressed concerns relate to reduced security, privacy and liability issues that may arise.</p> <p>In response, it is advised that it is unlikely that the applicant could obtain public liability cover for people entering land which they do not own or have control over. If people trespass onto adjacent property they should have limited recourse to take action against the landowner.</p> <p>The management of the movements of users of the PCG will need to be addressed in the management plan and should contain key performance indicators for monitoring by the Council and the applicant.</p>

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ISSUE	RESPONSE
Campers should be in the caravan park located in Holbrook	It is reasonable for proponents to want to undertake a business that is an alternative to other accommodation providers. The existence of alternative accommodation provider is not a planning consideration.
The PCG will operate seven (7) days a week.	The PCG is to operate in a confined location that is quite removed from the residences of adjacent landowners. If the PCG is adequately managed then there should be no adverse impacts from seven (7) day a week operation.

The public interest

The question of 'public interest' within the context of Section 4.15(1)(e) 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 a minor public benefit from the proposal by campers making use of the business. If the PCG is adequately managed then there is not considered to be any public detriment. The limited time period for the consent and conditions of consent are proposed to allow corrective action by Council to occur if necessary.

BUDGET IMPLICATIONS

Nil.

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 recommended for conditional approval.

RECOMMENDATION

That consent be granted to development application 10.2018.159.1 for a primitive camping ground at Lot 10, Lots 14-19 and Lot 93 DP753327 Kanimbla Road Holbrook, subject to the following conditions:

Obligation to Minimise Harm

1. The Applicant shall implement all practical measures to prevent and/or minimise any harm to the environment that may result from the operation of the development (Primitive Camping Ground).

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Terms of Approval

2. This consent will lapse after 2 years from the date of the determination and a new development application will need to be determined for the ongoing operation of the Primitive Camping Ground.

Prior to Commencement of the Primitive Camping Ground

3. Details are to be provided to Council for approval detailing the arrangements to access the Primitive Camping Ground over the Right of Way registered on the titles of Lot 24 DP753327 and Lot 11 DP1063380. These details are to demonstrate that you have consulted the owners of these allotments and the agreed access arrangements are suitable so as to not prejudice the farming operations conducted on that land.
4. A management plan is to be submitted to Council for approval that outlines management arrangements that will be implemented to address the following issues:
 - Potential trespass of primitive camping ground users onto adjacent land;
 - Collection of firewood from Billabong Creek line and appropriate uses for the creek line by primitive camping ground users;
 - Ensuring that only chemical camping toilets are utilised;
 - Prevention of nuisance from dust, noise and smoke;
 - List appropriate rules for the users of the Primitive Camping Ground.
 - Procedures and equipment to prevent fires.

The management plan must contain details as to how complaints can be registered and resolved. For monitoring by Council and the applicant the approved management plan will contain Key Performance Indicators for the maintenance of the PCG and immediate surrounds inclusive of the Billabong Creek line.

5. For receipt of complaints the applicant is to provide contact details to all adjacent landowners.

General Conditions of Consent

6. Development shall be generally in accordance with the approved plans and accompanying information (including the Statement of Environmental Effects), except where modified by the following conditions.
7. The standards nominated by the Key Performance Indicators contained in the approved management plan are to be adhered to at all times.
8. At 30 June each year the applicant is required to provide to Council a report on the maintenance of the Key Performance Indicators and detailing all complaints that were received and how they were addressed.
9. The area of the Primitive Camping Ground is limited to an area of 2 hectares.

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10. No more than four camp sites are permitted within the Primitive Camping Ground at any given time.
11. The perimeter of the Primitive Camping Ground must be made clear to all users.
12. A caravan, annexe or campervan must not be allowed to be installed closer than 6 metres to any other caravan, annexe, campervan or tent.
13. A tent must not be allowed to be installed closer than 6 metres to any caravan, annexe or campervan or closer than 3 metres to any other tent.
14. The applicant is to ensure that Primitive Camping Ground users are aware they must provide a water supply, toilet and refuse disposal facilities.
15. Unoccupied caravans, campervans and tents are not to be allowed to remain in the Primitive Camping Ground for more than 24 hours.
16. A register must be kept that contains entries concerning the same matters as are specified in clause 122 of the *Local Government (Manufactured Homes Estates, Caravan Parks and Moveable Dwellings) Regulation 2005* and, in addition, that specifies the size of the group (if any) with whom the person listed in the register camped.
17. Signage shall be erected at the entrance to the Primitive Camping Ground indicating:
 - a. the boundaries of the Primitive Camping Ground shown on a map (including the required setbacks).
 - b. the location of firefighting equipment.
 - c. prohibited areas.
 - d. the operational controls specified in these conditions of consent (eg distance between camp sites, etc); and
 - e. when the Primitive Camping Ground is closed due to unsatisfactory ground conditions or during the bushfire danger period.
18. No camp site is permitted outside of the delineated primitive camping ground.
19. The approved use must not cause unreasonable amenity impacts to persons beyond the boundaries of the lot.
20. At all times, the primitive camping ground must be operated and managed in accordance with the *Local Government (Manufactured Homes Estates, Caravan Parks and Moveable Dwellings) Regulation 2005*.

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Reason for conditions

The above conditions have been imposed:

- (i) to ensure compliance with the terms of the environmental planning instruments;
- (ii) having regard for the requirements of any agency consulted as integrated development;
- (iii) having regard to Council's duties of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, as well as Section 4.17 which authorises the imposing of the consent conditions; and
- (iv) having regard to the circumstances of the case and the public interest.

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5. HARD WASTE COLLECTION 3 MARCH 2019 – GREATER HUME COUNCIL

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

To obtain Councillors' endorsement for changes to the Council resolution made at the December 2018 Ordinary Meeting and to advise of Council's efforts to support the day.

REFERENCE TO DELIVERY PLAN

Objective Our development and maintenance is sustainable, environmentally responsible, accessible and enjoyed by our community.

DISCUSSION

At the December 2018 Ordinary Meeting Council received a report (**ANNEXURE 4**) which related to a request by Murray Jones on behalf of the Holbrook Rotary Club asking Council to support a hard waste collection to be undertaken on 3 March 2019.

The report indicated that the football clubs of Holbrook, Jindera, Culcairn, Henty and Walla Walbundrie Rand had agreed to a request by the Holbrook Rotary Club to undertake a collection of hard waste within their town limits on Clean Up Australia day which is held on 3 March 2019.

In response to that report Council made the following resolution:

5155 RESOLVED [Hicks/Quinn] That:

- 1. Council support the Rotary Club of Holbrook's request to assist the football clubs with a hard waste collection on Sunday, 3 March 2019 inside the town limits of Holbrook, Henty, Culcairn, Walla and Jindera by opening (free of charge) the waste facilities at Henty and Jindera between 9am and 3pm and the landfills at Culcairn and Holbrook between 9am and 5pm.*
- 2. Council will also assist with the provision and collection of registration forms, forgo waste disposal fees and incur additional costs for the event.*
- 3. Council support a free open day at the other remaining waste facilities at Burrumbuttock, Gerogery, Mullengandra and Brockelsby between the hours of 9am and 3pm.*
- 4. Council note that transfer stations can reach capacity and then people will be advised to take their waste items to either Culcairn or Holbrook Landfill.*
- 5. only waste that is normally received will be accepted and people will be asked to prove that they are a resident of Greater Hume Council area.*

In accordance with the abovementioned resolution it is advised that Council staff have been assisting to support the hard waste collection. Council staff have been advised that both Culcairn and Holbrook Football Clubs would not be undertaking the hard waste collection and consequently the collection will not occur in these towns although the free waste open day will still proceed on this day at Holbrook and Culcairn waste facilities.

Unfortunately, to ensure that sufficient staff were available it has been necessary to reschedule the open day at Burrumbuttock, Gerogery and Mullengandra and Brockelsby until 10 April 2019.

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HARD WASTE COLLECTION 3 MARCH 2019 – GREATER HUME COUNCIL [CONT'D]

Considerable effort has been made to promote both the hard waste collection and the free open days to be held at the waste facilities. Examples of the promotion have included articles/advertisement in the town newsletters and preparation of posters for display at the waste facilities and hard waste collection registration forms (ANNEXURE 4).

Council staff have been in contact with the football clubs and ascertained their capabilities for the collection and consequently arrangements have been made for collection of heavy items by a contractor to occur immediately after the clean-up.

To date registrations have been limited however it is expected that registrations will increase as the day approaches. To promote both the hard waste collection and the free access days at the waste facilities a request has been received from ABC radio for an interview with a Council representative.

BUDGET IMPLICATIONS

An estimate for the cost of the free access to the waste facilities is approximately \$5000-\$7000 and cost for the collection of heavy hard waste is \$2000.

CONCLUSION

This report advises Council that since the December 2018 Ordinary meeting there has been the need to make changes to the towns that will be participating in the hard waste collection and the free open day at the waste facilities at Burrumbuttock, Gerogery, Mullengandra and Brockelsby has been rescheduled until 10 April 2019.

The report also provides details of the level of support that Council has provided to promote both the hard waste collection and free open day at the waste facilities.

RECOMMENDATION

Council endorses the changes to the December Resolution 5155 as follows:

1. That Council support the Rotary Club of Holbrook's request to coordinate football clubs with a hard waste collection on 3 March 2019 inside the town limits of Henty, Walla Walla and Jindera.
2. For receiving domestic waste without charge the waste facility at Henty will open between 9am and 3pm and the waste facility at Jindera and the landfills at Culcairn and Holbrook will open between 9am and 5pm.
3. For receiving domestic waste without charge at the remaining waste facilities at Burrumbuttock, Gerogery, Mullengandra and Brockelsby which will be open between the hours of 9am and 3pm on 10 April 2019.

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GOVERNANCE

1. 2018/2019 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2018

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

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

REFERENCE TO DELIVERY PLAN ACTIONS

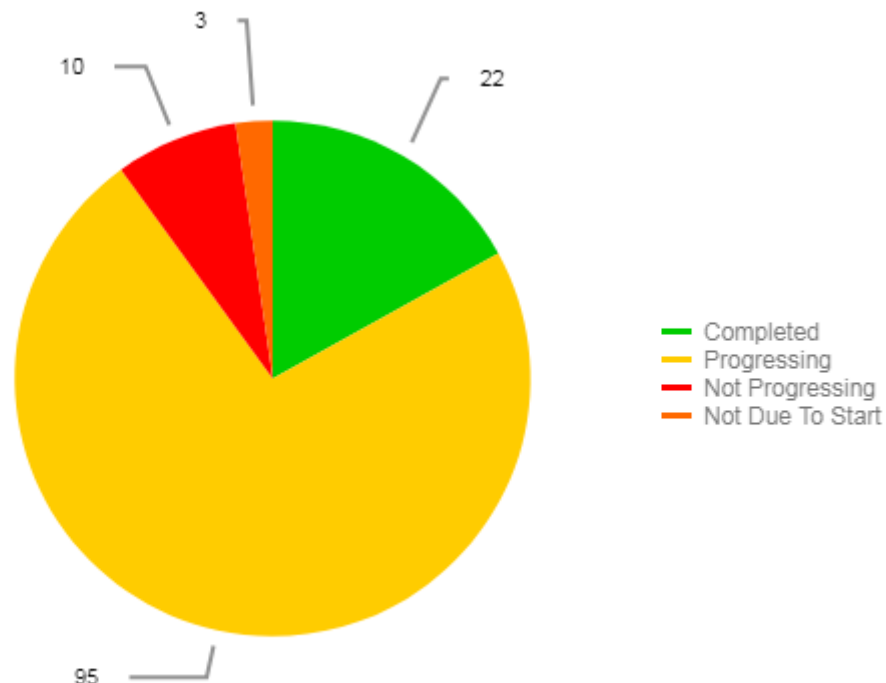
Statutory matter.

DISCUSSION

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

ENCLOSED SEPARATELY with the agenda is the report to 31 December 2018, detailing key actions contained in the 2018/2019 Delivery Plan and achievements to 31 December.

The KPI's not commenced or not due to start have been highlighted in **GREEN** in the document **ENCLOSED SEPARATELY**.



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2018/2019 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2018 [CONT'D]

Highlights of the six month period to 31 December are detailed below:-

Governance and Corporate and Community

- Funding applications submitted for the following projects:
 - Henty Rail Crossing Relocation and Intersection project
 - Holbrook Sporting Complex Inclusion Project (multiple)
- Greater Hume Council Visitor Information Centre successful in gaining a Silver Award at the Riverina Murray Tourism Awards
- GHSC successfully completed assessment and compliance audit undertaken by NSW Department of Education
- Positive report received from the State Library of NSW following assessment and compliance visit to Holbrook, Culcairn and Henty libraries in September
- Children Services Excellence in Family Day Care National Awards. NSW ACT Service Winner. The awards recognise the Service's commitment to professional practice, relationships with educations, children, families and community.
- The Audit reports and financial statements were forwarded to the Office of Local Government (OLG) with receipt confirmed on 18 October 2018. It was confirmed that Greater Hume Council was one of the first ten general purpose councils to submit their completed financial statements with the OLG. This is a tremendous effort by Council's finance team, all of whom worked tirelessly to present accurate and validated accounts to the external auditors.
- Appointment of an Independent Committee Member, Mr John Batchelor to the Audit, Risk & Improvement Committee.
- Implementation of Drought Relief Assistance to residents of Greater Hume whose residence is not able to be connected to a reticulated water supply will be eligible to access Council operated standpipes at Jindera, Burrumbuttock, Brocklesby, Gerogery and Culcairn.
- Community development Grants - Funding approved for seven projects in the 2018/2019 Financial Year with Councils contribution totalling \$17,781.75 with a further round being released in March 2019.
- Holbrook Motor Village – sale of freehold proceeding with contracts of sale close to exchange.
- New Website launched and being continually populated over the next 12 months

Engineering

- Completed the replacement of stairs and viewing platform at Morgan's Lookout
- Completed the construction of turn lane into Odewahns Road on Olympic Highway
- Completion of linemarking program on Regional Roads, Local Roads and Urban Streets
- Completed road widening and rehabilitation on Jennings Road, Culcairn
- Completed road widening and rehabilitation on Alma Park Road
- Completed road widening and rehabilitation on Cummings Road
- Speed zone change on Culcairn Holbrook Road, leading into Morven from Western Side extending 80km/hr
- Speed zone change on Hueske Road, Jindera from 100km/hr to 80km/hr
- Installation of drinking station and dog water bowl at Culcairn Coach Terminal
- Substantial 150th Celebration works in Jindera

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2018/2019 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2018 [CONT'D]

Engineering (cont'd)

- Stormwater drain improvement in Comer Street, Henty
- Laneway pavement upgrade through Library Lane from Albury Street, Holbrook
- Completed asphaltting works in Sladen Street, between Allan and Ivor Streets, Henty
- Bitumen resealing program has commenced on Olympic Highway and Tumberumba Road
- Commencement of road rehabilitation, widening and realignment of Urana Rd (MR125) and Walla Walbundrie Road
- Installation of tactile indicators in Sladen Street, Henty to support visually impaired
- Installation of “Look Out Before You Step Out” signs in key pedestrian crossing areas
- Construction concrete footpath and stencilling in Balfour Street, Culcairn between Newsagency and Red Cross Shop

Environment and Planning

- Participation in Round 3 and 4 of the Loose Fill Asbestos Removal Programme implemented by the Loose-fill Asbestos Implementation Taskforce
- Commenced replacement of headstones at the Henty Cemetery.
- Submitted a planning proposal for a gateway determination for the reclassification of land in Jindera
- Adopted the South Jindera Low Density Residential Infrastructure Contribution Plan
- Exhibited s 7.12 Fixed Development Consent Levy Development Contribution Plan
- Request for tenders for the management and supervision of Council’s swimming pool complexes
- Exhibited the Local Orders Policy for the Keeping of Birds/Animals
- Obtained funding made available from the NSW EPA to offset increased recycling costs resulting from China’s National Sword Policy.
- Completed the construction of the Brocklesby Transfer Station
- Adoption of the South Jindera Infrastructure Contributions Plan
- Adoption of a Local Orders Policy for Keeping of Animals/Birds
- Following consultation with Stakeholders submitted preliminary plans to Council for the Jindera multi-purpose centre and obtained Councils endorsement to seek a quantity surveyors report.
- Completed the installation of a photo voltaic solar panel installation at the Holbrook Office
- Coordinated Council resources to prepare a submission on the Department of Primary Industries Draft Riverina-Murray Important Agricultural Land (Draft R-M IAL) Mapping for the Riverina Murray Region
- Placed the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2019 on public exhibition
- Obtained Councils endorsement to support a Community Hard Waste Collection in conjunction with a free waste disposal day at Councils waste facilities.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT THE
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2018/2019 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2018 [CONT'D]

BUDGET IMPLICATIONS

Nil.

CONCLUSION

Council's works program is progressing satisfactorily and announcement of significant external funding will ensure that major priority projects such as the Henty Rail Crossing Relocation and Highway Intersection Project can proceed.

A focus of the next six months and beyond will be cost control of major projects along with a continuing focus on Council's responsiveness and communication.

It is Management's view that Council has made satisfactory progress towards the achievement of Performance Targets included in the 2018/2019 Delivery Plan during the first half of the financial year.

RECOMMENDATION

The report be received and noted.

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2. OFFICE OF LOCAL GOVERNMENT - MODEL CODE OF MEETING PRACTICE

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Council that the recently released Model Code of Meeting Practice by the Office of Local Government has now been prescribed in the regulations. A draft Code of Meeting Practice is presented for Council consideration.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective We lead a vibrant, connected and inclusive community

Outcome 1.1 leadership and advocacy is demonstrated and encouraged in our communities

DISCUSSION

A report was submitted to the December 2018 meeting of Council advising that a draft Model Code of Meeting practice had been released and was awaiting prescription in the Local Government (General) Regulation 2005. The Code of Meeting Practice was prescribed on 14 December 2018.

Until a Council adopts a new code of meeting practice, its existing code of meeting practice remains in force up until six months after the date on which the new code was prescribed (**14 December 2018 – 14 June 2019**).

In accordance with section 361 of the Local Government Act (the Act) Council is required to exhibit the draft Code of Meeting Practice for a period of 28 days and provide members of the community at least 42 days in which to comment on the draft Code.

A draft Code of Meeting Practice has been prepared based on the Model including the non-mandatory provisions and has been distributed previously to Councillors for consideration.

The Table below outlines the non-mandatory provisions and provides commentary as to whether they have been include or excluded.

Clause No.	Commentary
3.1	By including clause 3.1 it will alleviate setting the dates, times and venues at the September meeting annually. The alternative would be to use clause 3.2 which would state that the dates, time and venues of meetings be set at the September meeting annually.
3.10	7 business days would mean that any notices of motions would need to be received on the Tuesday the week before the Council meeting. This would allow the Business Paper to be finalised on the Wednesday and distributed Thursday (or Friday at the latest)
3.12 & 3.13	Recommend inclusion
3.32 – 3.37	Recommend exclusion
4.1 – 4.23	Recommend inclusion, amended slightly to better reflect what currently the procedure is. These clauses provide a higher level of control for Council than what currently exists.
5.14 & 5.15	Recommend inclusion. Provides guidance when a quorum is not present at a meeting.

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OFFICE OF LOCAL GOVERNMENT - MODEL CODE OF MEETING PRACTICE [CONT'D]

Clause No.	Commentary
5.19	Council has the option to live stream meetings or place a audio visual or audio recording on the website at a later time.
7.1 -7.4	Recommend inclusion
8.2	Recommend inclusion. Reflects what is currently in Council's Code of Meeting practice.
8.3	Self explanatory
9.10	Recommend inclusion. Similar intent to clause 3.13
10.9	Recommend inclusion. Similar intent to clauses 3.13 & 9.10
11.11	Recommend exclusion. Overly administrative.
13.1 – 13.7	Recommend inclusion. To some extent Council already does this when referring matter to Confidential Council.
14.11	Same timeframe as applications to speak in the public forum (clause 4.3)
14.13	Same number of speakers as an item to be discussed in the public forum (clause 4.7)
14.16	See 14.11 above
14.17	See 14.13 above
15.14	Recommend exclusion in favour of 15.15
15.15	Recommend inclusion. Refers to expulsion for acts of disorder and provides greater protection for the Mayor and Councillors.
15.16	Supports 15.15
17.10	Recommend exclusion.
17.12 – 17.20	Recommend inclusion as it provides Council with greater flexibility.
18.1 – 18.5	Recommend inclusion
20.24	Recommend exclusion on the same basis as 11.11

BUDGET IMPLICATIONS

The only clause of the Model Code of Meeting Practice that will have a cost implication is web casting of Council meetings and as discussed previously Council staff are investigating low cost alternatives to implement this mandatory clause.

CONCLUSION

Council has no option but to adopt the mandatory provisions of the Model meeting Code of Practice now that it has been prescribed in the Local Government (General) Regulation 2005. The only clause of the Model Code of Meeting Practice that will have a cost implication is web casting of Council meetings and as discussed previously Council staff are investigating low cost alternatives to implement this mandatory clause.

It is recommended that Council adopt the large majority of the non-mandatory clauses into Council's Code of Meeting practice and exhibit the draft code in accordance with the Act.

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OFFICE OF LOCAL GOVERNMENT - MODEL CODE OF MEETING PRACTICE [CONT'D]

RECOMMENDATION

That:

1. Council endorse the draft Greater Hume Council Code of Meeting Practice.
2. Council publicly exhibit the draft Code of Meeting Practice for a period of 28 days and receive submissions from members of the community for a period of 42 days.
3. a further report be submitted to the April meeting of Council to adopt or amend the Draft Code of Meeting Practice following consideration of submissions received.

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3. COMMENCEMENT OF THE NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Council of the release of the Model Codes of Conduct for Local Councils in NSW and Procedures for the Administration of the Model Codes of Conduct with the view of adoption by Council.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil.

DISCUSSION

A consultation draft of the Model Code of Conduct for Local Councils in NSW was released on 23 October 2017. A report on the Consultation draft was submitted to the November 2017 Council and further considered at a Workshop held on 29 November 2017. At the Workshop a submission of the Consultation Draft was developed and forwarded to the Office of Local Government on 4 December 2017. A copy of the report to the Council Workshop held on 29 November and Council's submission is included as **ANNEXURE 5**.

Council's submission on the Consultation draft of the Model Code of Conduct was generally supportive of the changes.

On 5 September 2018 Circular No. 18-24 advised that the new Model Code of Conduct had been finalised and would soon be prescribed by the Local Government (General) 2005 Regulation. Prescription occurred on 14 December 2018.

Council has six months from the date of prescription (14 June 2019) to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures.

Furthermore, following feedback from the sector, the Office of Local Government has developed separate Model Codes of Conduct for Councillors, Council staff, Council Committee Members, delegates of Council and Council Advisers. Whilst the Codes of Conduct are very similar in intent extraneous clauses are removed or rewritten from the Code of Conduct for Council staff and Council Committee Members, delegates of Council and Council Advisers. This is a positive enhancement and should be supported.

Copies of the Model Codes of Conduct for Councillors, Council staff, Council Committee Members, delegates of Council and Council Advisers along with the Procedures to administer the Model Codes of Contact have been distributed previously for Councillors consideration.

Whilst Greater Hume has not had a Code of Conduct complaint since 2008, previously Council has participated in a REROC initiative to share a panel of Conduct Reviewers. The current panel of Conduct Reviewers was appointed in August 2017 and will remain active until following the 2020 local government elections.

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COMMENCEMENT OF THE NEW MODEL CODE OF CONDUCT FOR LOCAL COUNCILS
IN NSW [CONT'D]

BUDGET IMPLICATIONS

Over the past decade Council has only had one Code of Conduct complaint so the new Model Code of Conduct and Procedures to administer the Model Code of Conduct are not likely to have any substantive financial impact on Council.

CONCLUSION

Council made a submission of the consultation draft for the new Model Code of Conduct which was generally supportive of the changes.

The development of separate Codes of Conduct for Councillors, Council staff, Council Committee Members, delegates of Council and Council Advisers is a sensible enhancement as it reduces the potential for confusion.

Accordingly it is recommended that Council adopted the new Model Codes of Conduct along with the procedures to administer the new Model Codes of Conduct.

RECOMMENDATION

That Council adopt the:

1. Model Code of Conduct for Councillors
2. Model Code of Conduct for Staff
3. Model Code of Conduct Committee Members, Delegates of Council and Council Advisers.
4. Procedures for the administration of the Model Code of Conduct.

Further that Council continue to share a panel of Conduct Reviewers with member councils of the Riverina Eastern Organisation of Councils.

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4. OFFICE OF LOCAL GOVERNMENT – NEW COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT REQUIREMENTS

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Councillors of amendments to the Local Government Act requiring Councillors to make all reasonable efforts to acquire and maintain skills necessary to perform the role of a councillor.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective We lead a vibrant, connected and inclusive community

Outcome 1.1 leadership and advocacy is demonstrated and encouraged in our communities

DISCUSSION

Amendments to the Local Government Act 1993 in August 2016 saw the inclusion in the prescribed role of councillors under section 232 a responsibility “to make all reasonable efforts to acquire and maintain skills necessary to perform the role of a councillor”.

The Councillor Induction and Professional Development Guidelines (the Guidelines) were released in September 2018 and in support of the Guidelines, regulations have now been made.

Councils’ induction and professional development programs are to consist of three elements:

- Pre-election candidate sessions – these are to ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged). ***In recent elections Council has joined with Albury and Wagga Wagga Councils to provide Pre-election candidate sessions.***

- Induction program – this aims to equip mayors and councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between councillors and with staff. ***In conjunction with REROC member Councils, Council has developed an induction manual inducted with Councillors elected for the first time. Under the Guideline both newly elected Councillors and returning will need to undertake the Induction Program***

- Professional development program – this is to be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective mayor or councillor. ***Provision will be made in the 2019/2020 budget to enable all Councillors to undertake professional development training.***

Councils will be required to report information in their annual reports on the induction and ongoing professional development activities offered to the mayor and each councillor. It is the Writer’s understanding annual reporting will need to be included in the 2018/2019 Annual Report to be completed later this year.

BUDGET IMPLICATIONS

An amount of \$1,500 per councillor will be included in the 2019/2020 Budget and future budgets for ongoing professional development of the Mayor and Councillors.

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OFFICE OF LOCAL GOVERNMENT – NEW COUNCILLOR INDUCTION AND
PROFESSIONAL DEVELOPMENT REQUIREMENTS [CONT'D]

CONCLUSION

Whilst Council has conducted induction training following the recent elections, it is now mandated for the Mayor and all Councillors to undertake a structured professional development program.

A cost allocation will be included in recurrent budgets to ensure that sufficient funds are available to meet this statutory requirement.

RECOMMENDATION

That the report be received and noted.

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5. 2019 CUSTOMER SATISFACTION SURVEY

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to endorse the General Manager's actions in accepting a quotation from IRIS Research to undertake a community satisfaction survey for the shire similar to that undertaken in 2012 and 2016.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective We lead a vibrant, connected and inclusive community

Outcome 1.1 leadership and advocacy is demonstrated and encouraged in our communities

DISCUSSION

Funding of \$20,000 has been included in the 2018/2019 Budget to undertake a community survey of Greater Hume Council. Periodic independent monitoring and evaluation of community needs and satisfaction is a key strategy for any dynamic organisation.

It is timely to undertake a community survey to gain a further insight into community needs and as it is now three years since Council conducted a similar survey, it is considered most appropriate to undertake a Customer Satisfaction Survey.

A quotation has only been sought from IRIS Research as they undertook similar surveys for Council in 2012 and 2016

The quotation received totalled \$24,723 (ex GST). In addition the Writer has committed to purchasing 1,000 mobile phone numbers at a cost of \$950.00 and made an allowance of \$800 for coding of open ended questions. This will enable 400 surveys to be undertaken at a 95% confidence level of population attitudes and behaviour.

A full copy of the quotation has been included as **ANNEXURE 6** for Councillors' information.

IRIS Research are providing over \$2,000 of additional value by reviewing pre survey information brochures prepared by Council and making the survey available on-line so that those not randomly selected to be interviewed in the telephone survey also have an opportunity to participate.

IRIS Research has scheduled the project as a nine week assignment with the surveying to be completed during a two week window commencing 1 April. The survey will also be available on line to give residents who do not receive a phone call the opportunity to participate. Assuming the project commenced week ending 4 March 2019, it would be finalised by early May 2019.

Utilising IRIS Research to undertake the Community Survey will provide the opportunity to accurately compare the results of the 2019 Survey with the results of the 2012 and 2016 Surveys. IRIS Research has a large local government client base in New South Wales and Queensland and has recently been appointed to undertake a similar survey for Riverina Water County Council.

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2019 CUSTOMER SATISFACTION SURVEY [CONT'D]

BUDGET IMPLICATIONS

An allocation of \$20,000 has been included in the 2018/2019 Budget to undertake the Community Survey and a further \$10,000 for Consultancy Fees. As the total cost of the Survey is estimated to cost \$24,723 (exc. GST) it is recommended that \$5,000 be transferred from the Consultancy Fees allocation to fund the over expenditure on the Community Survey.

CONCLUSION

IRIS Research is extremely experienced in undertaking customer satisfaction surveys in a local government environment, and have completed similar surveys for Greater Hume Council and many other councils which will enable Greater Hume's results to be compared with other councils of a similar size.

RECOMMENDATION

That:

1. Council accept the quotation from IRIS Research totalling \$24,723 (exc. GST) to conduct a Community Satisfaction Survey in April 2019.
2. the over expenditure of \$4,723 (exc. GST) be funded from the Consultancy Fees allocation.

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6. LOOSE FILL ASBESTOS INSULATION – ALLOCATION OF REMAINING COMMUNITY ASSISTANCE FUNDING

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider appropriate projects for the allocation of remaining Loose Fill Asbestos Insulation Community Assistance funding.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

Councillors would be aware that as part of the Loose Fill Asbestos Insulation (LFAI) Voluntary Purchase and Demolition Scheme, the State Government announced additional funding for the impacted residents within Greater Hume Shire and particularly Holbrook. Council sought the additional funding as Holbrook was comparatively the most impacted community in New South Wales.

The State Government funding announced was on the basis of \$5,000 for each premise demolished, with Council also contributing an additional \$1,000 per property for a total of \$6,000 per property. In all there were 38 properties identified within the Shire (34 in the Holbrook township, 2 Holbrook rural properties and 2 properties at Culcairn) resulting in a total funding pool of \$228,000.

The funding program known as the Community Assistance Program main objectives was to ensure impacted residents could stay in Holbrook and to assist in protecting the economic and social sustainability of the township.

Eligible projects included:

1. Projects that provided direct benefits to LFAI impacted property owners (up to a maximum of \$6,000 per property) and
2. Projects that provide benefits to the community at large.

Greater Hume Council made multiple representations to the Minister for Innovation and Better Regulation, the Hon. Matthew Kean MP (the Minister) to increase the amount payable to individuals without success.

At the closure of applications from individual property owners 20 applications for funding were received and approved for a total of \$114,579. This leaves funding of \$113,421 that can be allocated to a community project(s).

At the final meeting of the LFAI Support Group this matter was canvassed and a number of ideas put forward. Council has now sought feedback from the community on some of those ideas along with other potential projects.

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LOOSE FILL ASBESTOS INSULATION – ALLOCATION OF REMAINING COMMUNITY ASSISTANCE FUNDING [CONT'D]

These projects include:

- Public Art Project in Albury Street
- Infrastructure to make Holbrook an Recreational Vehicle (RV) Friendly Town
- Replace or renovate the rotunda at the Ten Mile Creek Gardens
- Construction of a purpose built Men’s Shed in the Industrial Estate
- Construction of a Changing Places Facility (for profoundly disabled older children and adults)

A survey was distributed through Holbrook Happenings advising of the funding opportunity and seeking feedback on the options above and other suggestions. A copy of the survey is attached for Councillors’ information as **ANNEXURE 7** along with a summary of the surveys returned.

The survey requested that responses be forwarded to Council by Friday, 7 February 2019.

Following the release of the survey, Cr Weston requested that a portion of the funding be set aside for a project(s) in Culcairn given that two properties in Culcairn were also impacted by the presence of LFAI. If the remaining funding was allocated on the basis of properties impacted, then an amount of \$5,970 (2/38ths) could be allocated for projects in Culcairn.

An outstanding result was achieved with 101 surveys returned and residents had the opportunity to nominate one or more projects.

The survey results are as follows:

Project	Number
Public Art Project in Albury Street	11
Infrastructure to make Holbrook a Recreational Vehicle town	9
Replace or renovate the rotunda at the Ten Mile Creek Gardens	9
Construction of a purpose built shed in the Industrial Estate	59
Changing Places Facility	5
Other suggestions	34

Of the ‘Other’ multiple suggestions:

- 11 - Silo art
- 9 - Split funds between those impacted
- 2 - Acquire the vacant allotments 95-99 Albury Street
- 2 - A footpath in Library Court
- 2 – Beautify entrances to Holbrook
- 2 - Replace the community bus the UPA.
- 2 – Cover for Holbrook Pool

The overwhelming support is for the construction of a purpose built Men’s Shed in the Industrial Estate and as a result the General Manager has sought further information from the Holbrook Men’s Shed group to ensure the project could be completed (including acquisition of land) within the remaining funds of \$107,451 (\$113,421-\$5,970).

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LOOSE FILL ASBESTOS INSULATION – ALLOCATION OF REMAINING COMMUNITY ASSISTANCE FUNDING [CONT'D]

Council corresponded with the Minister in December 2018 advising that no further applications for individuals would be received and that Council sought the remaining funds to be allocated to a community project.

BUDGET IMPLICATIONS

This initiative will be budget neutral to Council.

CONCLUSION

As part of the LAFI Voluntary Purchase and Demolition Scheme, the State Government announced additional funding for the impacted residents within Greater Hume Shire and particularly Holbrook.

Despite multiple representations the State Government refused to increase the amount of funding available to individual landholders therefore Council either nominates a community project or returns the money to the State Government.

The overwhelming support is for the construction of a purpose built Men's Shed in the Industrial Estate and as a result the General Manager has sought further information from the Holbrook Men's Shed group to ensure the project could be completed (including acquisition of land) within the remaining funds of \$107,451 (\$113,421-\$5,970). The balance of the funds (\$5,970) will be utilised on a project in Culcairn.

RECOMMENDATION

That Council make application to the Minister for Innovation and Better Regulation, the Hon. Matthew Kean MP to apply the Loose Fill Asbestos Insulation Community Assistance grant to the following projects:

1. An amount of \$107,451 for a purpose built Men's Shed in the Holbrook Industrial Estate, and
2. An amount of \$5,970 for a project in Culcairn.

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CORPORATE AND COMMUNITY SERVICES

1. INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018

Report prepared by Chief Financial Officer – Dean Hart

REASON FOR REPORT

To present the Interim Budget Review as at 31 December 2018 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 31 December 2018 is included as **ANNEXURE 8** for Councillors' perusal. The Budget Review, as presented, indicates that the projected 2018/19 cash surplus will be \$15,976 which represents movement of \$34,756 on the budget surplus of \$50,732 as at 30 September 2018.

The overall budget movement is predominantly due to an increase in the operating budget of the Visitor Information Centre following amendments made to staffing arrangements as reported to the December 2018 Council meeting as well as adjustments made to rates revenue due to properties acquired by the NSW Government under the Loose Fill Asbestos buy-back scheme being deemed as non-rateable. Whilst this has had a negative impact on Council's budget at this time Council will be able to levy rates on those properties once they are re-sold to private owners.

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.

GOVERNANCE

Function and comment		Projected Budget Variance \$
Elected Members Expenses Satisfactory		Nil
Governance Expenses Additional Council contribution toward Softwoods Working Group. Council previously contributed \$2,000 per annum, however, the 2017/18 and 2018/19 contribution was increased to assist in the development of planning strategies and funding applications for upgrading major logging roads including Coppabella Road.		-8,000
Risk Management Satisfactory		-1,650
TOTAL GOVERNANCE		-9,650

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

ADMINISTRATION

Function and comment		Projected Budget Variance \$
Corporate Services Administration Satisfactory		Nil
Information Technology Services Reallocation of budget from Engineering Administration to IT Services for IT Equipment purchased in relation to Traffic Counters.		-3,050
Employment On-Costs Satisfactory		Nil
Engineering Administration Reallocation of budget from Engineering Administration to IT Services for IT Equipment purchased in relation to Traffic Counters. Reallocation of part of Engineering Consultancy budget to fund increase in contribution toward Softwoods working group.	+3,050 +8,000	 +11,050
Depot Administration and Maintenance Satisfactory		+2,325
Vehicle Hire Satisfactory		Nil
Plant Operations Satisfactory		Nil
TOTAL ADMINISTRATION		+10,325

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

PUBLIC ORDER AND SAFETY

Function and comment	Projected Budget Variance \$
Animal Control Satisfactory	+1,100
Fire Services Satisfactory	Nil
Emergency Services Satisfactory	Nil
TOTAL PUBLIC ORDER & SAFETY	+1,100

HEALTH SERVICES

Function and comment	Projected Budget Variance \$
Health Administration Reallocation of Staff Salaries & Wages budget to Building Control following appointment of new Building Surveyor.	+113,950
TOTAL HEALTH SERVICES	+113,950

ENVIRONMENT

Function and comment	Projected Budget Variance \$
Waste Management Satisfactory	Nil
Noxious Animals & Insects Satisfactory	Nil
Noxious Plants Satisfactory	Nil
Riverina Noxious Weeds Satisfactory	Nil
Street Cleaning Additional Revenue from Street Cleaning carried out for Lockhart Shire	+10,000
Stormwater Maintenance & Drainage Reallocation of budget from Stormwater drainage capital budget to Urban roads for the completion of Pioneer Drive road works	+17,227
TOTAL ENVIRONMENT	+27,227

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

COMMUNITY SERVICES AND EDUCATION

Function and comment		Projected Budget Variance \$
Family Day Care Satisfactory		Nil
Preschools Satisfactory		Nil
Youth Services Satisfactory		Nil
Community Housing Satisfactory		Nil
Frampton Court Rental Units Satisfactory		Nil
Kala Court Rental Units Satisfactory		Nil
Kala Court Self-Funded Units Satisfactory		Nil
Aged Care Rental Units – Culcairn Satisfactory		Nil
Aged Care Rental Units – Jindera Satisfactory		Nil
TOTAL COMMUNITY SERVICES & EDUCATION		Nil

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

HOUSING AND COMMUNITY AMENITIES

Function and comment		Projected Budget Variance \$
<p>Street Lighting Street lighting charges are currently being reviewed and Council has also entered into a new supply contract effective 1 January 2019. No adjustment has been made to the budget at this time, however, further reviews will be undertaken and if required a budget adjustment will be made at the March review.</p>		Nil
<p>Public Cemeteries Satisfactory</p>		Nil
<p>Town Planning Satisfactory</p>		Nil
<p>Public Conveniences Satisfactory</p>		Nil
<p>Council Owned Housing Satisfactory</p>		Nil
<p>Community Development Grants Satisfactory</p>		Nil
<p>Other Community Amenities Adjustment to loan interest and principal repayments for Walla Walla Childrens' Services building. The loan is now expected to be drawn down in June 2019 due to completion date now expected to be later than originally budgeted.</p>		+7,604
<p>TOTAL HOUSING & COMMUNITY AMENITIES</p>		+7,604

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

RECREATION AND CULTURE

Function and comment		Projected Budget Variance \$
Public Halls Satisfactory		-1,889
Libraries Satisfactory		Nil
Museums Satisfactory		Nil
Swimming Pools Satisfactory		Nil
Sporting Grounds & Recreation Reserves Satisfactory		Nil
Parks & Gardens Satisfactory		Nil
Other Cultural Services		Nil
TOTAL RECREATION & CULTURE		-1,889

MINING, MANUFACTURING & CONSTRUCTION

Function and comment		Projected Budget Variance \$
Building Control Reallocation of Staff Salaries & Wages budget from Health Administration following appointment of new Building Surveyor	-100,000	
Building Consultants fees exceeded initial budget allocation due to absence of an existing staff member and subsequent recruitment of a replacement Building Surveyor.	-13,950	-113,950
Quarries & Pits Satisfactory		Nil
TOTAL MINING, MANUFACTURING & CONSTRUCTION		-113,950

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018

[CONT'D]

TRANSPORT AND COMMUNICATIONS

Function and comment	Projected Budget Variance \$
FAG Grant – Roads Component Satisfactory	Nil
Urban Roads Local Reallocation of budget from Stormwater drainage capital budget to Urban roads for the completion of Pioneer Drive road works	-17,227
Sealed Rural Roads – Local Satisfactory	Nil
Sealed Rural Roads – Regional Satisfactory	Nil
Unsealed Rural Roads - Local Satisfactory	Nil
Bridges Satisfactory	Nil
Kerb & Gutter Satisfactory	Nil
Footpaths Satisfactory	Nil
Aerodromes Satisfactory	Nil
Bus Shelters Satisfactory	Nil
Ancillary Road Works Satisfactory	Nil
State Roads RMCC Works Satisfactory.	Nil
Natural Disaster Recovery Satisfactory.	Nil
Road Safety Officer Satisfactory.	Nil
TOTAL TRANSPORT & COMMUNICATIONS	-17,227

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

ECONOMIC AFFAIRS

Function and comment		Projected Budget Variance \$
Jindera Medical Centre Satisfactory		Nil
Caravan Parks Satisfactory		Nil
Tourism Operations Satisfactory		Nil
Visitor Information Centre Increase in Staff salaries and wages as discussed and approved at December Council meeting.		-22,015
Submarine Museum Satisfactory		-2,698
Economic Development Satisfactory		Nil
Real Estate Development Satisfactory		+949
Real Estate Sales Satisfactory		Nil
Private Works Satisfactory		Nil
TOTAL ECONOMIC AFFAIRS		-23,764

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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

GENERAL PURPOSE REVENUES

Function and comment	Projected Budget Variance \$
FAG Grant – General Component Satisfactory	Nil
Interest on Investments Satisfactory	Nil
General Rates - Residential Adjustments made to rates revenue due to properties acquired by the NSW Government under the Loose Fill Asbestos buy-back scheme being deemed as non-rateable. Whilst this has had a negative impact on Council's budget at this time Council will be able to levy rates on those properties once they are re-sold to private owners.	-25,249
General Rates - Farmland Budget adjusted to actual rates levied	-1,775
General Rates – Business Budget adjusted to actual rates levied	1,458
General Rates – Pensioner Concessions Satisfactory	Nil
General Rates – Pensioner Rates Subsidy Satisfactory	Nil
Ex Gratia Rates Satisfactory	Nil
Extra Charges on Overdue Rates Satisfactory	Nil
TOTAL GENERAL PURPOSE REVENUES	-28,482

SUMMARY OF BUDGET VARIATIONS

SUMMARY OF BUDGET VARIATIONS	-34,756
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**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2018/2019 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2018
[CONT'D]

WATER AND SEWERAGE

General income and expenditure figures appear to be satisfactory.

SUMMARY

Council's overall budget position has deteriorated as at 31 December 2018. However the projected result of \$15,976 is in line with the original budget projection of \$17,653. As has been the case in previous years, management will continue to monitor all income and expenditure areas closely to ensure budget integrity is maintained at year end.

RECOMMENDATION

That Council note and approve the Interim Budget Review Statement as at 31 December 2018.

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7. SIGNING OF CONTRACT FOR LICENCE TO OCCUPY – UNIT 12 KALA COURT

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To seek Council approval to sign contracts for the Licence to Occupy, Unit 12 Kala Court under the Common Seal of Council.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

Council has reached agreement with Mrs Marie Piggott to occupy Unit 12, Kala Court Holbrook under Council's standard Licence to Occupy contract.

Accordingly, approval is hereby sought for the Mayor and General Manager to execute the required contracts under the Common Seal.

BUDGET IMPLICATION

Nil

CONCLUSION

Approval is sought to execute contract documentation under the Common Seal of Council.

RECOMMENDATION

That the Mayor and General Manager be authorised to sign the Licence to Occupy Agreement for Unit 12 Kala Court under the Common Seal of Council.

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8. HENTY CHILDCARE CENTRE – SIGNING OF LEASE

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To seek Councils approval to sign a lease with Albury Wodonga Community College Limited under the Common Seal of Council.

REFERENCE TO DELIVERY PLAN ACTION

Objective We create healthy, inclusive and resilient communities, acknowledge our volunteers and value our youth

Outcome 2.2 We have services to promote and deliver health and wellbeing for all ages

DISCUSSION

As Councillors would be aware, Council commenced providing long day care services in Henty and Walla Walla from 14 January 2019. The services in Henty are being operated from the same venue used by the former provider, Albury Wodonga Community College (AWCC), at 11 Kierath Street Henty.

Management have negotiated a lease agreement with AWCC for a period of two years with an option for a further one year at a commencing rent of \$1,200 per month. All other conditions are consistent with a standard commercial lease.

BUDGET IMPLICATION

Operations of the long day care services, including lease costs, will be met from user fees and Australian Government funding and will not impact on Council's recurrent budget.

CONCLUSION

It is the recommendation of staff that the proposed lease should be approved in accordance with the terms and conditions, as identified.

RECOMMENDATION

That:

1. Council approve the lease between Greater Hume Shire Council and Albury Wodonga Community College Limited, as provided.
2. The Mayor and General Manager be authorised to sign the Lease from Albury Wodonga Community College Limited under the Common Seal of Council.

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9. OLD SCHOOL HOUSE – WALLA WALLA

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To advise Councillors of a request from the Old School House Committee seeking support from Council in preserving a historical landmark in Walla Walla known as the old school house.

REFERENCE TO DELIVERY PLAN ACTION

Objective We are revitalising our communities, welcoming visitors, growing our economy and promoting the lifestyle, culture and heritage offered in our communities.

Outcome 3.2 Our towns and villages are revitalised

DISCUSSION

At the November 2018 Council Meeting held in Walla Walla, Councillors received a verbal presentation from a representative of the Old School House Committee informing Councillors on the historical importance of the old school house building in Walla Walla and seeking Council's support to ensure that the building is retained and restored.

Correspondence has now been received from the Old School House Committee requesting that Council purchase the property outright, or assist the Committee in purchasing the property by way of a loan. In support of their request, the Committee has agreed to contribute \$7,000 towards the procurement of the property. A copy of the correspondence received from the Committee is included as **ANNEXURE 9**.

The land on which the historic buildings are located is currently privately owned and as such the Committee and the Walla Walla community lack the ability to apply for funding or to undertake any restorative works on the buildings.

Whilst there is no doubt that the Committee are dedicated and committed to restoring and preserving the buildings, Management's concerns are that Council does not have the budgetary capacity to fund the freehold purchase of the property at the present time and the Committee may struggle to generate sufficient ongoing revenue (external to grant funds) to sustain loan repayments over a potentially extended period of time. It is also yet to be confirmed whether the current owner wishes to sell the property, and if so the price being sought.

In light of these concerns, it is recommended that the Director Corporate & Community Services undertake further discussions with the Committee to explore other opportunities to develop a sustainable financial model whereby the buildings can be secured and preserved.

BUDGET IMPLICATION

Council does not have a budget allocation for the purchase of property and as such funding the purchase at this point in time would have a significant impact on Council's end of year financial position.

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OLD SCHOOL HOUSE – WALLA WALLA [CONT'D]

CONCLUSION

The Committee have demonstrated that they are dedicated and committed to restoring and preserving the old school house buildings however Management have a number of concerns regarding Council's budgetary capacity to fund the freehold purchase of the property at the present time and the Committee's capacity to generate sufficient ongoing revenue (external to grant funds) to sustain loan repayments over a potentially extended period of time.

RECOMMENDATION

That the Director Corporate & Community Services undertake further discussions with the Old School House Committee to explore other opportunities to develop a sustainable financial model whereby the old school house buildings in Walla Walla can be secured and preserved.

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10. HOLBROOK MOTOR VILLAGE – SECTION 88B INSTRUMENT

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To seek Council approval for the execution of documents for the acquisition of an easement affecting land contained within the Holbrook Motor Village.

REFERENCE TO DELIVERY PLAN ACTION

Not Applicable

DISCUSSION

On 21 November 2018, Council resolved to dispose of the freehold land contained within the Holbrook Motor Village being Lot 9 DP 1156130, Lots 7 & 8 DP 1156130 and Lot 4 DP 260516.

The Contract of Sale provides for a Special Condition which will enable Council to register a Sec 88B instrument (easement) over the land and to enable access to the property to carry out any necessary works in connection with the easement after the completion of the sale.

Council intends to procure the registration of:

An Easement 3m wide and variable for sewerage and water supply over Lot 9 DP 1156130 to enable Council to access its sewer main located within the area and install a water main to the Pump Station in substitution for the Sub meter, shown in green on the attached plan ANNEXURE

A Right of Access 6m wide over the area Lot 9 DP 1156130 to enable Council to access the Pump Station, shown in red on the attached plan **ANNEXURE 10**.

The Easements are in favour of Council and enable Council to supply water and drain sewerage through the existing infrastructure on the affected land.

There is therefore no disadvantage to Council in granting the Easements. Granting the Easements makes clear Council's rights to use the existing infrastructure for sewerage and water supply purposes.

Accordingly, it is a requirement that the Section 88B Instrument be executed by the Mayor and General Manager under the Common Seal of Council.

CONCLUSION

Approval is now sought from Council for the Section 88B Instrument to be executed by the Mayor and General Manager under the Common Seal of Council.

RECOMMENDATION

That the Mayor and General Manager be authorised to execute the Sec88B Instrument over Lot 9 DP 1156130 under the Common Seal of Council.

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11. AMENDMENT TO FEES & CHARGES SCHEDULE 2018/2019

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To seek Council approval for the inclusion of an addition to Council's Fees and Charges Schedule for the 2018-2019 financial year.

REFERENCE TO DELIVERY PLAN ACTION

Not Applicable

DISCUSSION

At the Council meeting held 19 December 2018 Council resolved that:

The revised Fees & Charges Schedule for 2018/2019 incorporate the additional Road Closing Application fee and be placed on public exhibition for a period of 28 days commencing Saturday 22 December 2018.

The public exhibition closed on 8 February 2019 with no submissions being received.

It is proposed that a Road Closing Application fee of \$2,420.00 (inclusive of GST) be included in the Fees & Charges Schedule for 2018/2019.

CONCLUSION

Following completion of the required 28 day advertising period without receipt of any written objections, the proposed amendment to the Fees & Charges Schedule 2018/2019 commence immediately.

RECOMMENDATION

That the revised Fees & Charges Schedule for 2018/2019 incorporate the additional Road Closing Application fee.

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ENGINEERING

1. DROUGHT RELIEF HEAVY VEHICLE ACCESS PROGRAM

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To advise Council of a successful grant application to the Drought Relief Heavy Vehicle Access Program for repair works on Walbundrie Road.

REFERENCE TO DELIVERY PLAN ACTION

Outcome 4.1 Infrastructure and facilities meets the needs of our communities.

Action 4.1.1.2 Ensure the investment in the upgrade of infrastructure is targeted and prioritised.

DISCUSSION

Council has been notified of the success of a grant application under the Drought Relief Heavy Vehicle Access Program with funds made available by the NSW Government (refer **ANNEXURE 11**).

Under the Drought Relief Heavy Vehicle Access Program funding up to \$300,000 is available for projects to contribute to the cost of maintenance and minor improvements on Council roads and roadsides, where the improvements contribute to heavy vehicle access in support of the drought relief freight task.

A submission for heavy patching rehabilitation work to the value of \$285,950 on Walbundrie Road was submitted and Council has now been advised of its success.

Walbundrie Road was chosen due to the high numbers of heavy vehicles carting hay and fodder on it during this drought and the need to undertake significant heavy patching work to maintain the road to a high standard.

It is proposed that work will commence later next month.

Conditions of funding require the work to be completed within 50 days of the notification of the grant funding.

BUDGET IMPLICATION

No impact as the proposed work under the grant is fully funded.

CONCLUSION

The success of the grant funding will provide for heavy patching to be undertaken on areas of Walbundrie Road to ensure the road is maintained to a high standard for the use by heavy vehicles during the drought.

RECOMMENDATION

That Council receive and note the report

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2. PROPOSED LAND ACQUISITION TO ACCOMMODATE NEW RAILWAY CROSSING – LOT 1 DP 613400, LOT 16 DP 8418, LOT 1 DP 1141789, LOT 11 DP 1113766 AND LOT 1 DP 387725 GRUBBEN RD AND OLYMPIC HIGHWAY HENTY

Report prepared by Director Engineering - Greg Blackie

REASON FOR REPORT

For Council to resolve to enter into negotiations to purchase portions of Lot 16 DP 8418, Lot 1 DP 613400, Lot 11 DP 113766, Lot 1 DP 387725 and Lot 1 DP114178 Grubben Road and Olympic Highway, Henty (the subject land) to facilitate the construction of a new protected railway crossing, realignment of Olympic Way and upgrade of a local access road to provide access to the major grain handling facility at Henty West.

REFERENCE TO DELIVERY PLAN

Outcome 4.1 Infrastructure and facilities meets the needs of our communities

Action 4.1.1.2 Ensure the investment in the upgrade of infrastructure is targeted and prioritised.

DISCUSSION

This report enables Council to resolve its intention to purchase the subject land so to facilitate the construction of a new protected railway crossing, realignment of Olympic Highway and upgrade of a local road to provide access to the major grain handling facility at Henty West. Details of the land required for acquisition is shown in **ANNEXURE 12**.

It is intended that details of the land to be acquired will be recorded in Councils GIS mapping system and listed in Planning Certificates issued under Section 10.7 (2) of the Environmental Planning and Assessment Act 1979 which are an attachments of contracts for land sale.

Negotiations with landowners of the subject land is anticipated to commence shortly with the project likely to commence later in 2019.

BUDGET IMPLICATIONS

This project has been funded through Council, State and Federal funding.

CONCLUSION

This report will enable a Council resolution stating its intention to purchase the subject land to facilitate the construction of a new protected railway crossing, realignment of Olympic Way and upgrade of a local access road to provide access to the major grain handling facility at Henty West. The recommendation will enable information on the road widening to be provided on Planning Certificates issued under Section 10.7 (2) of the Environmental Planning and Assessment Act 1979.

RECOMMENDATION

That:

1. Council resolve it is intention to acquire portions of Lot 16 DP 8418, Lot 1 DP 613400, Lot 11 DP 113766, Lot 1 DP 387725 and Lot 1 DP114178 Grubben Road and Olympic Highway, Henty.
2. Council write to landowners to formally advise of Council intention to acquire the land.

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3. PROVISION OF KERB AND CHANNEL, URANA STREET, JINDERA.

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To inform Councillors of the apportioned contributions for the construction of a new kerb and channel in Urana Street, Jindera.

REFERENCE TO DELIVERY PLAN ACTION

Outcome; 2.4.3.1 Council investing in liveability infrastructure.

Action; 4.1.1.2 Ensure the investment in the upgrade of infrastructure is targeted and prioritised.

DISCUSSION

This staged project is part of the Council Delivery Plan. The entire scheme includes the construction of a replacement box culvert under Urana Street at the Recreation Reserve as well as a similar structure under Molkenntin Road, open floodway and associated works.

The works planned for this year include extension of the underground drainage, road shoulder widening and the construction kerb and channel to complete the section of Urana Street from Pioneer Drive to the Recreation Reserve.

As required by Council's *Administration of Contributory Footpath and Kerb and Gutter Schemes Policy*, this report provides the proposed cost apportionment for the Urana Street Footpath Project between Pioneer Drive and the Jindera Recreation Reserve for the land owners.

A map of the scheme and a table of the apportionment used to assess all landowner contributions is included in **ANNEXURE 13** for Councillors' information.

Councillors should be aware that future stages of the overall scheme in coming years will again attract a landowner contribution for the construction of foot paving.

BUDGET IMPLICATION

The cost of this stage of the overall scheme falls within the budget allowance of \$200,000.00 including landowner contributions. The projected price does not include the possibility of provisional items which in any case would be expected to be of a nominal amount.

CONCLUSION

The project scope has been costed and apportioned to show landowner contribution costs. The construction of these final sections of kerb and channel will provide continuous kerb and channel from Pioneer Drive to the creek at the recreation reserve and will improve liveability and amenity at this major entrance to town.

RECOMMENDATION

That the landowners be notified of the amount of their contribution to the project as included in **ANNEXURE 13**.

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ITEM TO BE REFERRED TO CLOSED COUNCIL

1. GENERAL MANAGER – SIX MONTH PERFORMANCE REVIEW

Report prepared by Mayor - Cr Heather Wilton

REASON FOR REPORT

To report on the conduct of the General Manager's Performance Review for the six month period to 31 December 2018.

DISCUSSION

Council is aware that the six monthly review of the General Manager's Performance to 31 December 2018 took place on 6 February 2019, where the General Manager's Review Committee comprising Cr Doug Meyer OAM, Cr Annette Schilg, and Mayor, Cr Heather Wilton met with the General Manager, Steven Pinnuck, and discussed a number of items of interest.

RECOMMENDATION

That the matter of the General Manager's Performance Review is confidential in nature and that the matter be referred to Closed Council (Committee Of The Whole) for discussion, in accordance with the relevant section of the Local Government Act 1993 section 10a (2)(a) personnel matters concerning particular individuals (other than councillors).

REASON

That the ability of councillors to discuss the performance of the General Manager in a full and frank manner outweighs the need for the report to be discussed in Open Council.

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PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. WORKSHOP/BRIEFING SESSION SCHEDULE 2019

REASON FOR REPORT

To inform Council and the community of upcoming workshop/briefing sessions which Councillors and senior staff attend and, where appropriate, stakeholders also attend. Workshops/briefing sessions are held in the absence of the public.

DISCUSSION

The current session dates are outlined in the table below.

Workshop/Briefing Session date	Topic
6 February 2019	Implications of Solar Farms in Greater Hume Council area.
13 February 2019	Roads Workshop
2 March 2019 (SATURDAY)	Shire Tour
6 March 2019	Preliminary Budget Workshop
13 March 2019	Final Roads Workshop
3 April 2019	Final Budget Workshop
1 May 2019	Proposed Ward Boundary Alterations

The allocation of workshop/briefing sessions dates across the year is to ensure sufficient advance notice is provided to Councillors and staff.

Residents wanting to engage Council on a particular topic are invited to attend the Public Forum sessions held at the beginning of each monthly meeting. Meeting locations and dates are available on the website or by contacting any Council office.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

2. OFFICE OF LOCAL GOVERNMENT CIRCULARS

REASON FOR REPORT

To ensure councillors are updated with changes to legislation or the strategic direction of Local Government in NSW.

DISCUSSION

Recent circulars issued are listed below. Circulars can be downloaded at <https://www.olg.nsw.gov.au/councils/essential-information-and-publications/circulars-for-council>

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OFFICE OF LOCAL GOVERNMENT CIRCULARS [CONT'D]

19-02	IPART review of the costs of conducting local government elections and extension of the deadline for councils to make a decision on the administration of their elections
19-01	NSW Parking Fine – Grace Period Provisions
18-47	Amendments to the election provisions of the Local Government (General) Regulation 2005
18-46	New Councillor Induction and Professional Development Requirements
18-45	Commencement of the new Model Code of Meeting Practice for Local Councils in NSW
18-44	Commencement of the new Model Code of Conduct for Local Councils in NSW and Procedures

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

3. LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS

REASON FOR REPORT

To ensure councillors are updated with changes to legislation or the strategic direction of Local Government in NSW.

DISCUSSION

A listing of topics of interest from recent circulars issued during December/January /November is provided on the LGNSW website. Distribution of the LGNSW newsletters has now moved to an electronic format.

Councillors or interested community members can directly access the full weekly publications via <https://www.lgnsw.org.au/news/local-government-weekly>

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

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4. TOURISM AND PROMOTIONS OFFICER'S REPORT

Report by Tourism and Promotions Officer – Kerrie Wise

REASON FOR REPORT

To update councillors regarding working projects undertaken by the Tourism and Promotions Officer.

DISCUSSION

The report on projects being undertaken by the Tourism and Promotions Officer is attached at **ANNEXURE 14**.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

CORPORATE AND COMMUNITY SERVICES

1. GREATER HUME CHILDREN SERVICES – REPORT FOR JANUARY 2019

Report prepared by Team Leader, Greater Hume Children Services – Fiona Pattinson

REASON FOR REPORT

To provide an update on statistics and activities of Greater Hume Children Services.

DISCUSSION

Service Statistics as at 8 February 2019

Family Day Care

Educators	NSW 44	Victoria 18	1 Holbrook (commencing middle February)
Educators working in the shire	6		
Families registered	548		
New Families in Greater Hume	6		
New families since January	52		
Children registered for care	815		
Average EFT	221		

Centre Based Care

Henty	
Staff numbers	6 staff
Families registered	21
Children registered	27
Days and hours of care	Mon-Fri 7.30am - 5.30pm

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GREATER HUME CHILDREN SERVICES – REPORT FOR JANUARY 2019 [CONT'D]

Walla Walla	
Staff numbers	2 staff
Families registered	6
Children registered	11
Days and Hours of Care	Mon-Wed 8.30am - 4.30pm

Comments

Greater Hume Children Services (GHCS) has been in collaboration with Gerogery Public School with regard to offering in venue Out of School hours care for 2019. Approval to commence operations is nearing completion with the NSW Department of Education. Opening hours will be 6.30am till 8.30am and 3.30pm-6.30pm Monday to Friday. Seven children have already registered to attend the service.

CONCLUSION

For Councillors' information.

2. COMMUNITY SERVICES REPORT FOR FEBRUARY 2019

Report prepared by Manager Community Services - Lynnette O'Reilly

REASON FOR REPORT

To provide an update on activities within the Community Services department.

REFERENCE TO DELIVERY PLAN ACTION

Objective We create healthy, inclusive and resilient communities, acknowledge our volunteers and value our youth

Outcome 2.2 We have services to promote and deliver health and wellbeing for all ages.

DISCUSSION

Live A Greater "Healthier" Life - Culcairn

As Councillors are aware, Culcairn has been selected as one of only five NSW towns to participate in the 2019 Healthy Towns Challenge. The Challenge is a joint initiative of NSW Health and the Heart Foundation and highlights the important role communities play in helping residents eat well, move more and sit less.

The Healthy Towns Challenge officially opened with Culcairn's official breakfast launch held on 6 February at the Culcairn Coach Terminal Park. It is estimated that around 100 people attended the launch between 7am and 9am with information sessions being held advising people how they can be involved and a healthy breakfast served.

It was a great team effort with Council staff contributing along with Murrumbidgee Local Health District representatives, Culcairn Lions Club members cooked the breakfast, businesses contributed and school children and teachers attended, overall a positive community event (see photos below) was achieved.

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COMMUNITY SERVICES REPORT FOR FEBRUARY 2019 [CONT'D]

The best news is that 46 people signed up to the free Get Healthy Information and Coaching Service that is a pivotal part of the program. It was encouraging to see so many people involved in first week of the challenge and the next 6 months will be exciting as planned events and activities are completed.

CONCLUSION

For the Councillors' information.

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

For councillors' information, the Customer Request Module reports are **ENCLOSED SEPARATELY**.

4. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 DECEMBER 2018 AND 31 JANUARY 2019

The statements of bank balances and investment report as at 31 December 2018 and 31 January 2019 are attached at **ANNEXURE 15**.

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5. PEOPLE & CULTURE (HR) REPORT FOR DECEMBER 2018 – JANUARY 2019

Report by People and Culture Team – Dianne Snow and Jessica Winnett

REASON FOR REPORT

To advise councillors on human resources activities such as new staff, resignations and staff development programmes

REFERENCE TO DELIVERY PLAN ACTION

Delivery Program 2017-2021, 1.1.1.1, 1.3.1.3, 2.2.5.1
Workforce Management Plan 2017-2021, 1-12

LEGISLATION / POLICIES / PROCEDURES

- Employee Health Monitoring Policy → Procedure – draft for consultation process during early 2019
- EEO Policy and Procedure – merged EEO and Anti-Discrimination Policy in draft

PLANNING

- People & Culture Management System and Plan developed to guide future activities through a process of development, implementation, review and improvement
- Ongoing succession planning - Work Instructions being developed and documented for key activities performed by People & Culture
- LG NSW HR Network meeting/videoconference attended 12 December 2018

RECRUITMENT

- Recruitment in progress:
 - Bridge and Drainage Ganger Jindera – nil applicants called to interview – readvertised in January 2019
 - Plant Operator Loader Backhoe Jindera – interviews conducted; preferred applicant identified, pre-employment assessments scheduled, pre-employment mobile plant competency assessment scheduled
 - Plant Operator Loader Backhoe Holbrook – interviews conducted; preferred applicant identified, pre-employment assessments scheduled, pre-employment mobile plant competency assessment scheduled
 - Bitumen Operator Holbrook – interviews conducted; preferred applicant identified, pre-employment assessments scheduled
 - Plant Operator Parks and Town Maintenance Holbrook – interviews conducted; preferred applicant identified, pre-employment assessments scheduled
 - Roller Operator Holbrook – interviews conducted; preferred applicant identified, pre-employment assessments scheduled, pre-employment mobile plant competency assessment scheduled

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PEOPLE & CULTURE (HR) REPORT FOR DECEMBER 2018 – JANUARY 2019 [CONT'D]

- New employees commencing with Council:
 - 3 Customer Service/Library Officers: Julie Colley, Simone Brewer, Debbie Jones
 - 6 Childcare Henty and Walla Walla: Nadia Frankham, Erima Collings-Roe, , Breanna O'Bryan, Kate Miller, Amelia Bedggood, Simone Brewer, Louise Lieschke
 - 7 Pool Lifeguards: Faith Pyers, Sophie Kohlhagen Caitlin Kotzer, Imogen Young, Cassidy McAliece, Mark Wettren, Abbey Austin
- Position/role changes with existing Council employees:
 - Ken Thompson – Acting Manager Works from 14 January 2019 until position filled permanently
- Employees ceasing duties with Council:
 - Bradley Peach – Environmental Health and Building Surveyor
 - Neil Hibberson – Senior Weeds Officer
 - Phillip McDonald – Manager Works
 -
- Positions advertised:
 - Water & Waste Water Trainee (via ATEL)
 - Apprentice Mechanic (via ATEL)
 - Childcare Educator Henty, Walla Walla
 - Childcare Educator (casual) Henty, Walla Walla
 - Early Childhood Educator Henty, Walla Walla
 - Early Childhood Educator (casual) Henty, Walla Walla
 - Early Childhood Teacher Henty, Walla Walla
 - Early Childhood Teacher (casual) Henty, Walla Walla
 - Bridge and Drainage Ganger, Jindera (readvertised)
 - Manager Works, Culcairn
 - Building Maintenance Officer (fixed-term), Culcairn

WORKPLACE RELATIONS

- Participate with Outdoor Staff quarterly meetings – meeting attended 6 December 2018
- Coordinate and administer Consultative Committee – meeting attended 6 December 2018; nominations called for vacant positions; committee training scheduled for 26 February 2019
- Participate with Risk & WHS Committee – meeting attended 6 December 2018

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PEOPLE & CULTURE (HR) REPORT FOR DECEMBER 2018 – JANUARY 2019 [CONT'D]

PROFESSIONAL DEVELOPMENT & LEARNING

- Traffic Control entry level – 4 participants
- Small Mines and Quarries – 4 participants
- Loader/backhoe (LB) and Loader (LL) competency assessments – 6 participants
- HR vehicle licence – 2 participants

PERFORMANCE MANAGEMENT

- Finalisation of outstanding Performance Appraisals – near completion

HEALTH, WELLBEING & INJURY MANAGEMENT

- Workers Compensation / Injury Management:
 - 13 open claims, 28 days since last Lost Time Injury
 - 12 previous and current claims premium sensitive
 - 4 non-compensable injury management cases

REVIEW & CONTINUOUS IMPROVEMENT

- Weekly reviews with Director Corporate & Community Services
- Monthly reviews with MANEX
- Networking with LG NSW HR Group & REROC Workforce Development Group

ENGINEERING

1. DECEMBER 2018 AND JANUARY 2019 REPORT OF WORKS

Grants Program

State Roads Maintenance (RMCC):

Maintenance works and sign replacement on State Roads under the RMCC with the Roads and Maritime Services is continuing.

Removal of roadside “suckers” on Tumbarumba Rd (MR284) and Olympic Highway (MR78) is ongoing.

Bitumen resealing works on Olympic Highway is complete and Tumbarumba Rd is partially completed.

Henty Rest Area and stock pile site upgrade on corner of Olympic Highway and Yankee Crossing Rd is partially completed and re-opened to the public. Further works will be carried out early 2019 to finalise this project.

Guardrail upgrade work has commenced on Tumbarumba Rd and is expected to be completed in late February.

Regional Roads Block Grant:

General maintenance including guide post replacement is continuing on all Regional Roads. Drainage works have been carried out on Culcairn Holbrook Road at the intersection of Mitchells Road.

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REPORT OF WORKS [CONT'D]

Roadside slashing and spraying on Regional Roads is continuing.

Local Roads

Sealed:

Roadworks at the intersection of Urana Rd (MR125) and Walla Walbundrie Rd has been completed, including linemarking.

Reseals have been undertaken on Alma Park Rd, Fellow Hills Rd, Howlong Balldale Rd, Kanimbla Rd, Knox Rd, Molkentin Rd, Mountain Creek Rd, Odewahns Rd, Reapers Rd, Schnaars Rd, Vine Dr and Walbundrie Alma Park Rd as part of Council's Rural Resealing Program.

Road rehabilitation and widening on a 1km section of Jennings Rd commencing from Olympic Highway (MR78) has been completed.

Kywong Howlong Rd reconstruction project has commenced. Works included road widening and reconstruction for 2km including removal of trees and roadside hazards and upgrading drainage.

General pavement maintenance on local roads is continuing.

Roadside slashing and spraying on local roads is continuing.

Unsealed:

Road reconstruction and widening has commenced on 2km section of Coach Rd, Gerogery. These works are funded under Australian Government Blackspot Funding and include tree removal, culvert and guardrail installation, pavement construction and sealing.

A dust seal has been placed on a 200m section of Wymah Rd, Wymah.

Maintenance grading has been carried out on the following roads during December and January.

- Back Henty Rd
- Bendermeer Rd
- Bethel Rd
- Bowlers Rd
- Chambers Rd
- Coach Rd
- Coppabella Rd
- Fielder Moll Rd
- Fullers Rd
- Gluepot Rd
- Hore Rd
- Humphreys Rd
- Jelbart Rd
- Kendalls Rd
- Kenya Rd
- Kiley Rd
- Lennons Rd
- Lubkes Rd
- Luther Rd
- Maginnitys Gap Rd
- Newton Rd
- Orange Promise Rd
- River Rd
- Sawyer Rd
- Spring Valley Rd
- Thugga Rd
- Wymah Rd
- Yaparra Rd

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REPORT OF WORKS [CONT'D]

Urban Streets:

General maintenance of urban streets including mowing and weed spraying is continuing.

Safety and information signs have been installed around parks and gardens in Holbrook.

Construction has commenced on new footpath in Urana St, Burrumbuttock from the General Store southward.

Footpath construction and drainage upgrade in Albury St, Holbrook adjacent to Caltex Service Centre, stage 1. has been completed.

Reseals have been undertaken on Klara Crt, Gerogery West; Ebenezer Crt, Douglas St and Scholz St, Walla Walla; Huon St, St Johns Crt and Jindera St, Jindera; Millswood Rd, Railway Pde and Swift St, Holbrook as part of Council's Urban Resealing Program.

Storm water drainage pits have been installed in Peel St, Holbrook to improve drainage and safety.

Footpath repairs have been completed in Adams St, Jindera to improve pedestrian safety.

General:

Clean up of storm damage in Jindera and Gerogery West is continuing following the storm on 22 January 2019.

Extra town maintenance was undertaken in Walla Walla for 150th Anniversary and Australia Day Celebrations.

Natural rock retaining walls and seats in Ian Geddes Bush Walk are being constructed by local resident, Brian Winnett on a voluntary basis for beautification in this area.

Construction of a wash bay at the Holbrook Works Depot has commenced.

Replacement of damaged playground equipment at Walla Walla Sportsground is underway.

Replacement of signs on rural roads and urban streets is continuing.

General maintenance of public toilets and parks is continuing.

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REPORT OF WORKS [CONT'D]

Monthly Works Maintenance Expenditure:

Local Roads Program	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Urban Local Roads Maintenance	\$500,000.00	\$291,666.67	\$257,185.03	\$34,481.64	
Rural Roads Sealed	\$700,000.00	\$408,333.33	\$491,132.88	-\$82,799.55	Expenditure on preparation of resealing projects yet to be reallocated
Rural Roads Unsealed	\$1,087,713.00	\$634,499.25	\$674,510.49	-\$40,011.24	Expenditure on Coppabella Rd yet to be reallocated (Council Report Dec 2018)
Street Tree Maintenance	\$237,780.00	\$138,705.00	\$118,060.14	\$20,644.86	

Regional Roads Program	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Regional Roads Maintenance	\$912,359.00	\$532,209.42	\$411,449.69	\$120,759.73	
Regional Roads Capital	\$912,000.00	\$532,000.00	\$494,309.10	\$37,690.90	

Sportsgrounds, Parks & Public Toilets	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Sportsground Maintenance	\$125,000.00	\$72,916.67	\$64,439.66	\$8,477.01	
Parks & Gardens Maintenance	\$278,000.00	\$162,166.67	\$145,753.46	\$16,413.21	
Public Toilets Maintenance	\$157,614.00	\$91,941.50	\$78,168.68	\$13,772.82	

NB : Sportsground Maintenance excludes annual GHC contribution payment

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2. WATER & SEWER REPORT – DECEMBER 2018/JANUARY 2019

Capital Works Program:

- Culcairn, Henty and Holbrook – sewer main relining WIP

Operation & Maintenance:

- New water service connection – 15 Anvil St, Jindera
- New water service connection – 27 Anvil St, Jindera
- New water service connection – 177 Pioneer Dr, Jindera
- New water service connection – 57 Mulgrave Rd, Jindera

- Water service repairs – 6 King St, Culcairn
- Water service repairs – 12 Fraser St, Culcairn
- Water service repairs – 10 Balfour St, Culcairn
- Water service repair – 3 Donald St, Culcairn
- Water service repairs – 73 Glenellen Rd, Jindera
- Water service repairs – 54 Coogera Crt, Jindera

- Water main repair – 155 Drumwood Rd, Jindera
- Water main repair – 1104 Walla Rd, Gerogery
- Water main repair – 48 Elizabeth St, Gerogery West
- Water main repair – 271 Glenellen Rd, Glenellen
- Water main repair – 287 Gerogery West Rd, Gerogery
- Water main repair – 1737 Gerogery Rd, Gerogery West
- Water main repair – Olive St, Brocklesby

- Water meter replacements – Jindera and Culcairn
- Pump renewal - Sewer Pump Station No 2 Culcairn

Drinking Water Monitoring Program:

- 16 x Water samples for Microbial Water Analysis submitted in the month of December 2018 and January 2019 for Villages and Culcairn Water Supply have all complied with the Australian Drinking Water Guidelines.

Water Quality Complaints

Date	Location	Problem	Action Taken
31/01/2019	2 Kohn Place, Jindera	Dirty water	Dead end water main in cul-de-sac main and service flushed.

Water Supply Sourced and Used

1 July 2018 – 31 January 2019	2016/2017	2017/2018	2018/2019
Culcairn Water Supply (ML)	97.81	81.58	106.9
Village Water Supply (ML)	193.55	219.14	278.09
Totals (ML)	291.36	300.72	384.99

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WATER & SEWER REPORT – DECEMBER 2018/JANUARY 2019 [CONT'D]

Drought Relief Assistance

Council has received 7 new applicants and 9 existing customers, a total of 16 who have taken up the drought relief package, access to portable water. A number of other residents are receiving the discount through their water cartage contractor.

- Filling station sites - 126 transactions during the November 2018 period
- Filling station sites - 356 transactions during the January 2019 period

Filling Stations Usage

Station	December 2018	January 2019
Culcairn	156.6 KL	892.7 KL
Jindera	300.7 KL	714.7 KL
Brocklesby	63 KL	66.7 KL
Burrumbuttock	9.8 KL	34.9 KL
Gerogery	3.4 KL	2.6 KL
Totals (KL)	533.3	1711.6

Customer Usage

Customer	December 2018	January 2019
Council – Road Construction, Maintenance and Tree Watering	224.2 KL	797.8 KL
Contractors – Water Carters	66.6 KL	613.9 KL
Residents	208 KL	266 KL
Fire Brigade (RFS)	34.5 KL	33.9 KL
Totals (KL)	533.3	1711.6

ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF DECEMBER 2018 AND JANUARY 2019

The schedules of development applications processed for the months of December 2018 and January 2019 are attached at **ANNEXURE 16**.

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2. SENIOR WEEDS OFFICER'S REPORT – FEBRUARY 2019

St. John's Wort spraying has been completed on the western side of the council by three contractors and two Council employees.

Blackberry spraying has commenced on the following roads:

- Jingellic Road.
- Coppabella Road.
- Tumbarumba Road.
- Little Billabong Road.
- Yenschs Road.

All cemeteries and waste depots are to be sprayed in the coming weeks.

It is advised that Council has received a letter from Anna Reeves, a copy of her correspondence is included in **ANNEXURE 17** which is requested to be tabled. The letter raises concerns with spread of Blackberries that are originating from pine plantations.

It is advised that Council staff have responded to this letter and that response has indicated that Council:

Issued a number of control notices to owners of pine plantations requiring blackberry control;

- Will contact Anna Reeves to ascertain her most pressing concerns about blackberry and address these concerns if possible;
- Will continue to inspect and issue control notices where appropriate.

Councillors should be aware that Council typically can only require a perimeter spraying around infestations of blackberry.

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3. RANGER'S REPORT – DECEMBER 2018/JANUARY 2019

DECEMBER 2018

COMPANION ANIMALS

No. of Complaints Received 31		Including: 3 barking dog, 19 roaming dogs, dealing with 1 aggressive dog, 2 nuisance dogs, menacing and dangerous dog compliance checks		
No. of dog attacks:	6	Location:		
		Holbrook	1 dog jumped fence and chased harassed dog in street causing injuries to owner of dog.	
		Holbrook	2 dogs attacked and killed an alpaca, dogs seized impounded declared dangerous and infringements issued.	
		Walla Walla	2 dogs attacked a cat and bit a youth. Dogs euthanized. Infringements issued.	
		Jindera	Dog attacked sheep. Dog euthanized and infringements issued.	
		Culcairn	1 declared menacing dog, attacked chickens. Dog euthanised. Infringements issued.	
		Gerogery	Sheep attacked by 2 dogs. Dogs seized and euthanised. Infringements issued.	
Comments:	Menacing dog inspection breaches identified. Dogs seized and infringements issued.			
			Dogs	Cats
In Council's Facility at Beginning of Month			1	
Captured & Returned to Owners			5	
Captured & Impounded			13	9
Released from Pound to Owners			10	
Surrendered by Owners				
Rehomed			2	6
Euthanased (mainly from dog attacks)			2	3
Remaining in Council's Facility at End of Month				

FERAL CATS

No. of Complaints:	3
No. Feral Cats caught:	6

LIVESTOCK

	Cattle	Sheep	Horse	Rooster	Other-Goats
No. of Reports of Stock on Roads	2	2	2		
Instances - Returned to owners	2	2	2		
Impounded					
Vehicle accidents involving stock					

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RANGER'S REPORT [CONT'D]

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

- Kangaroo euthanized after being hit by car Culcairn Road.
- Kangaroo euthanized after being hit by car Jingellic Road.
- Injured bird Millswood Road.
- Duck control on Council pools with NPWS Licence.

ABANDONED VEHICLES

- 5 vehicles currently impounded.
- 2 vehicles removed by owners - Holbrook.
- 2 vehicles removed by owners – Jindera.
- 1 trailer removed by owner – Jindera.
- 1 vehicle removed by owner – Gerogery.

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Inspections being conducted. 1 Notice of proposed orders sent. 11 Orders sent.
Pollution: Noise	Holbrook – barking - warning and 14 day notice to register dogs issued. Ongoing monitoring. Burrumbuttock – barking - warning and 14 day notice to register dogs issued. Ongoing monitoring. Gerogery – barking - warning and 14 day notice to register dogs issued. Ongoing monitoring. Culcairn – barking - warning and 14 day notice to register dogs issued. Ongoing monitoring.
Pollution: Waste	Holbrook – motorist rubbish removed by Council, owner not identified. Culcairn – household rubbish dumped at front of cemetery. Owner identified. Infringements issued.

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RANGER'S REPORT [CONT'D]

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

Inspection Type	Total	Pass	Fail
OSMS Compliance Inspections	3	1	2
Pre-Purchase Inspections	3		3
OSMS Orders issued	2		
OSMS Orders Compliance Inspections	4	4	
Plumbers Site Inspections	4		
OSMS Upgrade Applications Received			
OSMS Approvals To Do Works Issued			
OSMS Approvals To Operate Issued	20		
AWTS Service Contract Renewal Letters			
Local Government Application Approvals			
Local Government Approval Inspections			
Local Government Approval Soil Report Assessments	1		
OSMS Rate charge enquires			

RANGER'S REPORT [CONT'D]

OTHER WORKS CONDUCTED

- Companion Animal Registrations continuing to come in from the letters sent out and door knocking.
- RID online (Report Illegal Dumping online) updating with data entry.
- Property inspections unsightly and excessive cars.
- Holbrook and Culcairn Landfill site works and refuelling conducted.
- Landfill cameras checks and relief landfill attendants work at several sites.
- Assist RSPCA with animal welfare issue.
- Security fencing Asbestos houses, falling on to footpaths in high winds.
- Removal of vehicles and items off the street and nature strip in Jindera.
- Refuelling service station, offensive odours issue site inspections and prevention notice issued.

JANUARY 2019

COMPANION ANIMALS

No. of Complaints Received 20	Including: 4 barking dog, 12 roaming dogs, dealing with 1 aggressive dog, nuisance dogs, menacing and dangerous dog compliance checks.		
No. of dog attacks:	1	Location: Jindera	A dog attacked another dog in the street. Dog euthanized. Infringements issued.
Comments:			
		Dogs	Cats
In Council's Facility at Beginning of Month			
Captured & Returned to Owners		5	
Captured & Impounded		6	2
Released from Pound to Owners		3	
Surrendered by Owners			
Rehomed		2	1

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RANGER'S REPORT [CONT'D]

Euthanased (mainly from dog attacks)	1	1
Remaining in Council's Facility at End of Month		

FERAL CATS

No. of Complaints:	7
No. Feral Cats caught:	34

LIVESTOCK

	Cattle	Sheep	Horse	Rooster	Other Goats
No. of Reports of Stock on Roads	7	3			2
Instances - Returned to owners	7	3			
Impounded					2
Vehicle accidents involving stock					

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

- Kangaroo euthanased after being hit by car Jingellic Road.
- Duck control on Council pools with NPWS Licence.

ABANDONED VEHICLES

- 5 vehicles currently impounded.

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Inspections being conducted. Notice of proposed orders sent. Orders sent.
Pollution: Noise	Holbrook – barking - ongoing monitoring. Burrumbuttock – barking - ongoing monitoring. Culcairn –barking – ongoing monitoring.
Pollution: Waste	Holbrook – Jingellic Road rubbish removed by Council owner not identified. Holbrook - Ten Mile Creek household waste removed by Council owner not identified.

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

Inspection Type	Total	Pass	Fail
OSMS Compliance Inspections			
Pre-Purchase Inspections			
OSMS Orders issued			
OSMS Orders Compliance Inspections			
Plumbers Site Inspections	3		
OSMS Upgrade Applications Received			
OSMS Approvals To Do Works Issued	2		
OSMS Approvals To Operate Issued	2		

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RANGER'S REPORT [CONT'D]

AWTS Service Contract Renewal Letters			
Local Government Application Approvals			
Local Government Approval Inspections			
Local Government Approval Soil Report Assessments	1		
OSMS Rate charge enquires			

OTHER WORKS CONDUCTED

- Companion Animal Registrations continuing to come in from the letters sent out and door knocking. 86 Notices to register sent out.
- RID online (Report Illegal Dumping online) updating with data entry.
- Property inspections unsightly and excessive cars.
- Holbrook and Culcairn Landfill site works and refuelling conducted.
- Landfill cameras checks and relief landfill attendants work at several sites.
- Assist Police with animal welfare issue.
- Security fencing asbestos houses, falling on to footpaths in high winds.
- Removal of vehicles and items off the street and nature strip in Jindera.
- Refuelling service station, offensive odours issue site inspections.

RECOMMENDATION

That Part B of the Agenda be received and noted.

PART C – COMMITTEE AND DELEGATE REPORT

Attached, in **ANNEXURE 18** is the minutes of the following meeting:

- Minutes of Audit, Risk and Improvement Committee held on 5 February 2019

DELEGATE REPORTS

Nil.

RECOMMENDATION

That Part C of the Agenda be received and noted.