



Greater
Hume
Council

To: «Name»

Ordinary meeting of Greater Hume Council

Wednesday 21 February 2018

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Council Chambers, Balfour Street, Culcairn commencing at 6.00pm.

STEVEN PINNUCK
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Ordinary Meeting of Greater Hume Council

Wednesday 21 February 2018

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 and present".

**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 – 20 December 2017

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. CONFIDENTIAL – CLOSED COUNCIL REPORTS

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OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATION 10.2017.127.1 – APPLICATION FOR HIGHWAY SERVICE CENTRE, BUSINESS IDENTIFICATION SIGNAGE, TWO (2) LOT SUBDIVISION & ASSOCIATED INFRASTRUCTURE, HOLBROOK–WAGGA ROAD HOLBROOK**

Report prepared by Consultant Planner – Habitat Planning

REASON FOR REPORT

Council is in receipt of an application for development of a highway service centre and two (2) lot subdivision of land at Holbrook-Wagga Road Holbrook. The subject land comprises land described as Lot 18 in DP1158310 and part Lot 101 and 102 in DP817824.

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

The applicant in this is MMJ Pty Ltd on behalf of Zoya Investments and the landowners are Andrew Emerson and John Emerson.

This application is being reported to Council because of the significance of the development to the shire and receipt of a submission.

REFERENCE TO DELIVERY PLAN ACTION

Nil relevant.

DISCUSSION

Generally, the development comprises the establishment of a highway service centre and associated infrastructure. The new centre is to be contained on a new lot, created as part of the subdivision proposed by this application.

Overview of works

The new service centre will comprise the following:

- Construction of service station refuelling facilities and infrastructure, including:
 - Car refuelling forecourt with 4.7 metre high canopy with 14 x multi product dispenser pumps and 2 x LPG dispenser pumps;
 - Truck refuelling forecourt with 5.4 metre high canopy with 6 x diesel dispenser pumps;
 - Below ground fuel and LPG tanks and associated pumping infrastructure;
 - Above-ground Ad-Blue 20KL emission control additive tank; and
- Construction of a convenience store/fuel sales and dining area building associated with the refuelling forecourts, including a 256m² convenience store/fuel sales and 187m² dining area and associated amenities, kitchen and staff facilities etc;

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- Construction of a 448m² restaurant with a 152 total seat capacity, indoor and outdoor dining areas, separate car and truck driver dining areas, separate toilet and amenities and kitchen;
- Construction of a 232m² fast food restaurant, with a 45 seat capacity, indoor and outdoor dining areas, drive-through facilities, kitchen, storage areas and toilet facilities;
- Signage, including:
 - 2 x internally illuminated 15 metre x 3 metre pylon signs in the south west corner of the site facing the Hume Freeway;
 - 1 x internally illuminated 15 metre x 3 metre pylon signs in the north east corner of the site facing the Holbrook-Wagga Road frontage;
 - 1 x internally illuminated 9 metre x 3 metre pylon sign in the north east corner of the site facing the Holbrook-Wagga Road frontage;
 - 2 x internally illuminated fascia signs to the southern and western elevations of the service station convenience store building;
 - 3 x internally illuminated wall signs to the northern, southern and eastern elevations of the fast food building;
 - 3 x internally illuminated display wall signs to the northern elevation of the fast food building;
 - 1 x internally illuminated fascia sign to the eastern elevation of the dine in restaurant building;
 - 1 x internally illuminated fascia sign to the western elevation of the motorist forecourt canopy;
 - 1 x internally illuminated fascia sign to the western elevation of truck forecourt canopy; and
 - Internal traffic management and way findings as required.
- 134 spaces car parking areas along the eastern and southern sides of the site;
- 21 Truck parking area along the northern side of the property, consisting of 5 x semi trailer spaces (26m x 4m), 12 x B-Double spaces (28m x 4m), 3 x semi-trailer spaces (21m x 4m) and 1 x B-Triple space;
- New internal piped drainage including surface inlet pits;
- Installation of a below ground “SPEL Purceptor Class 1” oil and fuel separator unit, collecting piped flows from the internal areas;
- Construction of a new stormwater retardation basin, including bio-retention and drainage outfall;

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- New ingress/egress road from the service centre to Holbrook-Wagga Road adjacent to Pinnabar Road including intersection works;
- Onsite landscaping throughout parking areas, driveways, building frontages, access roads; and
- Two lot subdivision and boundary realignment of Lot 18 in DP1158310 and part Lot 101 and 102 in DP817824.

Description

The service centre will be accessed from Holbrook-Wagga Road near the Pinnabar Road intersection. There is to be a new intersection created to Holbrook-Wagga Road capable of accommodating access and egress by all vehicles. Access to the centre from traffic using the Hume Freeway will be made via the Hume Freeway interchange, which allows adequate access for northbound and southbound vehicles.

The internal road then curves from Pinnabar Road intersection to the south alongside Holbrook-Wagga Road to the proposed service centre area. The layout of the site and facilities is such that it will ensure one-way direction of vehicle movements through the site. Proposed car and truck movements and refuelling forecourts will be separated.

Below ground fuel and LPG storage tanks are to be located adjacent to the car refuelling forecourt. An Ad Blue storage tanks is to be provided aboveground to the west of the truck forecourt.

New buildings are to be centrally located either side of these access alignments with the convenience store accessible from both truck and car fuel forecourts. The dine-in restaurant is aligned to address the northern truck parking area, with the fast food restaurant aligned to address the south car parking areas.

Two separated fuelling forecourts are proposed being for cars and trucks. The car forecourt will include 14 multi product dispenser pumps on spill containment sumps and 2 LPG dispenser pumps. The forecourt is to be covered by a canopy with 4.7 metre clearance. A 1.2 metre wide rollover bund is to be established surrounding the forecourt. The truck forecourt will include 6 diesel dispenser pumps on spill containment sumps and 3 Ad Blue dispensers.

The convenience store will have a fuel and retail sales area with shelving, fridges, sales counter/console, coolroom, storeroom, staffroom, toilets and office space. A separated dining area will be provided adjoining the retail/sales area and include seating area, service counter, kitchen, storeroom, freezer and fridges, staff room and amenities. Back of house facilities for the convenience building will comprise an enclosed waste storage area and oil/water separator.

Signage for the convenience retail is shown as rectangular fascia boards, mounted above the eave height on the western and southern elevations. These are to be internally illuminated and provide business identification for the selected tenant. A fascia sign is also proposed to the western elevation of the fuel forecourt canopy.

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The fast food building is proposed immediately east of the convenience/retail building and north of the car parking areas. It is to include a drive through lane which will enter from the car parking area and wrap around the eastern and northern sides building and egress to the western car parking area. Internally the building is proposed with a service and seating area in the western portion, with a large kitchen and drive through service windows through the central part of the building and storerooms, office, coolroom, freezer, staff amenities occupying the remainder of the building. A rear service and plant yard is accessible from a dedicated loading bay shown in the south east corner of the building.

Signage to the fast food restaurant is shown as an internally illuminated business identification sign to the eastern elevation above the main entry, internally illuminated business identification sign to the southern elevation and internally illuminated business identification sign and three vertical advertising display boards at the northern elevation.

The restaurant building is located to the north of the drive through lane of the fast food restaurant. Internally it comprises a large service counter, kitchen, coolroom, storeroom and staff amenities through the central portion. A motorist dining area is proposed on the north east portion of the building with 84 internal seats and 32 outdoor seats and male, female and disabled toilet facilities. A truck driver dining area is proposed on the north western portion of the building comprising 36 seats, a lounge area, male and female toilets and shower facilities. Back of house plant area, waste and loading facilities are also proposed. Signage to the restaurant building is to comprise an internally illuminated business identification sign mounted above the eave height on the eastern elevation.

An overall landscape strategy has been proposed indicating plantings to areas adjacent to access ways, car parking, site boundaries and retention basin as appropriate.

A piped network of drainage is shown on plans which collects surface water from all areas of the site and conveys this to a retention separator at the western boundary of the property. Flows will pass through the separator with any hydrocarbons or fuel/oil spills separated from water. Flows from the separator will outfall to a retardation basin which is to natural drainage lines.

Subdivision of the land is proposed in order to provide the new development, including driveway access on a single lot. The submitted subdivision plans show that the new lot containing the development is to be excised from Lot 18 and will require boundary adjustments to Lot 101 and 102 to appropriately contain new access. The applicant has confirmed that the travelling stock route currently through the subject land can be allowed to be retained as per agreements with Murray Local Land Services.

The proposed plans including subdivision plan, site plan, floor plans, elevations and landscape plans are attached at **ANNEXURE 1**.

CONSULTATION & REFERRAL PROCESS

The application was referred to seven (7) adjoining landowners and given public notification between 21 October 2017 to 6 November 2017.

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Council received one (1) written submission from an adjoining neighbour objecting to the development on the basis of a number of amenity concerns. The issues raised in the submissions are summarised as follows:

- Noise - impact from additional road noise due to heavy vehicles slowing and accelerating for access and egress to the property;
- Headlight glare – in particular, potential for headlights to be directed towards bedrooms of the submitter’s house as vehicles egress the proposed service centre onto Holbrook-Wagga Road;
- Safety – potential conflicts with pedestrians and landowners due to increased traffic movements;
- Litter & Waste – increased potential for litter and rubbish entering the property;
- Privacy – adverse impacts due to establishment of a 24 hour business; and
- Loss of property values.

Consideration of the issues raised in the submissions received is made later within this report. A copy of the submission received is attached at **ANNEXURE 1**.

Following completion of the notification period, Council also sought further information from the applicant on a range of matters, including those relevant planning matters identified in submissions and other matters identified by Council staff. The applicant provided a response to these matters including provision of additional information and clarification on 31 January 2018 and a copy of this response is included at **ANNEXURE 1**.

The application was referred to Roads and Maritime Services (RMS) as the proposal qualified as a ‘traffic generating development’ under the SEPP Infrastructure and the land has frontage to the Hume Highway and the Holbrook-Wagga Wagga Road, which are both classified roads under RMS control. RMS raised no objections to the development however, provided a number of comments and conditions to be imposed should the development be approved.

In particular the RMS response addressed the following items:

- Considered it appropriate that the intersection of the proposed internal driveway with Holbrook-Wagga Road be designed and constructed to provide a sealed Channelised Right Turn (CHR) and Auxiliary Left Turn (AUL) treatment in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime, as per the submitted traffic report. In addition, to allow for appropriate safe right turn access to Pinnabar Road under the new intersection configuration a Channelised Right Turn-Short (CHR(s)) should also be provided on Holbrook-Wagga Road at the Holbrook approach.
- Holbrook-Wagga Road and the interchange with the Hume Highway allows for B-Double access and therefore a B-Double combination vehicle is to be adopted as the design vehicle in this instance. However, the development site and the access to Holbrook-Wagga Road could be retrofitted to accommodate B-Triple heavy vehicles should the road be approved for such vehicles in the future.

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- While the application includes signage within the site, the detail provided does not allow for an informed assessment of the signage particularly, regarding exposure to the carriageway of the Hume Highway. Any signage proposed with exposure to the Hume Highway is to be subject to further application.

The application was referred to Riverina Water to seek comments in relation to provision of water supply to the land. A response was provided to Council on 11 December 2017 confirming that water supply can be provided to the development, subject to significant extensions to be undertaken by the applicant.

A copy of responses from agencies is provided at **ANNEXURE 1**.

ENGINEERING COMMENT

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

- The development is to be connected to Council's reticulated sewerage system.
- Further details on the proposed method of treatment and disposal of stormwater is to be submitted to Council for consideration.
- Access to and from the site is covered by the requirements of the RMS. It is recommended that the access be adequately lit.
- Water supply is covered by the requirement of Riverina Water.

ASSESSMENT

The following represents an assessment of the application as required by Section 79C of the EP&A Act.

- **79C(a) The provisions of any current or draft environmental planning instrument, development control plan, or matters prescribed by the regulations**

State Environmental Planning Policies

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP33)

SEPP33 is applicable to developments which are considered by the policy to be a 'potentially hazardous industry' or a 'potentially offensive industry'. The SEPP sets out the following definitions as:

***potentially hazardous industry** means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*

(a) to human health, life or property, or

(b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

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

The determination of whether a proposal is either a potentially hazardous or offensive industry relies on consideration against the above definitions. This is intended to provide a systematic approach for assessing development proposals for potentially hazardous and offensive industry or storage rather than categorising on the basis of the particular type of industry. Applying State Environmental Planning Policy (SEPP) 33 guideline prepared by Department of Planning dated January 2011 also provides directions in determining potential applications.

In this instance, the proposal involves storage of fuels and liquefied petroleum gas in large quantities within the property which if improperly managed, have the potential to be hazardous to human or biophysical health. LPG storage facilities and petrol stations are industries that may fall under the definitions of 'potentially hazardous industry' of SEPP33.

Applying SEPP 33 sets out a screen test for assessing whether a proposal is potentially hazardous. The screening method is based on broad estimates of the possible off-site effects or consequences from hazardous materials present onsite, taking into account locational characteristics. If the quantity/distance is less than the screening threshold, then no further analysis is necessary.

For LPG storage, the screen test procedure refers to *Locational Guidelines No 1 – LPG Automotive Retail Outlets*. The guidelines apply to retail outlets with a storage capacity of less than 65KL. The applicant has prepared a plan which demonstrates the required threshold distances listed by the guidelines can be achieved. As such, it is considered that the proposed LPG storage will not represent an unacceptable risk to human or biophysical health.

In relation to fuel storage, the screen test procedure results in the classification of the petrol as Class 3 PGII and a storage capacity in this instance of 110m³. The storage is below ground, which allows the storage volume to be divided by 5 resulting in 22KL. This capacity requires distances of 6.0 metres to be provided from the dispenser/pumps, tank fill points and storage tank centres to any adjoining properties. The submitted plans demonstrate this can be achieved. It is considered that the proposed fuel storage will not represent an unacceptable risk to human or biophysical health.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP55)

SEPP55 is applicable for consideration as the consent authority must consider whether or not land is contaminated as part of the development assessment.

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Clause 7 of SEPP 55 refers to contamination and remediation to be considered in determining development application and states:

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

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

The applicant has provided a preliminary site assessment investigation for potential contamination of the site. The assessment investigated the possible presence of contaminants from filling associated with the embankments created along the boundary of the property as part of the freeway construction works.

The findings of the report indicate that the likelihood of contaminants on the site is low. Council can therefore be satisfied that the subject land is not contaminated and is suitable for the proposed development without need for any remediation.

State Environmental Planning Policy No. 64 – Advertising Signage (SEPP64)

SEPP64 is applicable as the proposal involves signage which requires consent under the *Greater Hume Local Environmental Plan 2012* and is visible from a public place.

Clause 8 refers to granting of consent under SEPP64 generally and states:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

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

The objectives of the policy and the assessment criteria of Schedule 1 have been considered by the applicant.

Clause 17 of the SEPP refers to advertisements with display area greater than 20m² or higher than 8 metres above ground and states:

- (1) This clause applies to an advertisement:
 - (a) that has a display area greater than 20 square metres, or**

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(b) that is higher than 8 metres above the ground.

- (2) The display of an advertisement to which this clause applies is advertised development for the purposes of the Act.*
- (3) The consent authority must not grant consent to an application to display an advertisement to which this clause applies unless:
 - (a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and*
 - (b) the application has been advertised in accordance with section 79A of the Act, and*
 - (c) the consent authority gave a copy of the application to the RTA at the same time as the application was advertised in accordance with section 79A of the Act if the application is an application for the display of an advertisement to which clause 18 applies.**

The proposal includes four (4) pylon signs, with heights of 9 metres or 15 metres. The applicant contends that the business included a description of the signage, however has not provided elevations to illustrate the appearance of the signs. The proposal has been advertised in accordance with Section 79A of the EP&A Act including to the RMS.

Clause 18 of the SEPP refers to advertisements greater than 20m² and within 250 metres of, and visible from, a classified road, and states:

- (1) This clause applies to the display of an advertisement to which clause 17 applies, that is within 250 metres of a classified road any part of which is visible from the classified road.*
- (2) The consent authority must not grant development consent to the display of an advertisement to which this clause applies without the concurrence of RMS.*
- (3) In deciding whether or not concurrence should be granted, RMS must take into consideration:
 - (a) the impact of the display of the advertisement on traffic safety, and*
 - (b) the Guidelines.*
 - (c) (Repealed)**
- (4) If RMS has not informed the consent authority within 21 days after the copy of the application is given to it under clause 17 (3) (c) (ii) that it has granted, or has declined to grant, its concurrence, RMS is taken to have granted its concurrence.*
- (5) Nothing in this clause affects clause 16.*
- (6) This clause does not apply when the Minister for Planning is the consent authority.*

The proposal includes four (4) pylon signs with heights of 9 metres or 15 metres which address the Holbrook-Wagga Road or Hume Highway which are classified roads. This clause requires the RMS's consent to signage in these locations. The applicant contends that the signage proposed is business identification signage only not advertising signage and therefore this clause does not apply.

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'Business identification signage' is not defined in SEPP64 but refers to the definition in the standard instrument, which is:

“... a sign:

(a) that indicates:

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.”

In contrast, “advertisement” is defined in SEPP 64 as “*signage to which Part 3 applies and includes any advertising structure for the advertisement.*”

The comments by the applicant are noted however, there are no details such as elevations or signage boxes provided to demonstrate the information intended to be placed on the sign.

Notwithstanding this, the RMS response received states:

“The development proposal also includes signage within the site however the detail provided in relation to the proposed signage does not allow for an informed assessment of the signage particularly relating to its exposure to the carriageway of the Hume Highway. Therefore any signage proposed with exposure to the Hume Highway shall be conditioned to be subject to further application.”

Only written description of the types of signs and their location have been provided for consideration. Notwithstanding the comments of the applicant regarding whether or not this clause applies, it is considered appropriate that further details be submitted indicating the signage with exposure to the classified roads. If the proposed signage details are, in the Council's opinion, for the purposes of advertising a separate development application must be submitted for consideration.

State Environmental Planning Policy (Infrastructure) 2007

The State Environmental Planning Policy (Infrastructure) 2007 (“Infrastructure SEPP”), applies to all LGA's. The purpose is the Infrastructure SEPP is to set out a consistent State policy basis for provision of infrastructure. In this instance, the Infrastructure SEPP is triggered due to the proposal being located adjacent to classified roads.

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Clause 101 of the SEPP refers to development which has frontage to a classified road, and states:

- (1) *The objectives of this clause are:*
 - (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

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

The proposal includes new access and egress via a single point at Holbrook-Wagga Road at the north east of the subject land. No access is proposed directly from the Hume Highway corridor. A Traffic Impact Assessment report (“TIA”) has also been prepared in support of the application.

The applicant has also identified consultation with RMS in determining the proposed access/egress point to the property and the preference for this to be located at Pinnabar Road. In this instance, the site adjoins two classified roads and the proposal therefore intends to use a location which will have the least impact upon traffic function or safety.

The proposal has been referred to the RMS who has indicated they have no objection to the proposed arrangement:

“The submitted plans provide for a single 2 way driveway providing for ingress and egress between the development and Wagga Road. The proposed entrance driveway is proposed to be located at the intersection of Wagga Road with Pinnabar Road creating a 4 way intersection. Given the traffic volumes on Pinnabar Road and the potential demand for traffic to access across Wagga Road between the development and Pinnabar Road no objection is raised to the proposed intersection.”

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Clause 104 of the Infrastructure SEPP relates to traffic generating development. Under the SEPP a development of a relevant size or capacity listed is considered to be a 'traffic generating development'.

A service station which fronts a classified road is considered to be a 'traffic generating development', regardless of the size of the proposal. As a result, the proposal is considered to be a 'traffic generating development' and has been referred to the RMS for comment.

Subclause (3) of Clause 104 states:

- (3) *Before determining a development application for development to which this clause applies, the consent authority must:*
 - (a) *give written notice of the application to the RTA within 7 days after the application is made, and*
 - (b) *take into consideration:*
 - (i) *any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) *the accessibility of the site concerned, including:*
 - (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) *any potential traffic safety, road congestion or parking implications of the development.*

A copy of the proposal has been provided to the RMS for comment with a response indicating no objection to the proposal, subject to a number of conditions being included in the development consent.

The application was also accompanied by a TIA which assessed the existing and anticipated traffic conditions at the site and made recommendations regarding future traffic management. The TIA includes information which demonstrates that safe access can be made from the existing road network to and from the site without any loss of traffic function. As discussed above, it is also considered that the identification of Holbrook-Wagga Road is the most appropriate location for access to ensure traffic will not adversely affect the function of the Freeway interchange.

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Conditions regarding intersection design in accordance with RMS conditions are to be applied to ensure access and egress arrangements for the site will not cause any detriment to the road function of traffic flow.

Local Environmental Plan:

Greater Hume Local Environmental Plan 2012

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

Zoning

The subject land is zoned RU1 Primary Production under the LEP. 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 objectives of the RU1 zone are primarily related to agriculture and ensuring the long term sustainability of farm land in the shire. In this instance, the development will occupy a relatively small area of land on the fringe of Holbrook which has been compromised for rural use due to the alignment of the freeway. It will not represent a significant conflict to the rural uses of the shire.

The development of a ‘highway service centre’ is permitted with consent in the RU1 zone.

Subdivision

Clause 2.6 refers to subdivision and states that land may be subdivided only with the consent of Council.

Clause 4.1 refers to minimum lot size and requires that the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. In this instance, the applicable lot size for the subject land is 100 hectares.

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Clause 4.2AA refers to exceptions to minimum lot sizes for certain rural subdivisions and states:

- (2) *This clause applies to land in Zone RU1 Primary Production.*
- (3) *Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than a dwelling house or a dual occupancy) permitted under the existing development consent for the land.*
- (4) *Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:*
 - (a) *the subdivision will not adversely affect the use of the surrounding land for agriculture, and*
 - (b) *the subdivision is necessary for the ongoing operation of the permissible use, and*
 - (c) *the subdivision will not increase rural land use conflict in the locality, and*
 - (d) *the subdivision is appropriate having regard to the natural and physical constraints affecting the land.*

The applicant seeks to rely on this provision in order to achieve a lot of 5.75 hectares containing the highway service centre and a residual lot of less than 100 hectares containing rural land. Both lots are to be less than the minimum lot size for the zone. The intention is understood to be the creation of the service station property and excision of that parcel from the surrounding rural land. In that regard use of clause 4.2AA is considered appropriate however, to ensure that the proposal will remain responsive to the intention of clause 4.2AA, a condition is to be imposed requiring the completion of the service station prior to a subdivision certificate being issued for the subdivision.

Essential Services

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

- Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:*
- (a) *the supply of water,*
 - (b) *the supply of electricity,*
 - (c) *the disposal and management of sewage,*
 - (d) *stormwater drainage or on-site conservation,*
 - (e) *suitable vehicular access.*

The subject land can be serviced by all necessary urban infrastructure as confirmed by Council's Engineers however, in the case of water and sewer, will require substantial extension.

The proposal has demonstrated that appropriate access and egress can be made to the subject land from the surrounding road network. Conditions of consent are to be imposed which specify how the proposal is to achieve safe vehicle access and egress.

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Appropriate drainage provisions have been shown on the proposal plans including installation of retardation provisions. The applicant has indicated that interceptor devices will be installed to prevent any contaminated stormwater leaving the subject land. This commitment will be imposed by way of a condition of consent.

Greater Hume Development Control Plan 2012

Greater Hume Development Control Plan 2012 (“the DCP”) applies to development of all land in Greater Hume. Chapter 4 of the DCP relates to commercial development, which applies to this development.

Objectives

The objectives of this chapter are:

- *encourage orderly and economic development within the shire having regard to its commercial and retail needs;*
- *accommodate the expansion of retail, commercial, professional services and community facilities for local residents in convenient locations within the shire;*
- *promote pedestrian movement and connectivity within commercial areas;*
- *encourage the provision of additional parking spaces within any redevelopment to address the current parking deficiency within the centres;*
- *ensure the orderly and safe flow of traffic along main roads by prohibiting direct vehicular access to individual commercial activities;*
- *ensure the integrated shopping centre by reinforcing existing pedestrian movements and creating pleasant and interesting linkage to the extensions;*
- *ensure a safe and comprehensive pedestrian network throughout the expanded centres. Particular attention being paid to the separation of pedestrian access from parking, manoeuvring and loading/unloading areas;*
- *ensure that new or extension to a commercial development is compatible with the character of the area and enhances the streetscape and is compatible with adjoining nearby residences; and*
- *encourage the provision and retention of existing landscaping to be used as a buffer between proposed extension and the existing residential area and to be used to create an attractive streetscape to the main roads.*

The proposal represents a significant economic development for the township and shire generally, through additional investment in development and local employment opportunities. Adequate access, parking, loading and circulation areas are provided for within the development to ensure connection with the local networks and ensure no adverse impacts upon traffic. The scale of the development is considered appropriate given its context on the fringe of the urban environment and its relationship with the freeway infrastructure.

Chapter 4 – Commercial Development

The development standards of the DCP are considered below.

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Location

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

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

The proposal is not located within the 'urban' zoning (ie RU5 village zone) which applies to the core township area however, the location is acceptable in that the purpose of the proposal is to have a direct relationship with the Hume Freeway corridor rather than the township. It is also considered better located in an area with less residential land use conflicts. The land itself is largely constrained for development as has been discussed elsewhere within this report. The location is therefore considered suitable for the proposed development.

Appearance and design

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

1. *Shopfronts are to be designed to be inviting and active at street level.*
2. *Building facades facing the street are to contribute to the 'main street' commercial character of town centres.*
3. *Large expanse of blank or flat walls along a street frontage will be considered as incompatible with the objectives of these controls.*
4. *Car parking areas and access should be located behind the building frontage wherever possible.*
5. *Development is designed having regard to safety and where possible implements measure for Crime Prevention Through Environment Design.*

Information submitted detailing the development and the individually components show that buildings will have an acceptable interface design which respond to the surrounding road frontages and alignments. The buildings utilise a variety of materials, heights, colours and features which will assist in creating visually appealing development, particularly from primary approaches.

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Car parking areas are to be provided along the southern and eastern parts of the property and truck parking at the north. This arrangement of parking is considered acceptable having regard to the nature of the proposed activities and the internal circulation intended as per the submitted details.

Arrangements of buildings are central within the site with parking surrounding. The proposal appears to be generally responsive to the principles of *Crime Prevention Through Environment Design*, with use of lighting to building exteriors, canopies, car/truck parking spaces and the like. The 24 hour operation and occupation of the premises will mean that there is less likelihood of potential issues within the property.

Landscaping

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

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

Landscaping is required to soften the large scale of parking and hardstand for the proposal. It is also required as part of the retardation basin design to provide for water quality treatment measures.

The application includes an overall plan of landscaping which is considered to be responsive to the required outcomes for a proposal of this scale. The plan also indicates particular requirements for the retardation basin including for banks and surrounds and internal wetland plantings for water quality measures.

Heritage

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

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

The proposal is not located within proximity to any known European heritage items.

The land is known to contain a registered Aboriginal cultural heritage area. Aboriginal heritage assessments have been undertaken on the property prior to the construction of the bypass and subsequently as part of consideration of this development site. There are two registered Aboriginal heritage sites contained within the property, including an artefact scatter in the north east corner of moderate significant and a cultural place across the majority of the land which is of high significance. The proposal will impact on both sites.

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An Aboriginal Heritage Impact Permit must be obtained from NSW Office of Environment and Heritage by the applicant prior to any works which will impact on the sites. This requirement will be reflected through a condition of consent.

Signage

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

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

The proposal includes a variety of signage as discussed earlier. Primary signage includes pylon signs at the property frontages and fascia and wall signs attached to buildings. Signage zones are indicated on plans for wall and fascia signs however, only locations and written descriptions are provided for pylon signs.

Generally, the proposed signage is considered to be acceptable for the nature of the proposal and typical of signage being applied to a highway service centre. Further, the signage is not considered to dominate the building facades of the property frontages.

The scale and proportion of the pylon signs are not considered unreasonable however, the lack of detail with which to be able to properly consider the impact of the signs are of concern. This is an issue also highlighted by the RMS who has advised that they cannot properly consider the impact of signage at this stage. As such, Council will not approve pylon signage as part of this application and will require a separate application to be made with appropriate level of detail including elevations, signage zones, details of intended sign information (ie advertising and/or business identification).

Parking

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

1. *Car parking is to be located to the side or rear of the development.*
2. *Car parking to be provided at the rate required in Chapter 5 of the NSW Roads & Maritime guide, shown in Table 4.1 below.*
3. *Parking spaces should be designed in accordance with Australian Standard 2890.1 and 2890.2.*
 - *Car parks adjoining public land (including a road) shall be provided with a landscape strip at the interface.*

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- *Car parking to be accessible at all times during the business hours of the premises.*
 - *Car parks to be designed to provide pedestrian connectivity and minimise conflicts between vehicles and pedestrians.*
 - *Loading facilities are to be located at the rear or side of the building and not adjacent to any residential property.*
4. *Loading and unloading facilities are to be provided in accordance with the provisions of Policies Guidelines and Procedures for Traffic Generating Development.*
5. *Loading and unloading areas are to be located separate from other vehicle manoeuvring areas, car parking areas and pedestrian movement areas.*

The development proposes a total of 134 car parking spaces and 21 truck parking spaces across the development. In terms of calculation of car parking where multiple uses are proposed, the total should be calculated by considering each individual use.

The requirements for a 'service station' are "6 spaces per work bay, plus 5 spaces per 100m² GFA of convenience store. If restaurant present, then greater of 15 spaces per 100m² GFA, or 1 space per 3 seats." There are no workbays proposed, however a convenience store of 256m² is proposed, along with a 187m² 46 seat dining area. Against the requirements of the DCP, a total provision of 13 spaces are required for the convenience store and 29 spaces for the dining area. It is also noted that the fuelling forecourts provide ability for standing of multiple vehicles and areas for 'stacking' of cars behind the forecourt.

Requirements for a fast food restaurant are not specified in the DCP. However, within chapter 5 of the RMS Guide to Traffic Generating Developments ("the Guide"), requirements for 'drive-in take-away food outlets' are "developments with on-site seating and drive-through facilities greater of. 1 space per 2 seats (internal), or. 1 space per 3 seats (internal and external)." The proposed fast food restaurant has 24 internal seats and 18 external seats (42 total seats) shown on the plans. This requires a total of 14 spaces, based on 1 space 3 seats.

The guide also states that "... an exclusive area for queuing of cars for a drive through facility is required (queue length of 5 to 12 cars measured from pick up point). There should also be a minimum of four car spaces for cars queued from ordering point." The drive through land measures approximately 27 metres from entry to pick up point which is acceptable against this requirement.

For the restaurant use, again there is no requirement listed in the DCP however, within chapter 5 of the RMS Guide parking requirements for 'restaurant' are "For developments with a gross floor area greater than 100m², the recommended car parking provision should be the greater of 15 spaces per 100m² gross floor area, or 1 space per 3 seats." The proposed restaurant has a total area of 448m² and 152 seats and therefore requires a total of 68 spaces.

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Overall, the total parking requirements for the proposed development are 124. The proposal exceeds this requirement not including the 21 truck parking spaces. Therefore the proposal is considered to be acceptable in relation to parking provisions.

The submitted site plans demonstrate the car parking and truck parking areas are appropriately separated along with defined pedestrian paths and walkways development to provide access to the car parking areas from restaurant and conveniences.

- **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.**

The following table assesses the likely impacts of the development.

ISSUE	ACCEPTABLE	RESPONSE
Context & setting	✓	<p>The subject land is located adjacent to the Hume Freeway and the northern interchange for Holbrook and is able to utilise the interchange and Holbrook-Wagga Road for access. It represents a location which is convenient for vehicle access, particularly heavy vehicles as it can utilise existing large scale interchange infrastructure for access.</p> <p>Land surrounding the property is generally rural, although two dwellings are noted in close proximity to the north east. Generally, the surrounding area is less sensitive to the establishment of a service centre than the township areas. Although the location of nearby dwellings does present some amenity conflicts which are considered separately within this report.</p>

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ISSUE	ACCEPTABLE	RESPONSE
Noise	✓	<p>The proposal includes potential for noise during construction (short term) but a longer term risk of noise during its operational phase.</p> <p>The location already suffers from noise impacts due to the location of the Hume Freeway. The noise report submitted by the applicant indicates that prior to construction of the freeway, two nearby dwellings were required to have secondary noise control works undertaken (double glazed windows) to ensure acceptable levels were not exceeded.</p> <p>In this instance, the applicant's noise report indicates that dwellings at 7 Pinnabar Road and 132 Holbrook-Wagga Road will be subject to additional road traffic noise. However, the noise modelling presented shows that the anticipated noise levels will be within the acceptable limits as set out by the NSW Road Noise Policy. Recommendations of the report include traffic calming, speed limit reductions (40kmh) and signs advising to avoid use of engine brakes and similar.</p> <p>Mechanical plant noise and transient customer noise is identified to be low and given the large buffer distances is not likely to cause significant disturbance to nearby dwellings.</p>
Access & parking	✓	<p>Access to the property is proposed from Holbrook-Wagga Road via a new constructed intersection, capable of accommodating heavy vehicles. Holbrook-Wagga Road is an RMS controlled road and in a response to this application, the RMS have confirmed that the proposed access is suitable subject to a new channelised intersection.</p> <p>The application has demonstrated through compliance with the DCP parking requirements that it can provide suitable on-site parking.</p>
Roads & traffic	✓	<p>The proposal has the potential to generate a significant number of vehicle movements along Holbrook-Wagga Road and the northern interchange. The TIA submitted with the application identifies the projected growth of the Hume Freeway corridor and that the expected peak hour operation of the proposed service centre will not exceed those identified capacities. Further, the RMS has indicated that they have no concerns with the ability of the existing road network to accommodate additional traffic however, has recommended the creation of a channelised intersection for entry to the development as per the applicant's TIA.</p>

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ISSUE	ACCEPTABLE	RESPONSE
Economic	✓	The proposal will provide an economic benefit to the township and shire generally through new direct investment in development, as well as creation of new job opportunities. Conversely, it will also introduce a new large scale retail development into a relatively smaller rural community. The target customers of the development are largely the road users of the Hume Freeway by offering convenient access to fuel and retail services. The location on the fringe of Holbrook may take up some trade for Holbrook, however given the relatively well established retail context of Holbrook, the proposed development is expected to cater for a different target market than those seeking services within the primary township area.
Utilities	✓	<p>The proposal can be serviced by all required services and capacities are adequate to accommodate the additional works.</p> <p>Sewer connection will need to be made to existing sewer pump station facilities within the Holbrook Industrial Estate to the south. The applicant has nominally shown a proposed augmentation of sewer services being underbored through adjoining land and the Freeway to enter the south west corner of the property. Final designs are to be determined prior to works being undertaken, including negotiation with any relevant landowners and/or approvals processes.</p> <p>Likewise, provision of water will require the extension of services from Millswood Road. Riverina Water are the relevant water authority in this instance and the applicant will be required to negotiate an appropriate outcome. Comments have been received by Riverina Water which confirms extensive works will be required and encouraging the applicant to liaise with Riverina Water to determine the most appropriate alignment.</p>
Heritage	✓	There are no heritage items at the site for the highway service centre or on the lot within which it is located.

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ISSUE	ACCEPTABLE	RESPONSE
Archaeology	✓	<p>The application identifies the location of two registered Aboriginal heritage areas within the land with both to be impacted by the works. A number of assessments have been undertaken for the subject land including thorough initial investigations at the time of the Hume Freeway construction.</p> <p>A due diligence of the land was undertaken for this development which is presented within the application. Outside of the two registered areas the site did not represent areas which were likely to contain archaeological items of significance.</p> <p>The two registered areas identified within the land include an artefact scatter of moderate significance and a cultural place of high significance. For the former, the artefact scatter was previously excavated and salvaged prior to the Hume Freeway works. It has been identified as moderate significant due to its overlap with the more significant cultural place. The majority of the development area is within the cultural place which was identified as a ceremonial place with direct links to associated places in the wider region.</p> <p>The applicant will be required to obtain an Aboriginal Heritage Impact Permit (AHIP) prior to impacting upon the areas.</p>
Stormwater	N/A	<p>The proposal will comprise a significant addition of hardstand and roof catchments to the site and will therefore increase surface runoff from the property. The applicant proposes to collect all surface runoff and convey this via an oil and grease separator to a new retardation basin in the western part of the development area and subsequent outfall to drainage facilities constructed along the Hume Freeway. The information presented by the applicant is conceptual and while is an acceptable arrangement, Council will require more detailed assessment to confirm required storages and discharge rates are acceptable.</p> <p>The development is to include an appropriate system for capture of any oil, grease, fuel or other pollutants which may enter stormwater from surface areas of the property. The applicant has indicated a SPEL Purceptor Class 1 system is to be installed which includes hydrocarbon treatment/separation and spill capture. The components of the system are suitable to ensure that any pollutants on site can be adequately contained and removed prior to outfalling to drainage services.</p>

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ISSUE	ACCEPTABLE	RESPONSE
Soils & erosion	✓	Construction works on the property will need to be managed for erosion given the earthworks necessary for the proposal. Temporary erosion control and silt fencing and the like will be required during construction phase to prevent any sediment run-off or erosion. Any works associated with the construction will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> . This will require the implementation of erosion control measures to prevent the transport of sediment in stormwater away from disturbed areas.
Flora & fauna	✓	No trees or vegetation is to be removed from the property.
Flooding	N/A	
Bushfire	✓	The subject land is noted as being partially bushfire prone for a very small area to the south. The risk to the land is from the nearby vegetation to the south west of the Hume Freeway. The risk to the property is considered to be mitigated by the wide managed freeway corridor and cleared nature of the site and surrounds. The risk to the property is considered to be low.
Technological hazards	N/A	None
Safety, security & crime prevention	✓	The scale of the property is such that appropriate design response and treatments assist with the avoidance of security and crime risks. The co-location of the buildings assists in grouping together activities in the central part of the property. Glazing and active frontages from restaurants also provide passive surveillance and discourage anti-social behaviour. Lighting is also essential to the spaces surrounding the building and in this case throughout the car parking areas and pedestrian routes through these areas.
Privacy	✓	The proposal is located on the northern fringe of the town within a predominantly rural setting. The location of two nearby dwellings is noted however, privacy impacts are considered to be mitigated by the landform and separation distances. It is considered that use of landscaping will assist to ensure that privacy will not be adversely affected.
Landscaping	N/A	The proposal will include establishment of new landscaping typical of service centre developments. The landscaping will assist with visual softening of the large development from surrounding locations.
Overshadowing	N/A	None
Land resources	N/A	None

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

The proposed development involves establishing a highway service centre adjacent to the northern diamond interchange of Holbrook. The location of the property is considered to be appropriate for such an activity given its context to the freeway and high accessibility.

The development is not considered to be incompatible with the surrounding rural context of this area of Holbrook.

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

The application was notified in accordance with Section 79A of the EP&A Act and in accordance with the Greater Hume Notification Policy. The notification period was between 21 October 2017 to 6 November 2017.

Council has received one (1) submission from an adjoining landowner objecting to the proposal based on concerns relating to potential amenity conflicts. The issues of concern were summarised in the consultation discussion above with a consideration of each of these issues provided below:

Noise Impacts

The submitter raised concern that increased movement of trucks along Holbrook-Wagga Road and particularly accelerating and braking, will cause an adverse impact to amenity. In response to the submission, the applicant was requested to provide further information.

The potential for noise impacts have been noted by the applicant and discussed within this report. The additional movement of traffic at Holbrook-Wagga Road and access and egress to the property will increase noise which is noted by the noise report submitted with the application.

The noise assessment undertaken by the applicant and provided to Council claims that expected traffic noise from the development at Holbrook-Wagga Road would be 54dBA at the submitters dwelling during night periods. The assessment also states that expected traffic noise at the adjoining dwelling which is more exposed than the submitter's, will be 53dBA. The NSW Road Noise Policy includes assessment criteria to be applied to particular residential situations. The criteria are for assessment of noise levels when measured in front of a building façade. In this instance, applying a sub-arterial road category to an existing residence relevant assessment criteria are LAeq, (15 hour) 60dBA during the day and LAeq, (15 hour) 55dBA during night. On this basis, the proposal demonstrates that it can satisfy the requirements of the NSW Road Noise Policy. It is noted that as part of the data submitted by the applicant, events in which trucks are accelerating at Holbrook-Wagga Road may produce noise events of up to 57dBA at the submitter's dwelling and 64dBA at the adjoining Pinnabar Road dwelling. It should be noted that these noise levels are at external points of the dwelling.

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The potential for noise is identified as a potential issue in this instance however, mitigation works to reduce noise are limited with a sound barrier considered impractical in this instance and also not preferred by the applicant in the submission. It is noted that dwellings impacted by this development were considered likely to be impacted by road noise from the Hume Freeway upgrade and were provided with secondary acoustic treatments in the form of double glazed windows. The applicant suggests some additional mechanisms including speed limit reductions and signage warning of nearby residences to prevent engine braking and excessive acceleration.

The applicant has demonstrated that the proposal will not exceed the thresholds set out in the NSW Road Noise Policy which is used across the state for ensuring road noise is properly and consistently considered. This therefore represents an appropriate and industry accepted standard for quantifying impacts.

Having regard to the above, Council is satisfied that noise from road noise will be within acceptable limits. Given there will be some increase from road noise, Council recommends implementation of all recommended mitigation measures within the noise assessment submitted, including those relating to mechanical plant and transient customer/vehicle noise.

Light glare

The submission received principally raised concern with vehicles egressing the property and headlights being directed into the adjacent dwellings. In response, the assessing officer has undertaken an inspection of the property and proposed access point and further information has been requested from the applicant.

The applicant provided a copy of lighting design for the internal areas which confirms that all lighting will be appropriately directed to avoid impacts upon adjacent properties. In relation to the headlight glare, the application provided the following response:

“In regards to the potential impacts upon nearby residences from lights of vehicles egressing the site to Holbrook – Wagga Road, both dwellings either side of the Pinnabar Road incorporate a moderate amount of screening provided from the site by trees and foliage, which in itself will provide its own level of partial illuminance protection. Notwithstanding this, there is opportunity for any headlight glare from vehicles egressing the site to be further minimised/mitigated through the provision of additional site boundary fencing (solid timber fencing for example) to the corner of each of the subject properties in question, which will restrict any direct light spill upon the nearby residential dwellings. Timber fencing is suggested in order to maintain some form of rural character with the area at this location. Please refer to the below aerial image, which incorporates some marked up shaded “blue” areas indicating where any light spill would be directly focused towards the residential dwellings, and the area shaded in “red” indicating how a potential solid fence along this portion of the common boundary would restrict any direct light onto these dwellings accordingly. The topography is relatively level throughout this part, and therefore a traditional 1.8 metre high boundary fence (in part) would be sufficient to restrict any light spill directly onto the dwellings. It is proposed that, if acceptable to Council, that this solid timber fencing for the area marked in “red” would be fully funded by the developer of the service station.

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Another option may be to include some form of increased landscape areas along these frontages also if desired by Council and the subject land owners. The developer is happy for this matter to be conditioned to Council satisfaction accordingly.”

It is agreed that each dwelling already receives some screening as a result of established trees and shrubs. The issue is one which could be mitigated by way of additional screening devices which is alluded to the by the applicant. Council is supportive of the proposed additional screening, although this is an outcome which requires consultation with the adjoining landowners to appropriately resolve. It may also be more appropriate design outcome to provide additional vegetation screening rather than a partial solid fence.

Council intends to direct the applicant by way of condition of consent, to determine a suitable interface treatment to screen headlight glare from the two adjoining dwellings.

Safety

Concerns have been raised in the submission that additional traffic along Holbrook-Wagga Road may cause additional risks to the landowner’s safe enjoyment of their land.

The adjacent road corridor already carries a high volume of daily traffic in its status as a classified road and the development itself is not considered likely to result in any greater safety impact than already exists. The road and speed condition of this location includes works to slow traffic and improve safety which is likely to benefit the safety of surrounding landowners and other road users.

Privacy

The submission highlighted a general loss of privacy as a result of the 24 hour operation of the development. The suggestion of loss of privacy is considered to be partly a cumulative impact of perceived traffic, noise and safety issues discussed above, along with the increase in visitors to the property over a 24 hour period.

The adjoining properties are rural-residential in nature being situated on large lots and generally surrounding rural activities. Due to the topography between the site of the service centre and the dwellings, privacy impacts are likely to be minimal. Separation distances of over 350 metres can be achieved to the activity areas of the service centre.

Council is satisfied that the proposal will not be an unreasonable impact upon privacy of surrounding properties.

Litter and waste

The submission raises concerns with litter and waste from visitors and use of the site to lead to a general increase in litter in the area.

The applicant advises that the operators of the development will implement and adhere to an Operational Management Plan. The scope of this Plan is expected to cover general maintenance of the property including litter receptacles and cleaning. It is considered that appropriate implementation of a relevant Operational Management Plan will ensure the site and surrounds are maintained in suitable condition.

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Loss of property values

The question of economic benefit or detriment is not a matter for consideration under Section 79C of the EP&A Act. In this instance, the proposal will generate a new commercial investment in Holbrook. Considerations relating to potential economic improvement or detriment have not been substantiated by either the applicant or the submitters and this issue should therefore be given limited weight.

• **79C(e) The public interest.**

The impacts of the proposal on the environment in general and on adjoining properties has been considered and addressed. Having regard to the issues raised and discussed in this report, it is considered that the proposal is not contrary to the public interest.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

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

After considering the requirements of Section 79C of the EP&A Act, the proposal is recommended for approval subject to the following conditions.

RECOMMENDATIONS

That application DA2017.127.1 for a highway service centre, associated infrastructure on land at Holbrook-Wagga Road, Holbrook and subdivision and boundary alignment of land described as Lot 18 DP1158310 and Lots 101 and 102 DP817824 be approved subject to the following conditions:

Deferred Commencement Approval

- 1 Council hereby grants a 'Deferred Commencement Approval' for the a highway service centre, associated infrastructure on land at Holbrook-Wagga Road, Holbrook and subdivision and boundary alignment of land described as Lot 18 DP1158310 and Lots 101 and 102 DP817824. In accordance with Section 80(3) of the Environmental Planning and Assessment Act, this development consent will not operate until the following matters have been completed to the satisfaction of Council:
 - a. Evidence is to be supplied to Council that the applicant has obtained an Aboriginal Heritage Impact Permit (AHIP).

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b.

In accordance with Clause 95(3) of the Environmental Planning and Assessment Regulation 2000 the “Deferred Commencement Approval” is valid for a period of Twelve (12) Months from the date of this consent. If Council is not completely satisfied within this time period as to the completion of the above matters, the development application will be “Refused” and a separate notice sent to you.

If the matters listed in the “Deferred Commencement Approval” above are satisfied Council will grant a separate “Operational Approval Conditions” for the development subject to the conditions contained in the notice of determination.

APPROVED PLANS

1 Compliance with Plans & Conditions

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

2 Expiry

This approval shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.

3 Signs – Separate DA Required

No advertising signage with frontage or exposure to the Hume Highway is approved as part of this Development Application. Further Development Application(s) with accompanying detailed information is to be submitted to the consent authority for assessment.

A separate development application for any pylon signs must be submitted to and approved by Council prior to the erection or display of such signs.

Any advertising signage is to be assessed against and comply with the provisions of State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage., and the Department of Planning’s *Transport Corridor Outdoor Advertising and Signage Guidelines* (July 2007). As a minimum the following condition is appropriate but is to be considered in association with the provisions for advertising structures under SEPP64.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

4 Connection to Holbrook Reticulated Sewerage

Construction details showing how the development will be connected to the Holbrook reticulated sewerage are to be submitted to Council for approval.

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5 Payment of Development Servicing Contribution

In accordance with Councils Section 64 contributions plan an assessment of the equivalent tenements per m² for the proposed development reveals that a sewer contribution of \$78,802 is payable.

6 Connection to Riverina Water Reticulated Water Supply

The applicant is to make an application for a certificate of compliance for water supply to Riverina Water and a certificate of compliance is required prior to issue of the construction certificate.

7 Screening – 7 Pinnabar Road and 132 Holbrook-Wagga Road

The applicant is to submit for further approval of the responsible authority details of screening at the fence of 7 Pinnabar Road and 132 Holbrook-Wagga Road. The screening may be in the form of fencing or landscaping, or a combination of both, and must demonstrate that the design can prevent headlight glare from the development to the adjoining dwellings.

8 Drainage – Treatment separator device

Detailed plans shall be provided to Council which indicate type, size and location of proposed separators/pre-treatment devices. This information should include details as to how the retardation basin will be fenced.

9 Section 94A Levy Development Contributions

Prior to the issue of a construction certificate, a receipt for the payment to Greater Hume Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$83,694.68

NOTE: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI).

10 Outstanding Long Service Levy Fee

Prior to the issue of a construction certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of Building Works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment.

Payment can be made to Greater Hume Council or direct to the Long Service Levy Corporation.

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11 Protection of the Environment Operations Underground Petroleum Storage Systems

The applicant is to submit for approval by the consent authority detailed plans and documentation demonstrating compliance with the relevant provision of the Protection of the Environment Operations Underground Petroleum Storage Systems Regulation 2014.

12 Satisfaction of Noise Assessment Stipulation

The applicant is to submitted updated calculations based on the selected equipment to support and substantiate the Environmental Noise Impact Assessment by Atkin Acoustics Pty Ltd dated July 2017 Report Number 47.7083

13 Pollution Control Valve

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that the design of the stormwater drainage system will contain all pollutants on the property and that all stormwater outlets from the property will contain a vandal resistant remote control valve capable of being closed off from a conspicuous position.

14 Stormwater Drainage Certificate

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;

15 Approval Required Prior to the Issue of Construction Certificate

The following documentation is to be submitted to Council or the Accredited Certifier, prior to the granting of the construction certificate:

- a. Local Government Act Approval Stormwater Disposal System
- b. Plumbing and Drainage Act Approval – Subfloor Drainage

Note: Some of the RMS conditions are required to be completed prior to construction certificate.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

16 Construction Certificate Required

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

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Enquiries regarding the issue of a construction certificate can be made to Council on 02) 6029 8588.

17 Appointment of a Principal Certifying Authority

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

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

18 Notify Council of Intention to Commence Works

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

19 Kerb and Gutter Protection

Prior to the commencement of any works on site, the developer shall provide and lay adequate footpath, kerb and gutter protection at all points of entry to the site in accordance with Council's Code of Protection of Footpaths and Erection of Hoardings. This protection shall be maintained in good condition throughout the course of construction.

20 Erosion and Sedimentation Control

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

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

21 Toilet Facility

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

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22 Sign During Construction

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

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

Note: A \$600 on the spot fine may be issued for non-compliance with this condition.

23 Proposed Sub-floor and Sewer Drainage Plan

A proposed Sub-floor and Sewer Drainage Plan for the service station shall be submitted to and approved by Council prior to the commencement of any such works.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

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

24 Interim/Final Occupation Certificate Required

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

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

25 Operational Management Plan

The applicant shall provide an Operational Management Plan (“OMP”), setting out the operational matters for each of the tenants within the development. Once the OMP has been endorsed it will form part of this consent.

26 Completion of landscape works

Prior to the issue of an occupation certificate, evidence must be provided to Council that the landscape works have been completed in accordance with the particulars submitted.

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27 NSW Fire Brigade Notification

Prior to the issue of an occupation certificate (Interim or Final), evidence that the NSW Fire Brigade has been notified of the exact location and operational procedures of the proposed stormwater isolation valve to be installed at the subject premises shall be submitted to the Principal Certifying Authority and Greater Hume Council.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Subdivision Certificate.

28 Compliance with conditions

Prior to the issue of a subdivision certificate, the applicant must submit a letter to Council outlining the relevant conditions of consent and how each of the conditions have been implemented and/or satisfactorily addressed.

29 Occupation Certificate

Council will not consent to the issue of a subdivision certificate prior to an occupation certificate for the development being issued by a certifying authority.

30 Subdivision – evidence of supply

Any standard conditions re notice of arrangement and compliance letters from authorities?

GENERAL CONDITIONS

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

31 Compliance with Construction Certificate

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

32 Submission of an Annual Fire Safety Certificate

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

The certificate shall certify:

- a. that each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule, and

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- b. that a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

33 During Construction

During the construction period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building work is to be carried out within the following hours.
1. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones. No work may be carried out on Sundays or public holidays.

Note: On the spot penalties up to \$1,500 for an individual or \$3,000 for a Corporation will be issued for any non-compliance with this requirement.

34 Noise - Operational

The operation of the development must be carried out in accordance with the recommendations of the *Noise Assessment Highway Service Centre Wagga-Holbrook Road Holbrook* report prepared by Atkins Consulting, Rev 00, dated July 2017.

35 Noise

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

36 Maintenance of Land and Buildings

The finishes of all structures are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

37 Amenity - General

The approved development must not adversely affect the amenity of the neighbourhood in any way, including:

- a. the appearance of any building, works or materials used;
- b. the parking of motor vehicles;
- c. the hours of operation;
- d. electrical interference;
- e. the storage of chemicals, gasses or other hazardous materials; or
- f. emissions from the site.

38 Storage of Rubbish

Rubbish skips and the like must not be placed or allowed to remain in the view of the public. Offensive odour must not emit from any rubbish receptacle on the site.

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39 Lighting

All external lighting of the site, including to parking areas and buildings, must be located, directed, baffled and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.

40 Submit a Trade Waste Application

The applicant is to submit a trade waste application to the Greater Hume Council and upon approval enter into a Trade Waste Agreement with the Greater Hume Council.

Reason: To prevent damage to Council's Waste Water Treatment Works and subsequent pollution of waterways, to comply with the Local Government (General) Regulation 2005 and to satisfy Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended.

41 Cross Connection Control or Backflow Prevention Devices

The applicant is to install cross connection control; and/or back flow prevention devices throughout the water supply system, all in accordance with AS/NZS 3500 and the Plumbing Code of Australia.

42 Food Premises

The premises shall comply with the requirements of the Food Act 2003, FSANZ Food Standards Code, and the Australian Standard AS 4674-2004 (Design, Construction and Fit Out of Food Premises) prior to commencement of operations.

43 Notify Council

All food businesses in NSW must either:

- a. Notify the Council of their food activity details; and
- b. Have a nominated Food Safety Supervisor for the premises.

44 Roads and Maritime Services – General Conditions

- a. Pedestrian and vehicular access from the road reserve of the Hume Highway to the development site is to be denied. Appropriate fencing is to be installed to enforce this restriction.
- b. As a minimum a sealed Channelised Right Turn (CHR) and Auxiliary Left Turn (AUL) treatment shall be constructed at the intersection of the proposed access driveway with the Holbrook - Wagga Wagga Road. The intersection treatment is to be designed and constructed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- c. A Channelised Right Turn -Short (CHR(s)) shall be constructed at the intersection of Pinnabar Road with the Holbrook - Wagga Wagga Road to accommodate the right turn movement from the Holbrook - Wagga Wagga Road to Pinnabar Road. As a minimum the design vehicle is to be a B-Double heavy vehicle.

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DEVELOPMENT APPLICATION 10.2017.127.1 – APPLICATION FOR HIGHWAY SERVICE CENTRE, BUSINESS IDENTIFICATION SIGNAGE, TWO (2) LOT SUBDIVISION & ASSOCIATED INFRASTRUCTURE, HOLBROOK–WAGGA ROAD HOLBROOK [CONT'D]

- d. An acceleration lane shall be provided from the intersection of the proposed driveway with the Holbrook – Wagga Road towards the grade separated interchange on the Hume Highway in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- e. The proposed driveway to the Holbrook - Wagga Wagga Road shall be located and the roadside maintained to provide the required Sight Distance criteria in accordance with the Austroads for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.
- f. As a minimum the proposed driveway shall be constructed as a roadway treatment in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services and shall be sealed from the edge of seal for at least 50 metres from its intersection with the Holbrook - Wagga Wagga Road. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- g. The driveways shall be designed and constructed to accommodate the largest size of vehicle likely to access the subject site. The intersection with the Holbrook - Wagga Wagga Road shall be designed and constructed so that vehicles turning between the development site and the road are not required to cross to the opposing travel lane in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.
- h. Any existing vehicular access driveways to the subject property from the Holbrook - Wagga Wagga Road shall be removed and the road reserve reinstated to match the surrounding roadside landform in accordance with Council requirements.
- i. Signage shall be erected within the development to provide motorists with directions from the development site to the Hume Highway. Signage is to be located on Pinnabar Road north of the development site advising that Pinnabar Road is a no through road.
- j. The proposed separation of light and heavy vehicles within the site shall be implemented. Appropriate signage and line marking is to be installed and maintained within the subject site to enforce this requirement and provide for direction to motorist for way-finding through the development.
- k. As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 “Off-street car parking”, AS 2890.2-2002 “Off-street commercial vehicle facilities” and the Austroads Guide to Traffic Management Part 11: Parking. The driveways are to be designed and constructed to accommodate the largest size of vehicle likely to access the subject site.

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- i. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 “Off-street commercial vehicle facilities” and to Councils satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
- m. Facilities are to be provided within the car park to facilitate safe pedestrian movements throughout the car park. Pedestrian crossing stripes are not to be placed as it resembles to the pedestrian crossing on the road and creates confusion as to who has the priority. Raised pedestrian walkways enhance the visibility of the walkway and the safety of pedestrians.
- n. The development is to be designed and managed to ensure that vehicles do not queue onto the road reserve of the Holbrook - Wagga Wagga Road.
- o. Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
- p. A Full time “No Stopping” restriction is to be implemented along the western side of the Holbrook - Wagga Wagga Road for the full frontage of the subject property to that road prior to commencement of any works.
- q. All activities including, loading and unloading associated with this development are to take place within the subject site. Fill points for petrol and gas storage are to be located to so that tankers can stand clear of access driveways and not impede vehicular access through the development site. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
- r. Suitable drainage treatment is to be implemented to retard any increased storm water run-off directly from the subject site onto the adjoining road reserve. Any access driveway shall be designed and constructed to prevent water from proceeding onto, or ponding on, the carriageway of the adjoining public road network. Any culvert proposed to be located within the clear zone of the Holbrook - Wagga Wagga Road for the posted speed limit shall be constructed with a driveable type headwall.
- s. Any damage or disturbance to the road reserve of the Hume Highway or to the Holbrook - Wagga Wagga Road is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access driveways to the subject property from the Hume Highway or to the Holbrook - Wagga Wagga Road shall be removed and the road reserve reinstated to match the surrounding roadside landform in accordance with Council requirements.

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- t. A management plan to address construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the public road network. Access to the development site shall be from the Holbrook - Wagga Wagga Road only. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- u. Detailed design plans for any proposed works, or works required by a condition of consent, within the road reserve of a classified road are to be submitted to Roads and Maritime Services for approval prior to the commencement of such works. On Classified Roads the geometric design and pavement designs must be in accordance with guidelines adopted by Roads and Maritime Services including the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit.
- v. Any works within the road reserve of a Classified Road requires concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.
- w. Legal vehicular access shall be provided via the proposed driveway to the development from the Holbrook – Wagga Wagga Road to Lots 101 and 102 DP 817824 and Lot 18 DP 115 8310 or the residue of those allotments following subdivision.
- x. No advertising signage with frontage or exposure to the Hume Highway is approved as part of this Development Application. Further Development Application(s) with accompanying detailed information is to be submitted to the consent authority for assessment.
- y. Works associated with the development shall be at no cost to Roads and Maritime Services.

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 79C of the *Environmental Planning and Assessment Act 1979*, as well as Section 80A 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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2. DEVELOPMENT APPLICATION 10.2017.166.1 – LANDSCAPE MATERIAL SUPPLIES YARD LOT1 DP 350735 LOT13 DP927736 - 153-155 ALBURY STREET HOLBROOK

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council is in receipt of a development application for a landscaping material supplies yard. The site is 153-155 Albury Street Holbrook described as Lot 1 DP350735 and Lot 13 DP927736 ("the subject land"). The applicant is Blueprint Planning and landowner is Holbrook Stores Pty Ltd.

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

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

It is proposed to establish and operate a landscaping material supplies yard for the existing Holbrook Stores. Undertaking the development will involve site levelling and grading earthworks, vegetation removal, stormwater drainage works, placement of concrete bunkers, security lighting and fencing works and advertising signage.

The part of Holbrook Stores to be used for the proposal is Lot 1 DP350735, with rear vehicle access to and from Thorpe Street over Lot 13 DP827736. The proposed site plan is attached as **ANNEXURE 2**.

ASSESSMENT

A development application is required to be assessed by Council against the following 'matters for consideration' listed in Section 79C(1) of the EP&A Act.

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

State Environmental Planning Policies

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 land, perusal of Councils contaminated lands records indicates that the land is not contaminated.

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

The subject land is zoned RU5 Village under the LEP and the landscape and materials supply yard best fits the LEP land use definition of '*Commercial Premises*' being:

commercial premises means any of the following:

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

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Where retail premises is defined as

***retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:*

- (a) bulky goods premises,*
- (b) cellar door premises,*
- (c) food and drink premises,*
- (d) garden centres,*
- (e) hardware and building supplies,*
- (f) kiosks,*
- (g) landscaping material supplies,*
- (h) markets,*
- (i) plant nurseries,*
- (j) roadside stalls,*
- (k) rural supplies,*
- (l) shops,*
- (m) timber yards,*
- (n) vehicle sales or hire premises,*

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note.

*Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.*

A Commercial premise is permissible with consent in the RU5 village zones.

The objectives of the RU5 Village zone are:

1 Objectives of zone

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

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

No other provision of the LEP relate to this proposal.

Clause 5.10 of the LEP relates to Heritage conservation and adjacent to the subject land is the Holbrook Stores which is a heritage item listed in the LEP. Clause 5.10(5) indicates that:

The consent authority may, before granting consent to any development:

- a. on land on which a heritage item is located, or
- b. on land that is within a heritage conservation area, or
- c. on land that is within the vicinity of land referred to in paragraph (a) or (b)

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require a heritage conservation management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item before granting consent under this clause.

Council is not mandated to require a heritage conservation management plan despite the proposed landscaping materials supply yard being in the vicinity of the Holbrook Stores. In this instance, it is not considered necessary because the assessing officer considers that if suitable landscaping was provided to the Albury Street frontage adjacent to the driveway, then the development would significantly improve the appearance of Albury Street and be complementary to the Holbrook Stores.

Clause 6.7 pertains to the provision of essential services and it is a requirement that adequate arrangements to make essential services available when required. The applicant has indicated that all services are currently connected to the subject land.

Development Control Plans

There are matters within Chapter 4 “Commercial Development” of the *Greater Hume Development Control Plan 2013* (“the DCP”) that are directly relevant to the proposal, which are discussed in the following table.

REQUIREMENT	OBJECTIVE	RESPONSE
Location	<ul style="list-style-type: none"> • To consolidate existing town centres • To discourage isolated commercial development. • To encourage infill development within existing town centres. • To increase retail expenditure in Greater Hume by enhancing the town centres. 	The landscaping material supply yard is to be located on vacant land in the main commercial precinct of Holbrook. The location is considered to be satisfactory relative to the objective of this requirement.
Appearance and Design	<ul style="list-style-type: none"> • Encourage the use of a combination of materials articulation and fenestration when designing buildings. • A positive contribution to the existing character and streetscape of the town centres. • Encourage and promote and consistent and attractive streetscape in terms of building bulk, height, setbacks, street furniture, signage and building designs. 	If landscaping was provided it is the assessing officer’s opinion that the development of the site as a landscaping material supply yard would be a significant improvement over the predevelopment subject land.
Landscaping	Landscaping is of a standard that enhances the amenity of the development and commercial areas.	It is certainly possible to provide suitable landscaping along the front boundary line. A condition of consent will require the submission of landscaping plan.

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REQUIREMENT	OBJECTIVE	RESPONSE
Heritage	Ensure new development is compatible and sympathetic to heritage items.	The subject land is in the vicinity of a Heritage item and it is within a Heritage Conservation Precinct nominated within Greater Hume DCP. As mentioned the assessing officer is of the opinion that with appropriate landscaping the development on balance will be a betterment for the heritage conservation area and not detract from heritage items that are in the vicinity.
Signage	Signage does not detrimentally affect the character and amenity of the area.	The applicant advises that one non-illuminated business identification sign is proposed to the Albury Street frontage of the site. It will be proportional to the frontage of the subject land and will be safely located.

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.

ISSUE	ACCEPTABLE	RESPONSE
Context & setting	✓	The proposed landscaping material supply yard will be acceptable in this location with some landscaping to enhance its appearance. It will be an improvement over the existing vacant lot. It is thought that the business may evolve to sell some plants and garden ornaments and similar businesses are not uncommon in a rural township main street.
Noise	✓	The proposed landscaping material supply yard is situated primarily along Albury Street. The hours of operation is proposed to be 7:00am to 6:00pm, Monday to Friday (excluding public holidays) and 9:00am to 4:00pm, Saturday and Sunday. There is quite a distance to the nearest residence which will mitigate noise. It is considered unlikely that a noise issue should arise. A condition of consent will be imposed on the Development Consent.
Access & parking	✓	Access to the proposed landscaping material supply yard from Albury Street and Thorpe Street will be acceptable.
Roads & traffic	✓	The proposal will be accessed primarily from Albury Street and to a lesser extent Thorpe Street. The effect of additional traffic on Albury Street will be negligible.
Utilities	✓	The proposal will require the use of all utilities and these should be readily available.
Heritage	✓	As mentioned, it is considered that the development will have negligible impacts on heritage items in the vicinity of the development and on the Heritage Conservation Area.
Archaeology	N/A	-
Stormwater	✓	To be connected to the street guttering.

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ISSUE	ACCEPTABLE	RESPONSE
Soils & erosion	✓	Any works associated with the construction will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> . This will require the implementation of erosion control measures to prevent the transport of sediment in stormwater away from disturbed areas.
Flora & fauna	N/A	-
Flooding	N/A	-
Bushfire	N/A	-
Technological hazards	N/A	-
Safety, security & crime prevention	✓	The proposed landscaping material supply yard should not have an adverse effect on this aspect.
Privacy	✓	The landscaping material supply yard will not allow for overlooking of neighbouring properties.
Landscaping	N/A	-
Overshadowing	N/A	-
Land resources	N/A	-

The suitability of the site for the development

The site is suitable for the proposed landscaping material supply yard because it will have little to no impact on adjoining businesses or nearby residents. Compared to the vacant allotment that exists the proposed landscaping material supply yard, with appropriate landscaping along the frontage of Albury Street, will be an enhancement for the commercial area of Holbrook.

Any submissions made in accordance with this Act or the Regulations

A submission that relates to dust issues arising from a driveway that discharges to Thorpe Street have been received (**ANNEXURE 2**). It is considered that the concerns of the objector is warranted and to address this concern it is suggested that the first 25 metres of the access road from both Thorpe Street and Albury Street be sealed (proposed condition of consent).

The public interest

The question of ‘public interest’ within the context of Section 79C(1) 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 public benefit of the landscaping material supply yard because it will provide a service for Holbrook residents and generate employment. In comparison to the appearance of the vacant allotment the landscaping material supply yard with landscaping will be an improvement. Through sealing of the driveways the concerns relating to dust can be adequately addressed. Other suitable conditions of consent will ensure that the development does not affect the amenity of the area surrounding the subject land.

BUDGET IMPLICATIONS

Nil.

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CONCLUSION

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

4. approve the application, with or without conditions;
5. defer the application for further information or redesign; or
6. refuse the application.

After considering the assessment requirements of Section 79C of the EP&A Act, the application is supported for conditional approval.

RECOMMENDATION

Pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 consent be granted to development application 10.2017.166.1 for a landscaping material supply yard on Lot 1 in DP3507354 and Lot 13 DP827736 153-155 Albury Street Holbrook subject to the following conditions:

PLANNING CONDITIONS

APPROVED PLANS

1 Compliance with Plans and Conditions

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by a Certifying Authority. The Certifying Authority can be either Greater Hume Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

2 Landscaping Plans

Prior to the issue of a construction certificate, plans for landscaping of the street frontage of Albury Street is to be submitted to Council for approval.

3 Service Provider Requirements

Prior to the issue of a construction certificate, the following service provider requirements shall be submitted to the Certifying Authority:

- a. Riverina Water – A Compliance Certificate from Riverina Water must be obtained. The Notice must be submitted to the Certifying Authority prior to the issue of a Final Occupation certificate.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

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4 Construction Certificate Required

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

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

5 Appointment of a Principal Certifying Authority

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

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

6 Notify Council of Intention to Commence Works

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

7 Sign During Construction

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

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

Note: A \$600 on the spot fine may be issued for non-compliance with this condition.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

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

8 Interim/Final Occupation Certificate Required

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

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

9 Sealing of the Driveway Thorpe and Albury Street

To minimise dust a bitumen seal is to be applied to the first 25 metres (starting at the alignment of the road) of the driveway connecting the development with both Albury Street and Thorpe Street.

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10 Landscaping to be Completed

The provision and maintenance of landscaping is required in accordance with the approved landscaping plan.

GENERAL CONDITIONS

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

11 Compliance with Construction Certificate

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

GENERAL CONDITIONS – DEVELOPMENT PLANNING

12 Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.

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3. TRIAL HARD WASTE COLLECTION TO BE CONDUCTED IN CULCAIRN

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

To advise Council on progress that has been made to provide a trial hard waste collection for the township of Culcairn. The report will indicate that the time period allocated for the delivery of the trial has not been able to be met and so the report will advise Councillors on the anticipated time frame for delivery of the trial hard waste collection.

DISCUSSION

At Council's August 2017 Ordinary meeting Council considered a report made in response to a question on notice from Councillor Hicks for a report on the budgetary impacts on a hard waste collection for the towns and villages across the shire along with issuance of vouchers for rural landholders. In response to the Council report the following resolution was made:

That Council trial a hard waste collection in the Culcairn township and the activity be undertaken prior to 28 February 2018.

Planning for the hard waste collection began after August 2017 Ordinary meeting and the process involved staff considering how the collection would be undertaken which included the following:

- Determining how to best collect and remove the material;
- Whether Council resources could be utilised or whether the collection would need to be done utilising contract staff and equipment;
- Safety and environmental considerations;
- Promoting the availability of the collection to residents.

It is advised that the abovementioned planning has been completed and Council's staff determined that contract staff would undertake the collection.

A scope of works for the collection was prepared to enable contractors to quote on undertaking the collection and it contained the following information:

- outlines the material that would be collected from those that will not be collected;
- requires that recyclable material be separately collected and not mixed with the general material;
- stipulates requirements of a traffic control plan for the collection;
- nominates that road verges and nature strips be left clean and tidy with all rubbish removed.

Three local businesses were invited to provide a quotation and to date only one quotation for undertaking the collection has been received.

Once it is established that all quotations have been received it will be necessary to finalise the lead time that the successful contractors require and then promote the availability of the hard waste collection to residents. The promotion of the hard waste collection will involve the delivery of advertisement material to residents by Australia Post or other acceptable methods.

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TRIAL HARD WASTE COLLECTION TO BE CONDUCTED IN CULCAIRN [CONT'D]

It is considered that at least 4 weeks' notice of the proposed collection will be provided to residents. This period of time will allow decisions to be made about what items to discard through the collection. Also some residents may need to arrange assistance to place heavy items on the street/road verge.

Although considerable work has been undertaken to facilitate the hard waste collection it will not be possible for the collection to be undertaken within the period nominated in the Council resolution which was 28 February 2018. A range of reasons have contributed to this outcome however, it is apparent from the content of this report that planning and facilitating the collection has proven to be a time consuming process.

The process is now at a stage of appointing a contractor and then determining their lead time. Once this period of time is known then the 4 weeks' notice for residents will commence. Ideally staff would like to have the collection completed prior to 21 April so that works are not being undertaken during winter.

BUDGET IMPLICATION

It is anticipated that the cost of the collection will be \$15,000 - \$25,000 based on five days for collection.

CONCLUSION

This report has provided details to Council on the planning and facilitation that has occurred in order to undertake a trial hard waste collection for Culcairn. It has shown that the planning and facilitation of the collection is a time consuming task which has not been able to be completed by 28 February 2018.

RECOMMENDATION

Council note that the anticipated time frame for completion of the trial hard waste collection for Culcairn township is scheduled to be 21 April 2018.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

GOVERNANCE

1. 2017/2018 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2017

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 2017, detailing key actions contained in the 2017/2018 Delivery Plan and achievements to 31 December.

The six month period has continued to be particularly busy with a number of projects completed or well advanced. No doubt the highlights of the six month period were the official openings of the Jindera Community Hub and the Henty and Holbrook Swimming Pool facilities. Both pool projects were managed to ensure that both reconstructions were undertaken without any interruptions to the pool season. The completion of the Jindera Industrial Estate and the substantial completion of the Henty Streetscape upgrade were other major accomplishments.

Council should be very proud of these outstanding projects undertaken for the betterment of the shire and the enjoyment of residents.

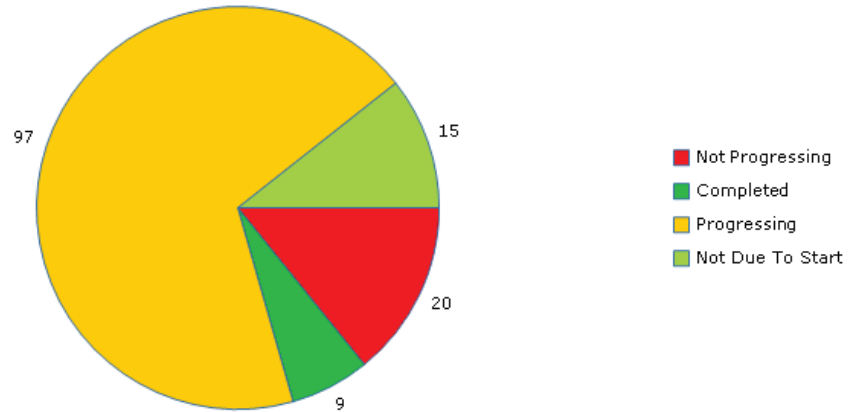
Further I am firmly of the belief that with the additional funding being invested in the road network via the Special Rating Variation and external funding sourced, Council is starting to make real progress in the maintenance and improvement of the road network. Whilst there is still a long way to go in this area I am confident that the strategies recommended by Management and endorsed by Council will serve this Council well into the future.

Below is a snapshot of the progress towards the achievement of Key Performance Indicators (KPI's) which indicates that 9 KPI's have been completed 97 are in progress, 20 have not progressed and 15 are not due to start.

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

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2017/2018 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2017 [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:
 - ✓ Fixing Country Rail – Henty Rail Crossing Relocation Project
 - ✓ Fixing Country Roads – Henty Rail Crossing Relocation Project
(Unfortunately all applications were unsuccessful which will prompt a review of the strategy moving forward to ensure funding is received for this high priority project)
 - ✓ Loose Fill Asbestos Insulation – Community Assistance Grant
 - ✓ Stronger Country Communities Fund – Skate Parks at Culcairn and Jindera, Upgrade Stairs and Viewing Platform at Morgan’s Lookout, Additional funding for the Walla Walla Early Childhood Hub.
 - ✓ Building Better Regions Fund – Dental Clinic
- Revised newsletter format included in 2017/2018 Rate Notices
- Completion of the 2016/2017 Financial Statements and lodgement within statutory timeframe.
- Official Opening of the Jindera Community Hub
- Commencement of the Headlie Taylor Sculpture at Henty with a completion date of May 2018.
- Business Forum held at Jindera – topics: Digital marketing and Solar PV for business
- Reprint of the Business Directory
- Adoption of a new logo and brand concept including new positioning statements ‘Live a greater life’ (Community) and ‘Our location advantage’ (Business and Visitors)
- Assisted with the Ageing with Grace Information day at Holbrook, including event management and promotion.
- Completion of a submission on the draft Model Code of Conduct
- Completion of a review of the rating structure with a report to the December meeting.
- Completion of a review and report to Council on the feasibility of a residential estate at Walla Walla.
- Review of the provision of community transport in the Greater Hume Council undertaken.
- Substantial contribution to the Albury-Wodonga Regional Economic Development Strategy.

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2017/2018 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2017 [CONT'D]

Engineering

- Substantial completion of 2km reconstruction Coach Rd, Gerogery including installation of four culverts
- Heavy patching undertaken on Coppabella Rd and MR331 Culcairn – Holbrook Rd
- Shoulder grading MR 211 Holbrook Wagga Rd
- Tree pruning and removal on various rural roads
- Extensive gravel resheeting works undertaken (75 % of years program)
- Replacement of kerb in front of Holbrook War Memorial Pool complex
- Road works involving installation of kerb and drainage in Hopetoun St, Culcairn
- Kerb and underground drainage completed as part of Streetscape project in Sladen St, Henty
- Spraying and slashing has been ongoing on Rural Regional and State Roads
- Design work undertaken on Urana St – Jindera, Culcairn – Holbrook Rd – Morven, Kywong – Howlong Rd – Brocklesby, Pedestrian Bridges at Ian Geddes Bush Walk – Holbrook.
- Completion of Walla Walla Flood Risk Management Plan.
- Obtained approval of \$2million of Natural Disaster Flooding
- Completed naming of 10 Mile Creek Bridge Holbrook as Germanton Bridge
- Heavy patching on Little Billabong / Tumberumba Rd (MR284) completed under RMCC Contract with RMS
- Spray Sealing of urban streets commenced in Brocklesby, Walla Walla & Jindera
- Road works including 1.1km stabilisation and widening on Alma Park Rd completed
- Shoulder grading on Culcairn – Holbrook Rd (MR331) completed
- Completion of Hueske Rd reconstruction from Urana Rd to Brickworks (Stage 1)
- Completion of Hueske Rd reconstruction from Brickworks to Glenholm Estate (Stage 2)
- Tree pruning and removal on various rural roads
- Contractors commenced drainage works on Dight St, Jindera
- Verandah reinstallation and footpath works as part of streetscape project substantially complete
- Engineering staff restructure – filled 8 construction and maintenance positions and 2 Overseer positions
- Bird repellent installed in four palm trees in Balfour St, Culcairn
- Selected contractor via tendering process for Gravel Resheeting under Natural Disaster Relief and Recovery Arrangements funding
- Completed skate park information for grant proposal.
- Selected tenderer for asphalt works in Albury St, Holbrook via Local Government Procurement
- Jindera Depot connected to new industrial trunk sewer
- Council System Management Plan (CSMP) has been assessed by RMS
- Slashing and grading fire trail on western side of Henty
- Installation of traffic cameras for a two week period in Urana St, Jindera
- Investigation of changed road alignment at Scholz and Shoemarks Rd intersections

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2017/2018 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2017 [CONT'D]

Environment and Planning

- Completed the disposal of stage 1 of the Loose Fill Asbestos demolition program (18 dwellings) at both Holbrook and Culcairn waste management facilities.
- Renegotiated the Memorandum of Understanding with Public Works Advisory to dispose of Loose Fill Asbestos Insulation Waste.
- Undertook a tender process for the management of Council swimming pool facilities. As this process was unsuccessful Council is managing all five pools under day labour for the 2017/2018 Swim Season.
- Called for expressions of interest to operate the kiosks at the Councils swimming pool facilities. All Kiosks operational under lease (except Walla Walla which is being run by the Pool Committee.
- Undertook upgrading works at Lankeys Creek Hall
- Prepared a Council disaster relief facility at the Culcairn Hall
- Undertook a procurement process and installation for a large scale solar panel project on the Culcairn administration building.
- Repainted the Holbrook Hall Supper Room.
- Provide facilities to receive household problem waste at each of Councils waste management facilities.
- Undertook pool opening ceremonies at Holbrook and Henty Swimming Pools
- Managed to engage kiosk operators and sufficient life guards for the operation of the swimming pools
- Assessed high volumes of development applications valued at (\$6,968,358)
- Commenced engaging consultants to prepare plans for the Jindera hall.
- Additional recycling facilities for household problem waste provided at Council offices.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

Council continues to deliver major projects within reasonable timeframes and budget adherence and Council will continue to pursue external funding for major projects such as Henty Rail Crossing Relocation.

Whilst there is still work to do in improving Council's responsiveness and communication the Writer is firmly of the belief that significant improvements have been made both in responsiveness to Customer requests and communication of major projects such as the Henty Streetscape Upgrade.

It is Management's view that Council has made satisfactory progress towards the achievement of Performance Targets included in the 2017/2018 Delivery Plan during the first half of the financial year.

RECOMMENDATION

The report be received and noted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

2. OFFICE OF LOCAL GOVERNMENT – DRAFT MODEL CODE OF MEETING PRACTICE

Report by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider preparing a submission on the draft Model Code of Meeting Practice recently released by the Office of Local Government in December 2017.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil.

DISCUSSION

The Office of Local Government released a draft Model Code of Meeting Practice on 6 December 2017.

Amendments made to the Local Government Act in August 2016 via the Local Government Amendment (Governance and Planning) Act provide for a Model Code of Meeting Practice to be prescribed by Regulation. To date the adoption of a Code of Meeting Practice has not been mandatory although in the past, Greater Hume Council has chosen to adopt a Code of Meeting Practice consistent with the Local Government Act and Regulations.

Once the Model Meeting Code is finalised by the Office of Local Government, councils will have six months to adopt a code of meeting practice based on the Model Meeting Code.

The Model Meeting Code has two key elements:

1. Mandatory provisions (indicated in black font) that reflect the existing meeting provisions of the Act and adapt those currently contained in the regulation.
Councillors should note that the major mandatory change proposed is clause 5.18 which will require that all Council and committees of Council (where all members are Councillors) are to be webcast.

This potentially would impact on Council's ability to rotate meetings between Holbrook and Culcairn and take council meetings to some of the smaller communities within the shire where telecommunications are less than satisfactory and would undoubtedly increase Council's costs to comply with the proposed clause.

2. Non Mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most Councils but where there may be a need for some variation. Type in **bold red** is where a Council can tailor a clause to their particular requirements.

Submissions close on the Model Code of Meeting Practice – Consultation Draft of Friday, 16 March 2018.

The table overleaf provides a comparison between Council's existing Code of Meeting Practice and the Non Mandatory provisions draft Model Meeting Code.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICE OF LOCAL GOVERNMENT – DRAFT MODEL CODE OF MEETING PRACTICE
[CONT'D]

Clause/s	Topic	Non-Mandatory provisions of Model Meeting Code	Council's existing Meeting Code of Practice
3.11	Giving notice of business to be considered at meetings (notice of motion/Question on Notice)	Council to specify notice period required to include on Agenda.	7 clear calendar days before the meeting.
3.13	Limitations to the number of Notice of Motions to be presented by a particular Councillor	Number to be specified by the Council.	No limitation currently specified.
3.14 and 3.15	How Notices of Motion should be treated by the General Manager in certain circumstances	Predominately administrative procedures.	Not covered by Council's existing Code.
3.34 – 3.39	Pre-Meeting briefing sessions	Providing the opportunity for pre-meeting briefing sessions and recommended rules around those briefing sessions.	Not covered by Council's existing Code and unlikely to be required for Greater Hume Council (GHSC)
4.1-4.23	Public Forums	Providing guidance around how public forums should be managed.	Whilst not included within Council's existing Meeting Code, public forums are held immediately preceding each meeting. Clauses 4.1 to 4.23 are reasonably consistent with the manner in which public forums are conducted by GHSC.
5.13	The quorum for a meeting	Providing guidance on cancelling/postponing a meeting when it is apparent that a quorum will not be present.	Not covered by Council's existing Code.
5.21	Audio recordings	Providing the option of audio recording meetings and committee meetings (where all members are Councillors).	Council currently does not audio record meetings.
8.1 & 8.2	Order of Business for Ordinary Council meetings	Council must use either clause 8.1 or 8.2.	Council currently uses an Order of Business similar to 8.2.

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**OFFICE OF LOCAL GOVERNMENT – DRAFT MODEL CODE OF MEETING PRACTICE
[CONT'D]**

Clause/s	Topic	Non-Mandatory provisions of Model Meeting Code	Council's existing Meeting Code of Practice
10.9	Motions requiring the expenditure of funds	If a motion or an amendment requires expenditure of funds then the source should be identified.	This is a sensible recommendation.
11.10 and 20.23	Voting at Council meetings	Providing the option of recording all voting at Council and Committee meetings in minutes.	Currently this occurs for planning matters only.
13.1-13.7	Dealing with matters by exception	Providing the opportunity to adopt multiple items of business by way of a single resolution.	This is similar to existing Council practice where multiple items are referred to Closed Council with a single resolution.
14.11-14.17	Representations by members of the public as to whether meetings should be closed	Whilst these are mandatory clauses it provides guidance as to how representations can be made.	Not covered by Council's existing Code.
15.13 – 15.15	Expulsions from meetings	Providing guidance around excluding people (including Councillors) from meetings for the purposes of section 10 (2)(a) and (b) of the Act.	Not covered by Council's existing Code.
17.10	Rescinding or altering decisions	Provides Council with the option of setting a time limit on when rescission motions on development applications can be lodged.	Currently a rescission motion can be lodged up until such time as the resolution is put into force. For development applications this has meant the time that the development consent was provided to the applicant.
17.12 – 17.14		Providing for the option of enabling a Notice of Rescission or Alteration to be considered as a 'Matter of Urgency' at the same meeting.	Not covered by Council's existing Code.
17.15 – 17.20	Recommitting resolutions to correct an error	Providing the option to recommit a resolution to the same meeting to correct an error or remove ambiguity.	Not covered by Council's existing Code.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICE OF LOCAL GOVERNMENT – DRAFT MODEL CODE OF MEETING PRACTICE
[CONT'D]

Clause/s	Topic	Non-Mandatory provisions of Model Meeting Code	Council's existing Meeting Code of Practice
18.1 – 18.5	Time limits on Council meetings	Providing the opportunity for Council to put time limits on meetings and guidance around any unfinished business will be dealt with.	Not covered by Council's existing Code.

BUDGET IMPLICATION

If webcasting Council meetings became mandatory it will undoubtedly increase Council's costs and may inhibit the ability to rotate meetings between Holbrook and Culcairn and other smaller centres.

CONCLUSION

Whilst Council may not adopt all of the proposed non-mandatory clauses, the large majority may well be adopted by Council and should be supported as non-mandatory clauses.

The only mandatory clause that is of concern to the Writer is clause 5.18 which could potentially impact on Council's ability to rotate meetings between Holbrook and Culcairn and take council meetings to some of the smaller communities within the Shire where telecommunications are less than satisfactory and would undoubtedly increase Council's costs to comply with the proposed clause.

It is recommended that a submission be made seeking to have clause 5.18 – Webcasting of Council Meetings a non-mandatory clause.

RECOMMENDATION

That Council make a submission to the 'Office of Local Government Model Code of Meeting Practice – Consultation Draft' seeking to have clause 5.18 – Webcasting of Council Meetings a non-mandatory clause on the basis that:

1. it potentially has significant cost implications for rural councils where multiple council meeting venues are used and
2. exclude council meetings being held in some communities due to the unavailability of suitable telecommunications infrastructure.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

3. OFFICE OF LOCAL GOVERNMENT – CONSULTATION DOCUMENT ON THE PROPOSED COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider preparing a submission on the consultation document for the proposed Councillor Induction and Professional Development Guidelines.

REFERENCE TO DELIVERY PLAN ACTIONS

Strategy – Council is responsive to community needs and priorities

Action 1.1.2.4 – Provide Councillors with support and training to ensure their ongoing professional development.

DISCUSSION

The Office of Local Government (OLG) released a consultation document for the Proposed Councillor Induction and Professional Development Guidelines on 6 December 2017.

Under the proposed Guidelines Council will need to develop Councillor Induction and Professional Development programs.

OLG Circular No. 17-39 outlines that these programs will have three key elements:

1. 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 encouraged)
Council has supported pre-election candidate seminars at past elections
2. 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.
Council has rolled out Councillor induction programs including Induction Manuals following previous elections.
3. Professional development program – this is to be developed in consultation with all councillors and delivered over the term of the council to build skills, knowledge and personal attributes necessary to be an effective mayor or councillor.
Whilst Council provides professional development opportunities to Councillors, in the future this need to be developed individually with each councillor and formalised.

In addition councils will be required to publically report to the council on the induction and ongoing professional development activities offered to the Mayor and each Councillor and whether they have participated in them. This information will also be required to be made publically available on council websites.

The Guidelines also recommend that each council adopt a Councillor Training and Development Policy.

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OFFICE OF LOCAL GOVERNMENT – CONSULTATION DOCUMENT ON THE
PROPOSED COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT
GUIDELINES [CONT'D]

It is the writer's view that the Council is already substantially complying with points 1 and 2 above and point 3 is good practice albeit at an increased cost to Council. It is recommended that a submission be forwarded to the Office of Local Government supporting the proposed Councillor Induction and Professional Development Guidelines but pointing out that it will come at an additional cost to Council.

Submissions on the proposed Councillor Induction and Professional Development Guidelines close on Friday 16 March 2018.

BUDGET IMPLICATIONS

Whilst yet to be quantified it is anticipated that individualised and formalised professional development programs for each Councillor will require an additional budgetary allocation over and above the existing allocation (\$10,000pa)

CONCLUSION

It is the Writer's view that the Council is already substantially complying with points 1 and 2 above and point 3 is good practice albeit at an increased cost to Council. It is recommended that a submission be forwarded to the Office of Local Government supporting the proposed Councillor Induction and Professional Development Guidelines but pointing out that it will come at an additional cost to Council.

RECOMMENDATION

That a submission be forwarded to the Office of Local Government supporting the proposed Councillor Induction and Professional Development Guidelines but pointing out that it will come at an additional cost to Council.

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4. OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider formally resolving to form part of a Joint Organisation based on the current REROC membership.

REFERENCE TO DELIVERY PLAN ACTIONS

Strategy Strong relationships and effective partnerships
Action 1.1.4.2 Cooperatively work with surrounding councils to identify where resources and costs can be shared

DISCUSSION

A preliminary report on the formation of Joint Organisations was presented to the December 2017 meeting of Council where by Council resolved the following:

That Greater Hume Council advise REROC that it is supportive of a Joint Organisation based on the current REROC membership with the addition of Albury and Federation if it is the desire of those Councils or alternatively a REROC Joint Organisation based on the current REROC membership.

The following information is provided to Councillors as background information.

The proposal to establish Joint Organisations was a key recommendation of the final report (released in October 2013) of the NSW Independent Local Government Review Panel (ILGRP) titled 'Revitalising Local Government.

In that report it recommended that 15 JO's be established across the State excluding metropolitan Sydney and the Central Coast. The State Government response to the ILGRP report released in September 2014 supported the recommendation of the Panel.

The report recommended that Greater Hume Council be included in a JO with Albury and the then Corowa and Urana Councils (now Federation). Council argued strongly at the time that a JO with just four member Councils was far too small to be effective and that Council was a better fit with the Riverina JO.

In September 2014 the REROC Board resolved to embrace the JO process by volunteering to trial the concept as one of five pilot JO's. REROC lobbied the Office of Local Government to include Greater Hume Council in the pilot JO and who ultimately recognised the shared community of interest and agreed to the inclusion of Greater Hume Council.

REROC adopted a JO charter at the February 2015 Board meeting and the pilot was conducted over the course of that year. The conclusion of the JO pilot coincided with the announcement of proposed forced amalgamations that impacted 50% of the REROC General Purpose Councils. REROC, along with the four other Pilot JO's made recommendations to the Office of Local Government on how JO's could be enhanced.

Further background papers we released by the Office of Local Government in May and June 2016 with final proposed boundaries released later that year which included AlburyCity in the Riverina JO. The inclusion of AlburyCity in the proposal was not supported by that Council.

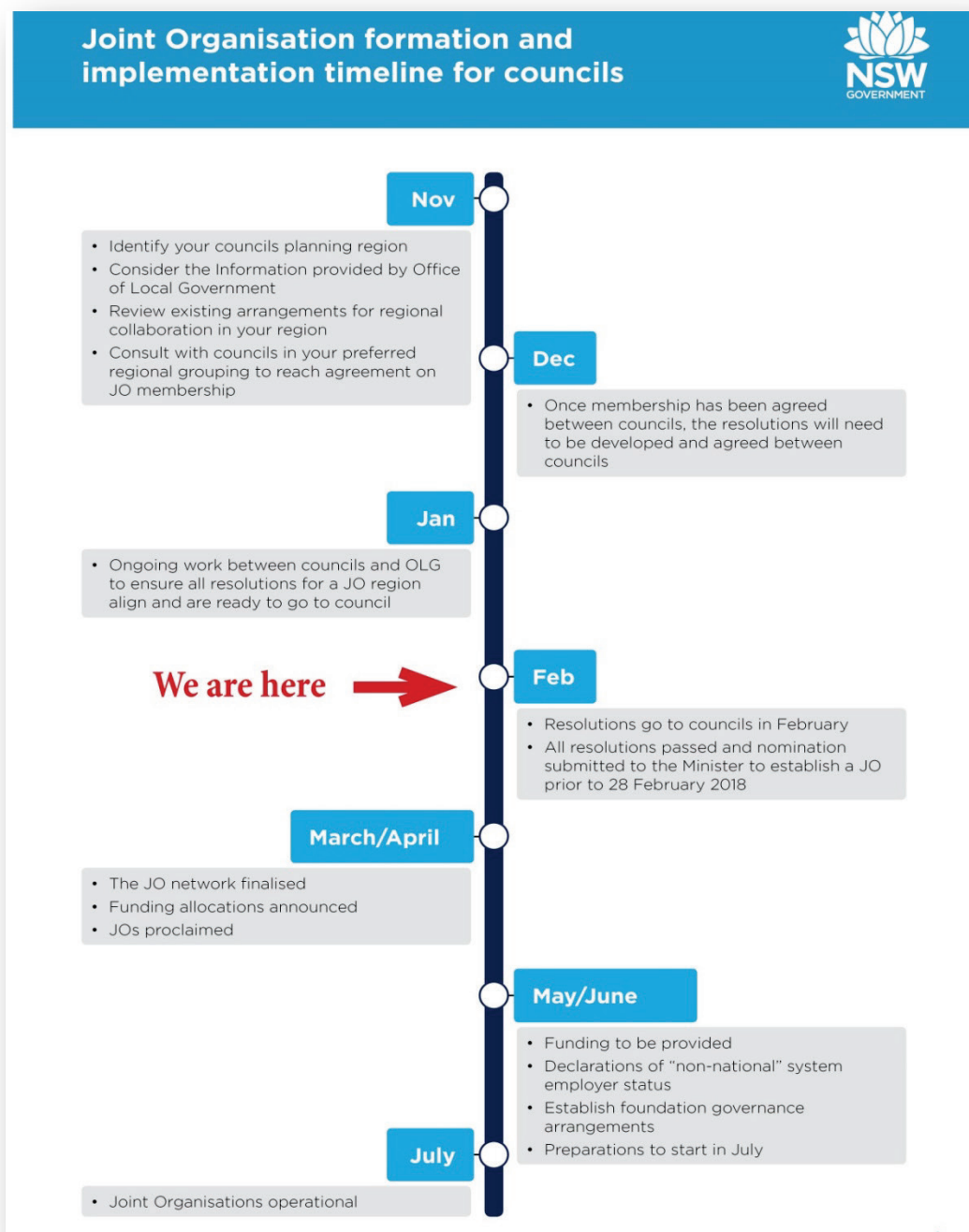
**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS [CONT'D]

In November 2017 the Office of Local Government announced that JO's would be established in rural NSW in 2018, however in a major departure for previous positions membership would be voluntary.

Further correspondence on the proposal has now been received from the Office of Local Government providing precise detail on the timeline and how Council should frame a resolution to be part of a Joint Organisation

The timeline for the formation of JO's is outlined below.



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OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS [CONT'D]

REROC hosted a workshop on the issue on 18 December 2017 where the consensus of member councils was that REROC should form a Riverina JO based on:

1. The current REROC membership along with Albury and Federation if that were desirous of participating or if Albury and Federation declined the invitation then
2. A Riverina JO based on the current REROC membership.

The matter was further considered by the REROC Board on 1 February where it was advised that neither Albury or Federations Councils were interested in participating in a Riverina JO.

The following is an extract from the minutes REROC Board Meeting held on 1 February.

Cr Firman invited J. Briggs to make some comments in relation to the operation of the Joint Organisation (JO) and the structural options under consideration. J. Briggs spoke in favour of Option One, after which she, T. Cornell and K. Hardy left the room.

Cr Firman opened the discussion expressing a desire for full and frank discussion in a respectful manner. The basis for the discussion was the Structure and Budget Options' Paper that had been distributed to the Members.

Option One – was presented by Cr Schirmer. Cr Schirmer spoke in favour of Option One, he was supportive of the CEO's comments; REROC was a successful model with tangible benefits. The Option provided a safety net with a view to making a balanced decision after two years. T. Donoghue explained the budget.

Option Two – was presented by Cr Smith. Cr Smith advised he was in favour of Option One but would attempt to give an unbiased presentation of the option which proposed disbanding REROC and combining the two organisations into a single JO. T. Donoghue explained the budget.

Option Three – was presented by Wagga City Council. Cr Conkey advised that he felt it was not an option to not be in a JO and that Wagga Wagga should be in one. P. Thompson acknowledged that Option Three was an eleventh hour proposal that arose after a special meeting of Wagga City.

P. Thompson spoke to the proposal that would result in the JO and REROC running completely independently of each other. This would be appropriate because they were performing different roles and required different skill sets. JOs would be where State funding will be allocated through in the future and the JO would be in a pivotal position to source funding. He believed the budget submitted in the Options Paper was incorrect and too expensive, Wagga Wagga City have a room that could be provided for the JO's use.

T. Donoghue spoke to the budget, advising that it had been costed as a completely separate entity and therefore included figures for commercial rent.

Cr Firman asked for general discussion. A. Crankanthorp questioned T. McDonald as to her opinion in relation to what the State wanted. She advised that it would not be appropriate to give an opinion on what the best option was, and that all options met the intention of the legislation.

S. Pinnuck moved the Executive's recommendation, which was seconded by Cr N. Smith. S. Pinnuck spoke in favour of Option One. R. Smith asked T. McDonald when the Regulations for the JOs would be available. She advised that she did not know but that she would follow-up with the OLG.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS [CONT'D]

*Cr N. Smith, spoke in favour of the recommendation. Cr G. Conkey spoke against the recommendation. T. Donoghue spoke in favour of the recommendation. Cr T. Lord expressed concern over the time frames for making the decision.
P. Thompson asked if a council was not a member of the JO could the council continue to be a member of REROC.*

It was noted that each council would need to take the resolution back to their council for confirmation and that the resolution was not binding on individual councils as it was a decision for each individual council as to whether or not the council would be involved in a JO.

Moved S Pinnuck, seconded Cr N. Smith REROC Board recommends the adoption of Option One and its Explanatory Notes to its Member Councils, with a full external review undertaken after 18 months of operation with the outcomes of the review to be put to the Board.

A vote was taken:

For: *Bland, Coolamon, Cootamundra-Gundagai, Greater Hume, Junee, Lockhart, and Temora*

Against: *Wagga Wagga and Snowy Valleys*

CARRIED

Moved S. Pinnuck, seconded Cr N. Smith that a Member Council of REROC be allowed to continue its membership of REROC if it chooses not be in the REROC JO

CARRIED

Details on the Options 1 to 3 are **ENCLOSED SEPARATELY** for Councillors' information.

In voting against Option 1 it should be noted that Wagga Wagga have indicated their preparedness to participate in a JO with REROC member Councils but would prefer it to be a totally separate entity to REROC including a separate Executive Officer (Option 3).

The consensus of REROC Councils was the development of JO's is still very fluid with the Regulations governing JO's still to be released and Option One presented the least risk option to member Councils at this point. Option 1 was ultimately carried by the REROC Board.

In relation to the formation of a JO the Office of Local Government has been very specific in how a Council must resolve if it wishes to be part of a JO and this has been reflected in the recommendation.

BUDGET IMPLICATIONS

Assuming that all REROC member Councils ultimately participate in the Riverina JO the cost of membership will be in line with estimates included in forward projections.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS [CONT'D]

CONCLUSION

As has been articulated in this report JOs have been under discussion for almost four and a half years and yet the Regulations governing how JOs will operate are yet to be released.

Given the long period of time to get to this point together with a major departure from the original proposal (membership is now voluntary), the consensus of REROC Councils is that the development of JO's is still very fluid and Option One presented the least risk option to member Councils at this point.

RECOMMENDATION

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Greater Hume Council resolves:

1. That the council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - Bland Shire Council
 - Coolamon Shire Council
 - Cootamundra Gundagai Regional Council
 - Greater Hume Council
 - Junee Shire Council
 - Lockhart Shire Council
 - Snowy Valleys Council
 - Temora Shire Council
 - Wagga Wagga City Council
4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) with a copy of this resolution including the date on which Council made this resolution, and
 - b) inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

5. GENERAL MANAGER'S LEAVE

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

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

REFERENCE TO DELIVERY PLAN ACTIONS

Statutory matter.

DISCUSSION

It is advised that the writer will be on annual leave from Friday 18 May to Sunday June 17 2018 (20 working days and 1 public holiday).

Following discussions with the General Manager, the Mayor has appointed Council Director Engineering, Greg Blackie to act in the position of General Manager for the period Monday 21 May to Sunday 17 June 2018 a period of 20 working days.

BUDGET IMPLICATIONS

Nil, as allowances are made within recurrent budgets for additional payments for acting roles.

CONCLUSION

This is an information report is in accordance with the Mayoral delegation.

RECOMENDATION

That the report be received and noted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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6. UPDATE ON THE PROPOSED WALLA WALLA EARLY YEARS CHILDHOOD HUB

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To provide Councillors with an update on the proposed development of an Early Years Childhood Hub (EYCH) at Walla Walla.

REFERENCE TO DELIVERY PLAN ACTIONS

DISCUSSION

As Councillors are aware, following significant lobbying from the Walla Walla community, Council submitted a Building Better Regions Program funding application for the establishment of an EYCH at Walla Walla in early 2017.

Table 1 outlines how the funding application was structured:

Total project cost	\$534,000
Contributions	
Building Better Regions	\$277,000
Greater Hume Council - Cash	\$237,000
Greater Hume Council – In Kind (land)	\$20,000
Total	\$534,000

A copy of the original concept site plan lodged with the funding application is attached as **ANNEXURE 3**.

Council resolved to contribute (via a loan borrowing) \$250,000 toward the project.

The intent of the project is that Council would provide the building for the Walla Walla EYCH with the service being provided by Albury Wodonga Community Early Years Childcare (CEYC) - a division of the Albury Wodonga Community College.

CEYC provide early years education and care in a number of centre based and mobile facilities including Baranduda, Chiltern, Kergunyah, Kiewa, Mitta Mitta, Wodonga (South Street), Tawonga, Walwa and Yackandandah and at Henty and Walla Walla within Greater Hume.

The Chiltern service has recently been extended to a five days similar to what is proposed at Walla Walla.

A copy of a media report of the opening of the Chiltern facility is attached for Councillors' information as **ANNEXURE 3**.

Following the announcement by the Australian Government that the application was successful further consultation was undertaken with representatives of the Walla Walla community (i.e. Walla Walla Community Development Committee and the Walla Walla Community Hall Committee) regarding the concept included with the funding application.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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UPDATE ON THE PROPOSED WALLA WALLA EARLY YEARS CHILDHOOD HUB
[CONT'D]

A number of concerns were raised including:

- Reduction of car parking for the Hall activities and the EYCH
- Lack of a main street frontage for the EYCH
- Poor access from Queen Street due to the existing business on the corner of Queen and Commercial Streets.
- Having the Children's Service hidden behind the Hall forgoes an opportunity to establish a community hub in Walla Walla.

With the announcement of the NSW State Government's Stronger Country Communities Fund an opportunity arose to expand the project to alleviate some of the community concerns and to ensure that the best outcome was obtained by the Walla Walla and district community.

A Discussion Paper was prepared and the following was submitted to a Council Workshop on 23 August 2017. Below is an extract from that Workshop Paper:

The approval of funding for the construction of a purpose built children's centre at Walla Walla has provided Council with a dilemma that the proposed site is very constrained.

The Walla Walla Community have considered several alternate sites, however it would appear that a location adjacent to the Walla Walla Community Hall is the preferred option.

The establishment of the children's services at this location will further enhance this area as a civic hub in Walla Walla.

Additionally this would allow the children's services project to create a 'main street' frontage which is seen as a very desirable outcome.

The total estimated cost of the revised project scope presented to the Workshop was \$779,000 which presented a shortfall of \$252,000.

A copy of the full Workshop Paper has been **ENCLOSED SEPARATELY** for Councillors' information.

Following the Workshop held on 23 August 2017 a report was submitted to the September meeting of Council at which the following was resolved:

That Council submit the following projects for consideration under the Stronger Country Communities Fund:

1. *Skate Park at Culcairn*
2. *Skate Park at Jindera*
3. **Walla Walla Children's Services and**
4. *Upgrade Stairs and Viewing Platform at Morgan's Lookout.*

**ORDINARY MEETING OF GREATER HUME COUNCIL
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UPDATE ON THE PROPOSED WALLA WALLA EARLY YEARS CHILDHOOD HUB
[CONT'D]

The Stronger Country Communities application for the Walla Walla Children's Services sought funding of \$252,225 which is consistent with the budget presented to the 23 August Workshop.

A copy of the revised project site plan is also attached as **ANNEXURE 3** for Councillors' information. The revised project scope eliminates all of the concerns raised earlier in the report.

In late December 2017 Council received a Business Plan from CEYC and the writer sought clarification on several matters from the CEYC Service Manager.

A face to face meeting was subsequently held on 2 February where clarification was provided on a number of issues including:

- CEYC are currently provided a 4 day a week Children's Services at Walla Walla with the number of Children in care expected to increase once the Service of eligible for Child Care Benefit (CCB)
- It is expected that break-even point at Walla Walla will be 20 children per day accessing long day care with a preschool program. All indication (based on requests for care from parents) that this is an achievable goal.
- The mobile service at Walla Walla will receive transition funding from July 2018 for a period of five years to enable the achievement of a viable service.
- CEYC is budgeting for a weekly facility rental of at least \$200 per week initially until viability is obtained before moving to a more commercial based rental. In addition CEYC would be responsible for utilities etc.
- Once the scope of the project is finalised and timeline for the new facility determined a marketing strategy will be developed.

The Writer acknowledges that the project is not without risk but similar to the proposed residential development it would seem incumbent upon Council to investigate and implement growth strategies in the northern part of the shire.

BUDGET IMPLICATIONS

Council has previously resolved to support the program with a contribution of \$250,000 (via a loan borrowing) with CEYC initially paying a rental at least equivalent to the loan interest costs (approximately \$200pw).

Repayment of the loan principle will need to be factored into future budgets.

CONCLUSION

The establishment of a five day a week Early Years Childhood Hub has been a long held objective of the Walla Walla and district community which received a significant boost with the announcement of Australian Government funding through the Building Better Regions Fund. With funding also likely to be provided through the NSW State Government's Stronger Country Communities Fund the costs of providing a suitable facility is shared across the three levels of government.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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UPDATE ON THE PROPOSED WALLA WALLA EARLY YEARS CHILDHOOD HUB
[CONT'D]

The Writer acknowledges that the project is not without risk but similar to the proposed residential development it would seem incumbent upon Council to investigate and implement growth strategies in the northern part of the shire.

RECOMMENDATION

That the report be received and noted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

7. PROPOSED EXTERNAL REVIEW OF THE STRUCTURE OF THE CORPORATE AND COMMUNITY SERVICES ORGANISATIONAL STRUCTURE

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

Due to existing vacancies within the Corporate and Community Services Organisational Structure for Council to consider engaging Blackadder Associates to undertake an external review of the functional areas.

REFERENCE TO DELIVERY PLAN ACTIONS

Strategy – Plan and lead good governance having a clear framework for strategic planning, policies, procedures and service standards and financial sustainability with effective financial management that is transparent and accountable.

Action 1.1.1.8 – Implement organisation wide service and efficiency reviews.

DISCUSSION

Currently there are two key vacancies with Greater Hume's Corporate and Community Services Organisational Structure, those being, Service Manager – Greater Hume Children's Services and Community Health and Well Being Coordinator.

It has been a long held view of the writer that when a vacancy is created it provides an opportunity to review whether the position is replaced like for like or whether there is an opportunity to alter the structure to develop a more efficient and robust structure.

In addition, there are some areas of the department, particularly finance and information technology that have very little redundancy to provide coverage for planned and unplanned leave.

The review if approved by Council is not aimed at cost cutting but an exercise in developing a more efficient and robust structure.

Council has sought a quotation from Blackadder Associates and the lead Consultant would be Judy Charlton. As Mrs Charlton as acted in the position of Director Corporate and Community Services recently for a period of over three months it provides her with a unique insight to the workload and staff capabilities.

The methodology proposed includes an 8-Stage methodology which encompasses:

- Communicating with staff
- Information gathering
- Consultation
- Preparation of a Discussion Paper
- Finalisation and release of Discussion Paper
- Draft Implementation Plan
- Final Report
- Adoption

The indicative timeline included within the proposal is for the body of work to be completed with 28 days of commencement.

The Consultants fee is \$15,600 exc. GST. Travelling and any other disbursements would be an additional cost.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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PROPOSED EXTERNAL REVIEW OF THE STRUCTURE OF THE CORPORATE AND COMMUNITY SERVICES ORGANISATIONAL STRUCTURE [CONT'D]

A copy of the proposal from Blackadder Associates has been **ENCLOSED SEPARATELY** for Councillors' consideration.

Currently there is not a budget for the consultancy and therefore would be an impact on the budget result for 2017/2018.

BUDGET IMPLICATIONS

The total cost for the consultancy is not expected to exceed \$17,000 (exc. GST) which would further increase the existing budget deficit of \$26,356.

CONCLUSION

Currently there are two key vacancies with Greater Hume's Department of Corporate and Community Services, those being, Service Manager – Greater Hume Children's Services and Community Health and Well Being Coordinator.

It has been a long held view of the writer that when a vacancy is created it provides an opportunity to review whether the position is replaced like for like or whether there is an opportunity to alter the structure to develop a more efficient and robust structure.

Accordingly it is the writer's view that an opportunity exists to undertake an external review of the Corporate and Community Services Department to ensure the best structure is adopted within the financial constraints of Council.

RECOMMENDATION

That Council accept the proposal from Blackadder Associates to conduct an external review of the Corporate and Community Services Organisation Structure with an estimated cost not to exceed \$17,000 exc. GST.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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8. CULCAIRN FOOTBALL AND NETBALL CLUB INC. – REQUEST FOR LOW INTEREST LOAN

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider a request from the Culcairn Football and Netball Clubs Inc. for a low interest loan for the upgrade of the netball courts at the Culcairn Sportsground.

REFERENCE TO DELIVERY PLAN ACTIONS

Strategy – Implement inclusive and accessible Small Towns Revitalisation Initiatives for all villages and towns as part of the Master Planning Process

Action 3.2.1.1 – Continue to support and develop sporting facilities and other community infrastructure.

DISCUSSION

Correspondence has been received from the Culcairn Football and Netball Clubs seeking a loan of \$50,000 repayable over 10 years to replace netball courts that have suffered serious failures. It is proposed that the loan be provided under Council's Loans to Community Groups Policy, a copy of which is attached as **ANNEXURE 4** for Councillors' information.

The cost to replace the courts with an Rebound Pro Challenge 8 coat System is \$157,605.00 (exc. GST) from Riverina Sporting Surfaces. An alternate price from another provider for the same service but with a 3 coat system was \$157,727 (exc. GST).

A copy of correspondence received from the Culcairn Football and Netball Clubs Inc. along with the quotation from the preferred supplier is also attached as **ANNEXURE 4**.

The serious failure has been attributed to poor soil conditions and installation of an inappropriate base many years ago. As such Council has submitted and had approved an insurance claim which will contribute \$57,605 towards the replacement of the courts. In addition the Football and Netballs Clubs have been able to acquire grant funding of \$40,000 (via two grants) and will be directly contributing cash of \$10,000. Hence the Club is seeking a low interest loan of \$50,000 to enable the completion of the project.

Several years ago Greater Hume Council established a pool of \$250,000 to provide interest bearing loans to community organisations within Greater Hume area to assist Council in providing community, sporting and recreational projects, services and facilities. Currently loans outstanding under the policy total \$35,406 therefore there is ample scope within the policy to approve the loan request.

The request from the Culcairn Football and Netball Club meets the criteria set out in Council's Loans to Community Groups Policy and is therefore recommended for approval.

In addition the Writer is seeking an exemption to tendering for the works under section 55 (3) (i) of the Local Government Act, 1993 which states section 55 of the Act does not apply to:

*a contract where, **because of extenuating circumstances**, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.*

**ORDINARY MEETING OF GREATER HUME COUNCIL
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CULCAIRN FOOTBALL AND NETBALL CLUB INC. – REQUEST FOR LOW INTEREST
LOAN [CONT'D]

In this particular case it has been difficult for the Culcairn Football and Netball Club Inc. (or Council) to call tenders for the works due to the late notification of the approval of the insurance claim. Further the Culcairn Football and Netball Club Inc. has sought quotes from several contractors, to which only 2 have responded. The Hume Football League commences on Saturday 7 April and it has been necessary for the Culcairn Football and Netball Club to engage a Contractor and remove the existing unplayable courts to ensure readiness for the forthcoming season.

The Culcairn Football and Netball Club Inc. has ensured best value by seeking multiple quotations and has selected a highly regarded local contractor. It should also be noted that the Culcairn Football and Netball Club Inc. will ultimately be funding the project without a direct financial contribution from Council, other than the low interest loan.

BUDGET IMPLICATIONS

Approval of the loan will result in \$85,306 being allocated from a pool of \$250,000. The Culcairn Football and Netball Club will be required to make annual repayments of principle and interest. Note that the interest rate applying to Community Groups under the policy is 3%.

CONCLUSION

Several years ago Greater Hume Council established a pool of \$250,000 to provide interest bearing loans to community organisations within Greater Hume area to assist Council in providing community, sporting and recreational projects, services and facilities. Currently loans outstanding under the policy total \$35,406 therefore there is ample scope within the policy to approve the loan request.

The request from the Culcairn Football and Netball Club meets the criteria set out in Council's Loans to Community Groups Policy and is therefore recommended for approval.

RECOMMENDATION

That:

1. Council provide a loan of \$50,000 over a term of ten (10) years to Culcairn Football and Netball Clubs Inc. to replace the netball courts at the Culcairn Sportsground in accordance with Council's Financial Assistance to Community Groups – Loans Policy.
2. the Culcairn Football and Netball Club Inc. not be required to seek tenders for the replacement of the courts in accordance with section 55 (3) (i) of the Local Government Act, 1993 which states section 55 of the Act does not apply to:
*a contract where, **because of extenuating circumstances**, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders*
due to the limited time to undertake the works prior to the commencement of the Hume League Football and Netball season on Saturday, 7 April 2018.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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CORPORATE AND COMMUNITY SERVICES

1. INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017

Report prepared by Chief Financial Officer – Dean Hart

REASON FOR REPORT

To present the Interim Budget Review as at 31 December 2017 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 2017 is included as **ANNEXURE 5** for Councillors' perusal. The Budget Review, as presented, indicates that the projected 2017/18 cash deficit will be \$26,356 which represents movement of \$47,257 on the budget surplus of \$20,901 as at 30 September 2017.

RURAL ROADS (SEALED AND UNSEALED) MAINTENANCE EXPENDITURE

Year to date maintenance expenditure on sealed and unsealed rural roads is currently running at approximately 72% of budget. Consequently there is a chance that this expenditure will exceed budget at the end of the financial year. Bridge maintenance expenditure however is currently only 15% of budget due to the delay in recruitment of the bridge maintenance team. Expenditure will be carefully monitored for the remainder of the financial year to minimise any cost overrun, however, should rural roads maintenance costs exceed budget at year end, the under expenditure in bridge maintenance in the first instance will be utilised to cover that overrun.

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		+1,083
Governance Expenses Additional Audit Fees resulting from Auditors' presentation of Financial Statements to Council Meeting.		-5,452
Risk Management Savings negotiated on Insurance Premiums.		+9,173
TOTAL GOVERNANCE		+4,804

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

ADMINISTRATION

Function and comment		Projected Budget Variance \$
Corporate Services Administration		
Cost of revaluation of building and other structures not previously budgeted. The budget assumed that this task would be carried out in-house, however, the level of detail required by the Accounting Standards has necessitated that Council seek assistance from an external source.	-25,000	-27,429
Information Technology Services		
Broadband Internet Charges higher than budgeted due to adoption of VOIP telephone services.	-20,000	-18,238
Employment On-Costs		
Satisfactory		Nil
Engineering Administration		
Additional cost of GIS Trainee	-50,000	
Net cost of Vehicle Replacement for Building Surveyor transferred to Building Control area	+23,825	-26,071
Depot Administration and Maintenance		
Satisfactory		+1,325
Vehicle Hire		
Satisfactory		Nil
Plant Operations		
Satisfactory		Nil
TOTAL ADMINISTRATION		-70,413

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

PUBLIC ORDER AND SAFETY

Function and comment		Projected Budget Variance \$
Animal Control Satisfactory		Nil
Fire Services Reduction in Council's Contribution to NSW Rural Fire Service and NSW Fire Brigade following negotiation of contributions split with Albury City Council.		+28,077
Emergency Services Increase in Council's Contribution to NSW Emergency Services Levy		-21,862
TOTAL PUBLIC ORDER & SAFETY		+6,215

HEALTH SERVICES

Function and comment		Projected Budget Variance \$
Health Administration Net Cost of staff vehicle not being replaced.		+32,000
TOTAL HEALTH SERVICES		+32,000

ENVIRONMENT

Function and comment		Projected Budget Variance \$
Waste Management Satisfactory		Nil
Noxious Animals & Insects Satisfactory		Nil
Noxious Plants Adjustment to funding received for 2017/18 WAP program.		+7,423
Riverina Noxious Weeds Satisfactory		Nil
Street Cleaning Satisfactory		Nil
Stormwater Maintenance & Drainage Satisfactory		Nil
TOTAL ENVIRONMENT		+7,423

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

COMMUNITY SERVICES AND EDUCATION

Function and comment		Projected Budget Variance \$
Family Day Care Satisfactory		Nil
In Home 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 – Howlong Satisfactory		Nil
Aged Care Rental Units – Jindera Satisfactory		Nil
Compacts Satisfactory		Nil
TOTAL COMMUNITY SERVICES & EDUCATION		Nil

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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

HOUSING AND COMMUNITY AMENITIES

Function and comment		Projected Budget Variance \$
Street Lighting Satisfactory		Nil
Public Cemeteries Satisfactory		Nil
Town Planning Satisfactory		Nil
Public Conveniences Satisfactory		Nil
Council Owned Housing Satisfactory		Nil
Community Development Grants Satisfactory		Nil
Wirraminna Environmental Education Centre Satisfactory		Nil
Other Community Amenities Satisfactory		Nil
TOTAL HOUSING & COMMUNITY AMENITIES		NIL

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

RECREATION AND CULTURE

Function and comment		Projected Budget Variance \$
Public Halls Satisfactory		Nil
Libraries Satisfactory		Nil
Riverina Regional Library Satisfactory		Nil
Community Technology Centre Satisfactory		Nil
Meeting Room Satisfactory		Nil
Museums Satisfactory		Nil
Swimming Pools Satisfactory		-2,838
Sporting Grounds & Recreation Reserves Satisfactory		Nil
Parks & Gardens Satisfactory		Nil
Other Cultural Services		Nil
TOTAL RECREATION & CULTURE		-2,838

MINING, MANUFACTURING & CONSTRUCTION

Function and comment		Projected Budget Variance \$
Building Control Net cost of Vehicle Replacement for Building Surveyor transferred from Engineering Administration	-23,825	-23,825
Quarries & Pits Satisfactory		Nil
TOTAL MINING, MANUFACTURING & CONSTRUCTION		-23,825

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

TRANSPORT AND COMMUNICATIONS

Function and comment	Projected Budget Variance \$
FAG Grant – Roads Component Satisfactory	Nil
Urban Roads Local Satisfactory	Nil
Sealed Rural Roads – Local Please refer to comment on the first page of this report.	Nil
Sealed Rural Roads – Regional Satisfactory	Nil
Unsealed Rural Roads - Local Please refer to comment on the first page of this report.	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	Nil

**ORDINARY MEETING OF GREATER HUME COUNCIL
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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[CONT'D]

ECONOMIC AFFAIRS

Function and comment	Projected Budget Variance \$
Jindera Health Centre Satisfactory	Nil
Jindera Medical Centre Satisfactory	Nil
Jindera Admin Centre Satisfactory	Nil
Caravan Parks Satisfactory	Nil
Tourism Operations Satisfactory	Nil
Visitor Information Centre Satisfactory	Nil
Submarine Museum Satisfactory	Nil
Economic Development Satisfactory	Nil
Real Estate Development Satisfactory	Nil
Real Estate Sales Satisfactory	Nil
Private Works Satisfactory	Nil
TOTAL ECONOMIC AFFAIRS	Nil

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INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017
[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 Budget adjusted to actual rates levied		+7,203
General Rates - Farmland Budget adjusted to actual rates levied		-6,142
General Rates – Business Budget adjusted to actual rates levied		-1,684
General Rates – Pensioner Concessions Budget adjusted to actual rates levied		Nil
General Rates – Pensioner Rates Subsidy Budget adjusted to actual rates levied		Nil
Ex Gratia Rates Satisfactory		Nil
Extra Charges on Overdue Rates Satisfactory		Nil
TOTAL GENERAL PURPOSE REVENUES		-623

SUMMARY OF BUDGET VARIATIONS

SUMMARY OF BUDGET VARIATIONS	-47,257
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WATER AND SEWERAGE

General income and expenditure figures appear to be satisfactory.

SUMMARY

Council's overall budget position has deteriorated as at 31 December 2017. 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 2017.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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2. CROWN LAND MANAGEMENT ACT 2016 - AMENDMENTS

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To advise Councillors of the changes to the Crown Land Management Act 2016 and Council's obligations under the new legislation.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

I refer to a report regarding the Crown Lands Legislation White Paper presented to the May 2014 Council meeting in which Council resolved to provide a submission on the White Paper.

The consultation process has now completed and the Crown Land Management Act 2016 is due to commence operation in the first quarter of 2018.

The legislation implements reforms identified through the comprehensive review of Crown land management over four years of engagement with the community on the future of Crown Land. It is expected that the new Act will reduce red tape, is a more efficient and streamlined approach to land management and recognises the importance of local management of Crown land to advantage local communities. It also provides councils with greater certainty about the legal requirements for managing Crown Land.

For the first time, Crown land legislation includes specific provisions to facilitate compliance with the Native Title Act 1993.

In accordance with the Act, Councils who manage dedicated or reserved Crown Land are now required to employ/engage a Native Title Manager who must ensure compliance with Native Title legislation in every activity on Crown Land for which Council is the trust manager.

The new Act allows councils to manage Crown land under the provisions of the *Local Government Act 1993* for public land. However this also means that Council is responsible for any "act" that has an impact on native title rights and interests and is liable for any compensation payable by the State for that "act". Council will be directly responsible to native title holders for any compensation liability in relation to their conduct which affects native title and is valid under the Native Titles Act.

An "act" on Crown Land for the purposes of Native Title may include but is not limited to:

- The grant, issue, variation, extension, renewal, revocation or suspension of a licence, permit, authority or instrument
- The creation, variation, extensions, renewal or extinguishment of any interest in relation to land or waters
- the excavation or clearing of land, and the disposal or storage of any garbage or any poisonous, toxic or hazardous substance
- the construction of new public facilities such as barbecues, toilet blocks, walking tracks, tennis courts, playing fields and grandstands
- extensions to existing buildings or facilities
- new roads, paths or tracks; and/or
- the installation of infrastructure such as stormwater, sewerage pipes, powerlines, etc.

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CROWN LAND MANAGEMENT ACT 2016 – AMENDMENTS [CONT'D]

All “acts” to be undertaken on Crown Land under the control of Council must be reviewed by the Native Title Manager who will determine if there is a requirement under the Native Title Act to notify claimant and native title holder groups, undertake consultation, prepare required reports and seek comment prior to works being undertaken.

Council as a consent authority under the Local Government Act 1993 and the Environmental Planning Act 1979 also needs to consider native title in its decisions if the approval is for an activity or development on Crown land. Council may be held liable if it approves an activity or development on Crown land and that activity/development affects native title in any way. These responsibilities are in addition to the responsibilities that Council, under the Crown Land Management Act 2016, will hold.

Greater Hume Council is currently Trust Manager of 68 Reserves, 21 of which are managed by Sec 355 Committees of Council. Crown Lands will confirm the status and reserved purposed of each reserve prior to the implementation of the Act. Council will need to consider native title on each reserve prior to any “act” being undertaken.

The requirement to employ/engage a Native Title Manager under the Act to ensure that Councils dealings with Crown land comply with any applicable provisions of the native title legislation will require consideration from Council in respect of the way in which the position is resourced:

Council has a number of options for the resourcing of a Native Title Manager:

1. Create a new position in the Organisation Structure

Advantages:

- a dedicated person with legal training to be an internal consulting resource

Disadvantages:

- an additional position and cost
- there may not be enough work, at least in the longer term to be fully occupied

2. Engage a contractor (including a shared resource possibly with REROC)

Advantages:

- a dedicated person with legal training

Disadvantages:

- cost
- knowledge remains outside of the organisation

3. Include these responsibilities to an existing position and reallocate duties, review the Position's Grade

Advantages:

- knowledge remains within the organisation
- readily accessible to the organisation and Management Committees of Council (Sec 355)

Disadvantages:

- a budget will still be required for Legal advise
- there are some unknowns as to the hours required for resourcing

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CROWN LAND MANAGEMENT ACT 2016 – AMENDMENTS [CONT'D]

Additionally, the commencement of the Crown Land Management Act will also see amendments to the *Roads Act 1993* come into force. One of the foreshadowed changes is that councils will be given the power to close council roads and the Minister for Lands and Forestry will no longer be required to close council public roads on council's behalf.

One of the potential issues that may arise for Council is the closure of unformed Council public roads. At this time it appears that Councils will be required to complete the whole road closure application up to Gazettal with compensation being paid to Crown Lands. Council currently approves the closure by way of Council resolution and the provision of a letter of consent which enables the applicant to proceed directly with the Crown at minimal cost to Council. If the legislation is passed Council will need to consider the additional costs to administer the applications along with the associated fees which include legal, surveyors and registration fees (some of which can be recouped from the applicant). However, the view is that Crown Lands will benefit without any effort expended.

BUDGET IMPLICATION

Council will be required to ensure that sufficient budgetary allowances are in place to ensure that costs associated with complying with the Crown Lands Management Act and in particular the Native Titles Act are included in future budgets and subsequent years in the Long Term Financial Plan. It is also recommended that provision be included for potential compensation claims made under the Native Title Act, this could be treated as an abnormal expense if compensation claims arise.

It is noted that at this time the associated costs to Council are unknown and an estimate is yet to be determined.

CONCLUSION

Whilst land that is managed by Councils under the Crown Land Management Act is still owned by the Crown, Councils will be required to manage the land through plans of management, native title process and be responsible for all costs/compensation and liability associated with that land.

It will be important that any planning for proposed future acts include discussions with the Native Title Manager at an early stage to ensure that the proposal is progressed in a manner consistent with the Native Title Act and current Commonwealth and/or State Government policies/procedures in dealing with native title.

RECOMMENDATION

That Council continue to monitor developments in relation to the changes to the Crown Lands Management Act and explore all opportunities to resource a Native Title Manager.

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3. GREATER HUME LIBRARIES MEMBERSHIP AND PARTICIPATION IN LIBRARY PROGRAMS

Report prepared by Library & Youth Services Development Officer – Susan Kane

REASON FOR REPORT

To inform Council on library membership and participation in library programs presented to Council twice yearly

REFERENCE TO DELIVERY PLAN ACTION

Strategy	Community spaces allow our residents to learn and engage
2.5.1.1.4	Promote existing programs to increase library participation

DISCUSSION

The Greater Hume Libraries with the support of Riverina Regional Library provide a number of programs and services throughout the year in the libraries and as outreach services to smaller towns and villages. These programs address the cultural, educational, recreational needs and wants of the community across a wide age demographic.

However, the revolution of libraries in the 21st century has seen the Greater Hume Libraries like many other libraries face continual changes and challenges. Libraries are now not only repositories for books and resources but also community spaces and technology hubs. Playing an important part in many people's lives as a place for social interaction and at that same addressing the digital divide and inclusiveness.

The challenges the libraries are facing can be said to be caused by the continual evolving information communication technology which is seeing Amazon, Google, and new and emerging information professionals trying to do what we do better. Closer to home the Greater Hume Libraries face challenges such as the outflow of young people to regional centres and cities to attend school and higher education, an aging population, the close proximity of some towns to larger regional centres, lack of knowledge by residence on collections, programs and services provided by the libraries, and staff training in promotion of the library.

The changes and challenges facing the libraries are reflective in the membership and loans statistics captured and recorded for the Greater Hume Libraries. However, with the support of the Greater Hume Council, Riverina Regional Library, Greater Hume Library & Youth Services Development Officer, and Library staff a strategy for the libraries will be created to increase the statistics of the Greater Hume Libraries. The strategy will include short, medium and long term goals which will endeavour to address a number of the issues impacting on the libraries. Working towards community engagement which will ultimately increase membership, and participation in library programs.

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GREATER HUME LIBRARIES MEMBERSHIP AND PARTICIPATION IN LIBRARY PROGRAMS [CONT'D]

Statistics Greater Hume Library for July 17 - January 2018:

BRANCH	HENTY	HOLBROOK	CULCAIRN
Loans	4742	5561	4199
Collection Count	4113	5177	3645
Total Members	595	647	561
New Members	89	56	55

BUDGET IMPLICATIONS

Nil.

CONCLUSION

In conclusion the Greater Hume Libraries are facing continual changes and challenges which at times is reflective in the statistics of the library. However, it must be noted that the Greater Hume Libraries, which are a part of Riverina Regional Library are continually evolving and are now so much more than just a repository for books and resources. The libraries are the heart and soul of the community informative, inclusive for all, and engaging. The Greater Hume Libraries staff are proactive in formulating a strategy to assist in the continual increasing of membership, participation, and sustainability of the Greater Hume Libraries.

RECOMMENDATION

That Council note the Library & Youth Services Development Officer's intention to work with library staff to formulate a strategy to increase membership and participation in library programs.

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4. POLICY REVIEW - GREATER HUME CHILDREN SERVICES POLICIES

Report prepared by Greater Hume Children Acting Services Manager – Fiona Pattinson

REASON FOR REPORT

To present Greater Hume Children Services policies for adoption.

REFERENCE TO DELIVERY PLAN ACTION

Statutory matter.

DISCUSSION

Following a review of all policies it was determined that the Greater Hume Children Services Policies required updating to ensure continued compliance with Regulations. As part of the review process, several changes have been made to the content of the policies along with the transition to the Council template included in **ANNEXURE 6**, which are listed as follows:

- Assessment approved Policy
- Child safe Environment policy
- Dealing with Infectious diseases Policy
- Engagement and Registration of Family Day Care Assistants Policy
- Engagement and registration of Family Day Care Educators Policy
- Enrolment and Orientation Policy
- Health and Safety Policy
- Keeping a Register of Family Day Care Educators Policy.

BUDGET IMPLICATIONS

There are no foreseen implications to the budget.

CONCLUSION

Greater Hume Children Services is required under the National Law and Regulations (comprising the Education and Care National Law and the Education and Care Services National Regulations), to hold policies and procedures relating to the care and safety of registered children in care.

As a business unit of the Greater Hume Council it is appropriate to have all policies uniform with those of Council.

RECOMMENDATION

That Council adopt the following *reformatted policies* as follows:

- Assessment approved Policy
- Child safe Environment policy
- Dealing with Infectious diseases Policy
- Engagement and Registration of Family Day Care Assistants Policy
- Engagement and registration of Family Day Care Educators Policy
- Enrolment and Orientation Policy
- Health and Safety Policy
- Keeping a Register of Family Day Care Educators Policy.

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ENGINEERING

1. DRINKING WATER MANAGEMENT SYSTEM ANNUAL REPORT 2016-17

Report prepared by Viridis Consultants & Manager Water & Wastewater – Tom Plunkett

REASON FOR REPORT

To present to Council the Drinking Water Management System annual report for 2016-17.

REFERENCE TO DELIVERY PLAN ACTION

Strategy We minimise the impact on the environment.

Action 4.3.6.1 Implement the program of works identified in the Drinking Water Quality Management Plan.

DISCUSSION

Water suppliers in New South Wales (NSW) are required to establish and adhere to a 'quality assurance program', referred to as a Drinking Water Management System (DWMS). The DWMS is a risk based approach to managing drinking water quality.

An annual review of the DWMS is recommended to ensure that it is valid and is being implemented effectively. In addition, an annual report is required to be prepared and submitted to the local Public Health Unit (PHU), NSW Health.

Greater Hume Council has engaged Viridis Consultants P/L (Viridis) to prepare the DWMS Annual Report for the 2016-17 reporting period, which covers a 12-month reporting period from 1 July 2016 to 30 June 2017. Copy of DWMS Annual Report 2016-2017 is attached as **ANNEXURE 7**.

This report summarises Council's drinking water quality performance for the reporting period, outcomes of the DWMS annual review and progress on the implementation of the improvement plan.

The drinking water quality performance in the reticulation for both schemes was 100% compliant against the Australian Drinking Water Guidelines (ADWG) health based values and Council maintained a very high level of consumer satisfaction, with only one taste related water quality complaint received over the reporting period.

BUDGET IMPLICATION

There are no direct budget implications resulting.

CONCLUSION

This document is to be reviewed every 12 months as per Drinking Water Management System (DWMS).

RECOMMENDATION

That the report be received and noted.

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2. BRIDGE UPGRADES – PROPOSED FIXING COUNTRY ROAD APPLICATION

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

For Councillors to endorse the lodging of an application for structural improvements to a number of bridges on Regional Roads through the Fixing Country Road Program.

REFERENCE TO DELIVERY PLAN ACTION

Strategy Infrastructure and facilities meet the needs of our communities.

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

DISCUSSION

Following development of the REROC Regional Freight Transport Plan in 2014, it was highlighted that a significant impost on the effective and efficient transporting of freight in the region was caused by unknown capacity of bridge structures to handle larger and heavier freight vehicles and the concern of failure of these structures.

A major issue on regional roads has been the development of Higher Mass Limit (HML) vehicles and councils unwillingness to permit such vehicles on roads due to the unknown capacity of bridge structures. Due to the significant cost to undertake bridge assessments external funding was seen as the only way such work could be undertaken.

REROC was successful in obtaining Fixing Country Road funding to assess a number of bridge structures for several REROC councils key regional roads. A total of 13 bridges were assessed in Greater Hume as part of the project. Following the completion of the bridge assessments, it was determined that a number of bridges require extensive works to allow continued HML use with the assessments also highlighting work required on all of the bridges to maintain their current structural integrity.

As part of the assessment the consultants also provided concept upgrade plans and estimates to complete the required work.

It is now planned by management to use this information to lodge a Fixing Country Road application to obtain the required funding to undertake the work which has been detailed on the 13 bridges in Greater Hume.

Estimated cost of the works is \$1.94Million. A copy of the draft proposed budget is attached as **ANNEXURE 8**.

BUDGET IMPLICATION

Provided the Fixing Country Road application is successful there will be no additional impact on Council's budget.

CONCLUSION

The completed report on 13 Bridges on Regional Roads in Greater Hume has highlighted a number of deficiencies in the bridges to handle continued use of HML vehicles. A successful application will allow these deficiencies to be attended to.

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BRIDGE UPGRADES – PROPOSED FIXING COUNTRY ROAD APPLICATION [CONT'D]

RECOMMENDATION

That Council endorse the submission of an application to the Fixing Country Road Program for the structural improvement of 13 bridges on regional roads to allow HML use as detailed.

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3. POLICY DEVELOPMENTS

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To present revised policies for consideration.

REFERENCE TO DELIVERY PLAN ACTION

Not Applicable

DISCUSSION

Development and enhancement of Council's Policy Register is continuing. Apart from reformatting to Council's branding template no changes have been made to the following policies included in **ANNEXURE 9** which are now presented for consideration by Council:

- Asset Management Policy
- Footway Dining and Temporary Structures on the Footway (Road Reserve) Policy

BUDGET IMPLICATIONS

There are no direct budget implications resulting from the adoption of the above policies.

CONCLUSION

The continual review and development of Council policies is essential to ensure adequate internal control systems are in place and for Council to remain abreast of emerging trends and issues with the local government sector.

RECOMMENDATION

That Council adopt the following reformatted policies:

- Asset Management Policy
- Footway Dining and Temporary Structures on the Footway (Road Reserve) Policy

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4. REMOVAL OF VEGETATION IN CREEKS

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To respond to a Question on Notice by Councillor Osborne about any changes in legislation to the management of vegetation in creeks specifically relating to Holbrook and Jindera.

REFERENCE TO DELIVERY PLAN ACTION

Not applicable

DISCUSSION

Councillor Osborne questioned if there is any changes to the process for the removal of weeds in streams that abut reserves and parks in Holbrook and Jindera in particular. Cr Osborne commented that overgrowth impacts on stream flows can magnify flooding risks and pose a threat during the fire season.

The issue of working in and around waterways can be broken into a number of parts, summarized below. For more information refer to **ANNEXURE 10**.

1. Removal of Large Woody Debris and Fish Habitat

In 2001 the removal of large woody debris from NSW rivers and streams was listed as a Key Threatening Process under the *Fisheries Management Act 1994* (Fisheries Act).

Large woody debris may be removed for flood mitigation purposes, as debris may hinder water flow and cause flooding in some situations (for example, where large debris dams are formed). However, in most cases its removal results in only minimal improvement in channel capacity and reduction of flooding in lowland rivers.

The NSW Department of Primary Industries does not support large woody debris removal proposals aimed at increasing flood immunity or for purely aesthetic purposes.

A permit is required under Part 7 of the Fisheries Act for any activities involving dredging and reclamation, temporarily or permanently obstructing fish passage and the use of explosive or other dangerous substances.

2. Removal of Material (Excavation)

Controlled Activity Approval is usually required under the *Water Management Act 2000* (WM Act) for the removal of material or vegetation from land; whether by way of excavation of otherwise and for any other activity that affects the quantity or flow of water in a water source.

While local government is exempt from requiring approval Council must still follow the principles and guidelines of the Department of Industry – Water.

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REMOVAL OF VEGETATION IN CREEKS [CONT'D]

3. *Removal of Vegetation*

Parts of the land identified for vegetation management as a part of this report are identified as Category 2 Vulnerable Regulated Land under Part 5A of the amended *Local Land Services Act 2013* (LLS Act). Authorisation for native vegetation clearing may be required from Local Land Services.

The new *State Environmental Planning Policy (vegetation in Non-Rural Areas) 2017* (Vegetation SEPP) regulates the clearing of native vegetation in urban areas.

This SEPP applies when;

- native vegetation above the Biodiversity Offset Scheme (BOS) threshold where a proponent will require an approval from the Native Vegetation Panel established under the *Local Land Services Amendment Act 2016*; and
- vegetation below the BOS threshold where a proponent will require a permit from Council if that vegetation is identified in the council's development control plan (DCP).

Under the *Greater Hume Development Control Plan 2013* (the GHDCP) a number of gum trees commonly found along the creek frontages are specifically listed. Once over the nominated size and covered by the Biodiversity layer in the *Greater Hume Local Environmental Plan 2012* (the GHLEP) these trees do require development approval.

Removal of non-native vegetation does not require approval however must take into account the effects of the works on water quality and bank stabilisation.

4. *Flood Works*

Approval is required under the WM Act to construct or use a flood work. However, a number of flood works do not require approval. These exemptions are set out in the *Water Management (General) Regulation 2011*.

This includes works completed in areas covered by a council plan or study (i.e. Floodplain Risk Management Plans) or works carried out under development

Some consideration may be required in regards to ownership of land subject to this report, as land in and around waterways are often Crown Lands and we may be required to obtain consent.

The development of site-specific management plans taking into consideration all legislative responsibilities and community consultation is considered the most appropriate course of action.

It is still unsure how the new Biosecurity Conservation Act 2016 will impact in this area.

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REMOVAL OF VEGETATION IN CREEKS [CONT'D]

The abundance of numerous threatened species especially the “pygmy perch” within Council waterways does not readily promote the idea of wholesale works being undertaken without the appropriate investigation and consultation.

As mentioned the legislation to allow removal of vegetation is complex and to obtain approval will require substantial resources to undertake the process, well beyond the scope of Council employees without appropriate support. Clearly if work is to be undertaken in all of our major towns with creek frontages a substantial commitment will be required from Council to firstly undertake the approval process and secondly follow up with funding for any approved works.

Clearly Council has no funding within its current budget to undertake such a commitment.

BUDGET IMPLICATION

Council has no funding within its current budget to undertake any works and a commitment in a future budget will be required to undertake the required investigation process involving initially the planning (with help of external resources) and then the implementation of any works.

CONCLUSION

As stated the process to undertake any works in creeks and streams is complex and requires extensive development of management plans, including REF's (Review of Environmental Factors) involving many stakeholders, including government departments, the community, and adjacent landholders etc to gain approval. It is considered if Council wishes to progress any undertaking in the removal of any vegetation in creeks and streams then an appropriate financial commitment be allocated in next year's budget

RECOMMENDATION

That the report be received and noted.

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ITEMS TO BE REFERRED TO CLOSED COUNCIL

1. **COMPULSIVE HOARDING LOT182 DP590967 - 17 WATTLE STREET CULCAIRN**

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

Provides an update to Council on the bankruptcy trustee's progress to facilitate the sale of the abovementioned property.

REFERENCE TO DELIVERY PLAN ACTION

Nil relevant.

DISCUSSION

Council has received from bankruptcy trustees RSM Australia details on their progress in the sale of the abovementioned property. They cite that difficulties have arisen due to the property being jointly owned by a Mr Peter Wilkin who is unable to be contacted.

BUDGET IMPLICATIONS

\$20,000 - \$30,000 additional costs associated with the absence of Mr Peter Wilkin.

CONCLUSION

As the matter of the disposal of effluent relates to the confidential personal dealings of a resident or ratepayer it is recommended that the matter be referred to Closed Council in accordance with section 10A(2)(b) "confidential personal dealings" of any resident or ratepayer.

RECOMMENDATION

That consideration of confidential personal dealings of the ratepayer be referred to Closed Council in accordance with section 10A(2)(b) "confidential personal dealings" of any resident or ratepayer.

Reason

On balance the public interest in preserving the confidential personal dealings of a resident or ratepayer outweighs the public interest in maintaining openness and transparency in Council decision making at this time.

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2. PROPOSED PURCHASE OF A VACANT ALLOTMENT IN HOLBROOK

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To seek Council approval for the General Manager to acquire at public auction an allotment in Holbrook for a potential health related facility.

REFERENCE TO DELIVERY PLAN ACTION

Not relevant.

DISCUSSION

A report was submitted to a Council Workshop held on 29 November 2017 regarding the opportunity to establish a new health related service in Holbrook.

A Building Better Regions Fund application was submitted prior to the closure date of 19 December 2017, to potential assist with the establishment of the service.

The writer is of the view that a suitable allotment will become available via public auction in the near future. Therefore, it is appropriate that Council considers providing the General Manager with the authority to bid and purchase on behalf of Council.

BUDGET IMPLICATIONS

It is intended that the purchase would be funded from the remainder of the Holbrook Hostel Reserve.

CONCLUSION

The potential purchase of the allotment is of confidential nature and therefore it is recommended that the matter be referred to Closed Council in accordance with section 10A(2)(c) 'information that would if disclosed confer an advantage on a person whom Council is conducting (or proposes to conduct) business'.

RECOMMENDATION

That consideration of the purchase of a vacant allotment in Holbrook for a potential new health related service be referred to Closed Council in accordance with section 10A(2)(c) 'information that would if disclosed confer an advantage on a person whom Council is conducting (or proposes to conduct) business'.

Reason

On balance the public interest in preserving the confidentiality of Council's potential purchase price outweighs the public interest in maintaining openness and transparency in Council decision making at this time. If Council is successful with the purchase, the purchase price would be disclosed at that time.

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3. GENERAL MANAGER – ANNUAL PERFORMANCE REVIEW

Report prepared by Mayor - Cr Heather Wilton

REASON FOR REPORT

To report on the conduct of the General Manager's Annual Performance Review for the six month period to 31 December 2017.

DISCUSSION

Council is aware that the six monthly review of the General Manager's Performance to 31 December 2017 took place on 17 January 2018, where the General Manager's Review Committee comprising Deputy Mayor Cr Matt Hicks, Cr Annette Schilg, and Cr Heather Wilton as Mayor 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 2018

REASON FOR REPORT

To inform Council and the community of upcoming workshop/briefing sessions which Councillors and senior staff attend and, where appropriate, stakeholders 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
31 January 2018	Preliminary Roads Workshop
14 February 2018	Refugee Resettlement Briefing
17 February 2018 (Saturday)	9am to 3pm Visioning Workshop
24 February 2018 (Saturday)	Shire/Roads Tour
28 February 2018	Rating Workshop and Preliminary Budget Workshop
7 March 2018	New Website Briefing Final Roads Workshop
4 April 2018	Final Budget Workshop
2 May 2018	To be determined (TBD)
6 June 2018	TBD
4 July 2018	TBD
1 August 2018	TBD
5 September 2018	TBD
3 October 2018	TBD
7 November 2018	TBD
5 December 2018	TBD

CONCLUSION

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.

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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 (OLG Circulars 41-43/2017 and 1/2018). Copies of OLG Circulars are available to view or download from the website www.olg.nsw.gov.au.

18-01	Establishment of a Council Engagement Team
17-43	Boat Trailer Impounding Guidelines for councils
17-42	Changes to Crown reserve management under the Crown Land Management Act 2016
17-41	2017-18 draft Code of Accounting Practice and Financial Reporting (Update No. 26)

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 January and February is provided below. Distribution of the newsletters has now moved to the Mailchimp platform.

- NSW Road Safety Plan Released
- LGNSW Tourism Conference
- Infrastructure Grants for community infrastructure grants up to \$300,000
- Choir Start Up Funding
- Library Lovers Day
- Local Government Procurement Board Vacancies
- Environmental Development & Allied Professionals Conference
- New Code of Meeting Practice Model for Councils
- Remediation of Land SEPP
- New Round of Circulate Grants Now Open
- Asbestos Blueprint Update
- Biodiversity Reforms Workshops
- Drone Operations Mentoring

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

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LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS [CONT'D]

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For councillors' information.

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 11**.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For councillors' information.

5. ECONOMIC DEVELOPMENT QUARTERLY REPORT

**Report prepared by Executive Assistant Governance & Economic Development
– Marg Killalea**

REASON FOR REPORT

To provide an update regarding the progress of projects undertaken during the quarter.

DISCUSSION

The report on projects being undertaken is attached at **ANNEXURE 12**.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For councillors' information.

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CORPORATE AND COMMUNITY SERVICES

1. CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS

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

2. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 DECEMBER 2017 AND 31 JANUARY 2018

The statements of bank balances and investment report as at 31 December 2017 and 31 January 2018 are attached at **ANNEXURE 13**.

3. HUMAN RESOURCES REPORT FOR DECEMBER 2017 AND JANUARY 2018

REASON FOR REPORT

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

REFERENCE TO DELIVERY PLAN ACTION

Strategy 9.4 To provide appropriate training and mentoring for our shire's workforce.
Action 9.4.1 Implement continual learning actions.

The following staff commenced duties with Council during the December 2017 and January 2018 period:

- Sam Harris Plant Operator Jindera
- Michael Hughes Walla Parks & Town Maintenance
- Daniel Melbourne Holbrook Parks & Town Maintenance
- Mitchell O'Keefe Customer Service/Library Officer – Casual
- Paul Semmler Bitumen Operator
- Wayne Webb Plant Operator
- Greta Mackinlay Pool Lifeguard – Casual
- Emma Parker Pool Lifeguard – Casual

The following staff ceased duties with Council during December 2017 and January 2018 period:

- Judy Charlton Acting Director Corporate & Community Services
- Wayne Heather Plant Operator
- Frederick Kelsh Patrol Leading Hand
- Holly Plunkett Pool Lifeguard – Permanent Part Time
- Ester Vanhinnisdael Service Manager Greater Hume Children Services

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HUMAN RESOURCES REPORT FOR DECEMBER 2017 AND JANUARY 2018 [CONT'D]

Workforce Management Plan

In accordance with Council's Workforce Management Plan 2017 – 2021 the following Actions have commenced:

Recommended Actions	Outcome
9.3 Review positions as they become vacant and determine if suitable redesign for part time employment or other flexible work arrangement to suit women, mature workforce, or people with disability.	Positions Descriptions reviewed prior to commencement of recruitment.

StateCover – Local Government Workers Compensation Insurer

Council has received a rebate in the amount of \$41,779.10 net of GST as part of the *2016/2017 Hindsight Performance Payment*. This payment recognises Council's holistic approach to managing its Return to Work program for injured workers and provides an incentive to councils to continue to implement and improve their practices in regards to Work Health and Safety.

The payment is a premium rebate of up to 20% of the 2016/2017 actual basic tariff premium.

CONCLUSION

For Councillors' information.

ENGINEERING

1. DECEMBER 2017 AND JANUARY 2018 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.

Heavy patching on Tumbarumba Rd (MR284) and Olympic Highway (MR78) is complete.

Shoulder grading on Tumbarumba Rd (MR284) has also been completed in December and January.

Regional Roads Block Grant:

General maintenance including guide posts and repairing edge breaks is continuing on all Regional Roads.

Preparation for reseals on Lockhart Rd (MR370) and Jingellic Rd (MR331) has been undertaken.

Shoulder grading on Lockhart Rd (MR 370) has commenced.

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REPORT OF WORKS [CONT'D]

Local Roads

Sealed:

Reconstruction and widening of Hueske Rd, Jindera from Urana Rd to the brickworks, including drainage works and sealing has been completed.

Relocation of water main and drainage works has commenced in Pioneer Dr from Urana Rd to Pech Ave, Jindera.

Numerous urban streets and rural roads have undergone resealing under Council's Resealing Program.

Tree lopping has been carried out on some local roads to improve safety.

Unsealed:

1.1km rehabilitation on Alma Park Rd under Roads to Recovery program is complete.

Installation of a school bus stop and realignment of the intersection at Shoemarks and Scholz Rds has been completed to improve traffic safety.

The following roads have been resheeted under the natural disaster funding during the month of January.

Fischers Rd Greenvale Rd	River Rd Youngs Ln
-----------------------------	-----------------------

Maintenance grading has taken place on the following roads in December and January.

Astra Ln Beckett Rd Bendemeer Rd Bonnie Springs Rd Brackley Rd Brigadoon Ln Burges Ln Campbells Rd Coach Rd Ferndale Rd Iron Post Ln	Jobsons Rd Kendalls Rd Kotzurs Rd Maloney Rd Quartz Hill Rd River Rd Rosewood Rd Stonehaven Rd Stony Park Rd Thugga Rd Wattlevale Rd
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Urban Streets:

Drainage and kerb and channel works in Sladen Street, Henty is complete. Works on the asphalt and paving is continuing along with veranda installation as part of the Henty Streetscape Project.

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REPORT OF WORKS [CONT'D]

Maintenance of kerb and channel in Queen St, Culcairn and footpath maintenance in Sladen and Allan Stes, Henty has been carried out.

Drainage repairs have been undertaken to a small section of Swift St, Holbrook.

General:

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

Early structural works for the new Holbrook Depot shed has commenced with the internal roadway under construction.

New synthetic turf has been laid at the railway level crossing in Balfour St, Culcairn.

Earthworks and gravel footpath to the new pedestrian bridge for access between Goulburn St and Pomegranate Estate is almost complete.

A large directional sign for the Holbrook Caravan Park has been installed.

A concrete pad and rubbish bin has been installed at the Wirraminna Environmental Education Centre, Burrumbuttock.

Construction of a bus pull off area in Browning St, Morven has been completed with the installation of a shelter to follow.

General maintenance of public toilets and parks is continuing.

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	\$299,576.88	-\$7,910.21	
Rural Roads Sealed	\$659,890.00	\$384,935.83	\$526,381.96	-\$141,446.13	Review being undertaken in this area with costing allocations
Rural Roads Unsealed	\$1,100,979.00	\$642,237.75	\$888,013.06	-\$245,775.31	
Street Tree Maintenance	\$252,000.00	\$147,000.00	\$77,247.23	\$69,752.77	

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REPORT OF WORKS [CONT'D]

Regional Roads Program	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Regional Roads Maintenance	\$946,698.00	\$552,240.50	\$783,945.46	-\$231,704.96	Regional Roads overall are at 50% spent – awaiting finalisation of resealing program to identify budget movements

Sportsgrounds, Parks & Public Toilets	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Sportsground Maintenance	\$114,802.00	\$66,967.83	\$67,378.07	-\$410.24	
Parks & Gardens Maintenance	\$226,129.00	\$131,908.58	\$168,174.26	-\$36,265.68	
Public Toilets Maintenance	\$159,308.00	\$92,929.67	\$82,648.43	\$10,281.24	

NB : Sportsground Maintenance excludes annual GHSC contribution payment

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2. WATER & SEWER REPORT – DECEMBER 2017 / JANUARY 2018

Capital Works Program:

- Sewer main relining Fox St, Henty and Holbrook old hospital site – WIP
- Stage 1 water main upgrade Pioneer Drive , Jindera - Completed

Operation & Maintenance:

- Water meter replacements – Jindera area
- Water service repair – Jindera recreation ground
- Water service repair – Corner Adam & Mitchell St, Jindera
- Water service repair – 8 Victoria St, Culcairn
- Water service repair – 9 Thomas St, Culcairn
- Water main repair – Bungowannah Rd, Jindera
- Water main repair – Walla Rd, Jindera
- Water main repair – 1917 Urana Rd, Jindera
- Water main repair – Ten Mile Park, Holbrook
- New water service – 58 Red Hill Rd, Jindera
- New water service – 54 Mulgrave Rd, Jindera
- New water service – 3 Anvil Rd, Jindera
- Sewer choke mains – Corner Dight & Urana St, Jindera
- Sewer choke junction – 2 Herman St, Walla Walla

Drinking Water Monitoring Program:

- 16 x Water samples for Microbial Water Analysis submitted in the months of December 2017 and January 2018 for Villages and Culcairn Water Supply have all complied with the Australian Drinking Water Guidelines.

Water Quality Complaints

Date Location Problem Action Taken
27/01/2018 136 Creek St, Jindera Dirty water Flush main/hydrant

Water Supply Sourced and Used

1 July – 31 January 2018	2015/2016	2016/2017	2017/2018
Culcairn Water Supply (ML)	111.0	97.5	81.6
Village Water Supply (ML)	235.40	193.55	219.14
Totals (ML)	346.40	291.05	300.74

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF DECEMBER 2017 AND JANUARY 2018

The schedule of development applications processed for the months of December 2017 and January 2018 is attached at **ANNEXURE 14**.

2. SENIOR WEEDS OFFICER'S REPORT – DECEMBER 2017 AND JANUARY 2018

The control of St. John's Wort continued through till end of January.

Roads around the shire have been inspected for Coolatai Grass. All infestations found have been mapped and controlled.

Blackberry spraying along the road reserves in eastern part of the shire has commenced and will continue for the next 2 months.

There has been vegetation work carried out on MR 284 (Tumbarumba Road) mainly in the cuttings.

Inspections for Blackberry and Sweet Briar on private property have continued and notices sent to the owners requesting control work to take place.

A section of Rankins Lane has been thoroughly inspected for Spiny Burr Grass and any plants found were dug out and removed. This is a highly invasive weed and council officers need to inspect this area several times a year.

The subdivision in Jindera along Hueske Road has been reinspected for Bathurst Burr and Nordcon have been requested to carry out a follow up spray prior to handing over the blocks.

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3. RANGER'S REPORT – DECEMBER 2017 AND JANUARY 2018

December 2017

COMPANION ANIMALS

No. of Complaints Received		Including: 4 barking dogs, 10 roaming dogs, dealing with 1 aggressive dog and menacing and dangerous dog compliance checks.	
No. of dog attacks: 2		Location:	Holbrook-sheep chased and 1 brought down before dogs called off by neighbour, investigation continuing. Culcairn- 1 chicken killed, investigation continuing.
Comments:			
		Dogs	Cats
In Council's Facility at Beginning of Month			1
Captured & Returned to Owners			
Captured & Impounded		6	1
Released from Pound to Owners		4	
Surrendered by Owners		1	
Rehomed		3	1
Euthanased			1
Remaining in Council's Facility at End of Month			

FERAL CATS

No. of Complaints:	1
No. Feral Cats caught:	1

LIVESTOCK

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

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

One kangaroo removed from roadway on the Walbundrie Road.
One kangaroo euthanased Culcairn Road.

ABANDONED VEHICLES

One abandoned car removed by owner at Holbrook.

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Inspections being conducted. 7 Notice of Proposed Orders issued. 1 Order issued. 7 blocks slashed-breach of Order.
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RANGER'S REPORT [CONT'D]

Pollution: Noise	Jindera – dogs barking - owners spoken to and moved out. Culcairn – dogs barking – Infringements issued. Holbrook – shop refrigeration unit noise assessment and monitoring continuing following Noise Prevention Notice been complied with. Jindera – motorbike noise. Sound meter installed no noise identified.
Pollution: Waste	Henty - house fire, asbestos inspection and order issued for clean up. Jindera – owner identified and issued a verbal clean-up notice and complied. Holbrook - chemical smell - roadside spraying cause.

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

Inspection Type	Total	Pass	Fail
OSMS Compliance Inspections	3	1	2
Pre-Purchase Inspections			
OSMS Orders issued	2		
OSMS Orders Compliance Inspections	3	3	
Plumbers Site Inspections			
OSMS Upgrade Applications Received	2		
OSMS Approvals To Do Works Issued	2		
OSMS Approvals To Operate Issued	1		
Local Government Application Approvals			
Local Government Approval Inspections	1		
Local Government Approval Soil Report Assessments	1	1	

OTHER WORKS CONDUCTED

- Companion Animal registrations continuing to come in from the letters sent out and door knocking.
- Menacing and dangerous dog compliance checks.
- RID online (Report Illegal Dumping online) updating with data entry.
- Noise monitoring.
- OSMS Policy and file compliance updating.
- Customer service training on Companion Animals register.
- Holbrook Landfill- fire breaks and fire truck access.
- Issue letters for pools disorderly behaviour.

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RANGER'S REPORT [CONT'D]

January 2018

COMPANION ANIMALS

No. of Complaints Received 18		Including: 3 barking dogs, 8 roaming dogs, dealing with 4 aggressive dogs and 7 nuisance dog orders, 2 menacing orders issued. Menacing and dangerous dog compliance checks.	
No. of dog attacks: 2		Location: Burrumbuttock	2 dogs attacked another dog on private property-investigation continuing.
		Culcairn	2 dogs rushed out of an open gate, one dog bit as owner was walking past the property-investigation continuing.
Comments:			
		Dogs	Cats
In Council's Facility at Beginning of Month			1
Captured & Returned to Owners		3	
Captured & Impounded		5	
Released from Pound to Owners		2	
Surrendered by Owners			
Rehomed			
Euthanased			1
Remaining in Council's Facility at End of Month		3	

FERAL CATS

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

LIVESTOCK

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

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

One kangaroo removed from roadway at Jindera.
One kangaroo euthanased Jindera.

ABANDONED VEHICLES

One abandoned vehicle removed by owner.

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RANGER'S REPORT [CONT'D]

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Inspections being conducted. 11 Notice of Proposed Orders issued. 2 Order issued.
Pollution: Noise	Jindera – 3 rooster (2 locations).
Pollution: Waste	Gerogery West – owner not identified. Council cleaned up. Holbrook - owner not identified Council cleaned up. Culcairn - owner not identified. Council cleaned up. Mullengandra - owner not identified. Council cleaned up. Illegal dumping signs installed. Henty - investigations continuing.

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

Inspection Type	Total	Pass	Fail
OSMS Compliance Inspections	4		4
Pre-Purchase Inspections			
OSMS Orders issued	4		
OSMS Orders Compliance Inspections	1	1	
Plumbers Site Inspections	2		
OSMS Upgrade Applications Received			
OSMS Approvals To Do Works Issued	3		
OSMS Approvals To Operate Issued	17		
Local Government Application Approvals			
Local Government Approval Inspections			
Local Government Approval Soil Report Assessments	1		

OTHER WORKS CONDUCTED

- Companion Animal Registrations continuing to come in from the letters sent out and door knocking.
- Menacing and dangerous dog compliance checks.
- RID online (Report Illegal Dumping online) updating with data entry.
- Noise monitoring.
- OSMS Policy and file compliance updating.
- Water testing and inspections of failing AWTS system.

RECOMMENDATION

That Part B of the Agenda be received and noted.

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PART C – COMMITTEE AND DELEGATE REPORTS

Attached, in **ANNEXURE 15**, are minutes of the following meeting:

- Minutes of the Greater Hume Youth Advisory Committee Meeting held on 7 December 2017
- Minutes of the Henty Community Development Committee Meetings held on 27 November 2017 and 29 January 2018

DELEGATE REPORTS

Nil.

RECOMMENDATION

That Part C of the Agenda be received and noted.