



# Greater Hume Council

To: «Name»

## **Ordinary Meeting of Greater Hume Council**

Wednesday, 15 April 2020

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

**Due to COVID-19 restrictions regarding gatherings and the need to comply with social distancing measures, all Council meetings will be held at Holbrook Library Complex until further notice.**

**Also due to COVID-19 restrictions, and until further notice, residents will not be able to attend the Public Forum in person. However, should residents have an issue they wish to bring before Council, they can provide a written statement which will be distributed to councillors, and read out prior to the commencement of the meeting. Any written statement should be provided to Council by 5pm on the day preceding the meeting.**

**Residents will not be able to attend meetings in person. Council live streams meetings so that the public may view the proceedings of the meeting in real time or later. View the recording of the meeting at <https://bit.ly/35uKFxX>**

STEVEN PINNUCK  
**GENERAL MANAGER**

ORDER OF BUSINESS TO BE CONSIDERED  
REFER OVERLEAF

## **Ordinary Meeting of Greater Hume Council**

Wednesday, 15 April 2020

*In accordance with Council's Code of Meeting Practice, this Council Meeting is being recorded and will be placed on Council's webpage for public information.*

*All present today are reminded that by speaking you are agreeing to your view and comments being recorded and published. You are also reminded that, if or when speaking, you are to be respectful to others and use appropriate language.*

*Greater Hume Council accepts no liability for any defamatory or offensive remarks or gestures during this Council Meeting.*

### **BUSINESS:**

#### **1. OPENING THE MEETING**

#### **2. PRAYER**

#### **3. ACKNOWLEDGEMENT OF COUNTRY**

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

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

#### **5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

- Minutes of the Ordinary Meeting of Council – 18 March 2020

#### **6. ACTION REPORT FROM THE MINUTES**

#### **7. DISCLOSURES OF INTERESTS**

#### **8. MAYORAL MINUTE(S)**

#### **9. NOTICES OF MOTIONS**

#### **10. REPORTS FROM OFFICERS**

##### **PART A For Determination**

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

##### **PART B To Be Received and Noted**

- Corporate and Community Services

##### **PART C Items For Information**

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

##### **PART D For Information**

#### **11. MATTERS OF URGENCY**

#### **12. COMMITTEE OF THE WHOLE - CONFIDENTIAL CLOSED COUNCIL REPORT**

#### **13. CONCLUSION OF THE MEETING**

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**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY, 15 APRIL 2020**

## **OFFICERS' REPORTS – PART A - FOR DETERMINATION**

### **ENVIRONMENT AND PLANNING**

1. **MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA**

**Report prepared by Director Environment and Planning - Colin Kane**

#### **REASON FOR REPORT**

Council is in receipt of an application to modify Development Application 10.2017.91.3 which gave consent for house extension, new unit and subdivision at lot 12 DP555506 74 Dight Street Jindera. The applicant is GW Parascos and the owner is GW Parascos and EJ Parascos.

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

#### **REFERENCE TO DELIVERY PLAN**

Nil.

#### **DISCUSSION**

Council received an application dated 23 April 2017 which sought approval for alterations and additions to the existing dwelling on the premises and to construct a new two bedroom unit which was to be subdivided by community title subdivision. The existing dwelling was approved to be located on an allotment of 688m<sup>2</sup> and the smaller unit was to be located on an allotment of 312m<sup>2</sup>. The application was approved on 19 October 2017.

On 30 October 2019 Council approved a modification which changed the 2 bedroom unit to a small 3 bedroom house which was approved on 22 January 2020. That house is under construction and appears to be nearing completion.

Council has now received an application in accordance with Section 4.55(1) of the EP&A Act to modify development consent 10.2017.91.3 to change the type of subdivision from Community Title to Torrens Title. Council has been advised that such a change would be desirable because although the applicant had sought a Community Title subdivision, the physical works that have occurred or that are planned align more closely to Torrens Title subdivision.

The application to change the type of subdivision will not result in any difference to the development that is to occur at the site and consequently, in accordance with the Greater Hume Community Participation Plan, the application does not require notification.

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NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

***The Greater Hume Local Environmental Plan 2012*** (“the GHLEP 2012”) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU5 Village and the objectives of these zones are provided below:

Objectives of Village 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 these zones.

Clause 2.6 of the GHLEP 2012 is applicable and stipulates that development consent is required for this subdivision and that development consent for subdivision cannot be given in a situation which would result in a dwelling and a secondary dwelling being located on allotments beneath the minimum lot size.

The applicant has sought an exemption to a develop standard using Clause 4.6 of the GHLEP 2012 to Clause 2.6 and Clause 4.1 of the GHLEP 2012 which stipulates that if development consent is required for subdivision of a lot (such as the subject land) that is shown on the lot size map, then the size of any lot resulting from that subdivision is not to be less than the minimum size shown on the Lot Size Map. In this case one of the lots at 312m<sup>2</sup> is beneath the minimum lot size which is 600m<sup>2</sup> but complied with clause 4.1 when the proposed subdivision was to be Community Title.

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

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

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

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

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MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION,  
NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

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

- Since the subject parcel is a corner lot, the proposed vacant lot can be created so the entire frontage is to the public street (Mitchell Street) and therefore the subdivision will not result in any detrimental impact to the neighbourhood character or amenity of the lot. It is also noted all services can be independently connected (water, electricity, sewerage etc.) to the new lot. For these reasons, it can be seen there is no need to create an unnecessary neighbourhood association property, which would result in ongoing costs to the owners (insurance and management) for the life of the title (be it community title or strata title).
- It is considered the minimum lot size requirement is more relevant to new estate subdivisions, this subdivision is an infill development.
- The subdivision to freehold is further supported by the fact Council have approved a new dwelling on the smaller lot and all required setbacks and private space for compliance and energy ratings have been met.
- We strongly encourage Council to approve this modification request to create a standard freehold lot, albeit slightly smaller than the required minimum lot size, as a superior nature of title using the Real Property Act.

In response to subclause 3b the applicant indicates that there are sufficient planning grounds to justify contravening the development standard for the following reasons:

- We believe a freehold subdivision is in the best interest of the public because the development as a whole is consistent with the objectives of the zone.

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

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

On consideration of subclause 4 the applicant's written request adequately addresses matters in subclause 3 and it is considered that the proposal does not derogate from the objective of Clauses 2.6, 4.1 and 4.6 and the RU5 zone. The requirement to grant concurrence of the Secretary in this instance has been delegated to Council (PS 18-003) and the matters to be considered by Council in assuming this delegation is provided in Clause 5 which is provided below:

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NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

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

The applicant's proposal to subdivide the subject land in itself will not raise any matter of significance for state or regional environmental planning. It is considered that a reduced lot size of 52% of the standard in a corner lot will be acceptable and the two dwellings will not be an over development of the site. Council has previously allowed the use of clause 4.6 to vary minimum lot size in the RU5 zone for development on corner allotments.

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

The submitted application to modify DA10.2017.91.3 has addressed the requirements of Clause 4.6 and the variation to permit Torrens Title subdivision will not change the nature of the development which is occurring at the site

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

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

**RECOMMENDATION**

In accordance with Section 4.55 of the EP&A Act 1997 Council consent to utilising the provision of Clause 4.6 of the Greater Hume Local Environment Plan 2012 to modify development consent 10.2017.91.3 with the changed conditions shown in italics:

**APPROVED PLANS**

**1 Compliance with Plans and Conditions**

The development shall take place in accordance with the approved development plans endorsed DA10.2017.91.1, DA10.2017.91.2 and DA 10.2017.91.3 except as modified in red by Council and/or conditions of this consent.

**2 Time Period of Consent**

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

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



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**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**3 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. Contract of Insurance or Owner-builder Permit

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

- (i) A contract of insurance that complies with Part 6 of the Home Building Act 1989 is in force in relation to the subject work. A certificate of insurance is to be provided to the other party of the contract; or
- (ii) An owner-builder has a valid owner-builder permit issued by the Department of Fair Trading.

**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.**

**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 Notify Council of Intention to Commence Works**

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

**6 Erosion and Sedimentation Control**

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

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

**7 Toilet Facility**

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

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**8 Sign During Construction**

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

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

Note: A \$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.**

**9 Retaining Walls and Drainage**

If soil conditions require it:

- a. Retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and
- b. Adequate provision must be made for drainage.

NOTE 1: A Retaining wall in excess of 600mm in height or within 1m of the lot boundary or an easement is not exempt development under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and requires an approval.

NOTE 2: Retaining walls which exceed 900mm in height must be designed by a Practising Structural Engineer or installed in accordance with any manufacturer's specification.

**REASON:** It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15(1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

**10 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.

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**11 Basix Certification**

Prior to the issue of an occupation certificate (whether interim or final), a compliance certificate shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with the commitments identified on approved Basix Certificate.

Should the design of the building alter or the commitments to Basix change, a new Basix Certificate is required to be completed and submitted to the Principal Certifying Authority and the Consent Authority.

**12 Drainage Works-As-Executed Plan**

Upon completion of installation of all drainage lines, a works-as-executed plan prepared by the licensed plumber/drainer shall be submitted for Council's records.

**13 Plumbing Works Final**

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

NB. This letter is in addition to the inspection sheet or Certificate of Compliance from Council.

**14 Basix Certificate**

The commitments listed in the BASIX Certificate for the dwelling forms part of the development consent and are to be maintained during the life of the dwelling. Where the commitments require replacement, the replacement must be identical to or is at a higher star rating to that listed in the BASIX Certificate.

*Note: Where there is any proposed change in the BASIX commitments, the applicant must submit a new BASIX Certificate for the development where the plans and specifications are inconsistent with development consent (see Clauses 145 & 146 of the Regulation). The applicant will be required to submit an amended development application to Council pursuant to Section 4.55 of the Act.*

**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.**

**15 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.

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**16 Compliance with the National Construction Code (NCC)**

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

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

**17 Use of Garage and Shed**

The garage and/or shed shall not be used for industrial, commercial or human habitation purposes without further consideration by Council.

**18 Critical Stage Inspections**

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

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

**19 Stormwater Disposal**

All stormwater shall be directed to Anvil Road Jindera.

**20 Construction - Hours of Work**

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

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

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

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

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**CONDITIONS RELATING TO TORRENS TITLE SUBDIVISION**

- 21** The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2017.91.2 & 3 except where amended by any conditions of this consent.
- 22** Prior to the issue of a Subdivision Certificate for any lot the applicant shall provide to Council for approval:
- a. Written advice from a suitably qualified person indicating the connection of electricity and telecommunications to each lot.
  - b. **Payment of the following Development Servicing Plan (DSP) charges for water and sewer:**
    - (i) Water Supply \$3230.00.
    - (ii) Sewer \$ 4390.00**NB. Contributions are due prior to the release of the Subdivision Certificate and will be calculated or recalculated at the rate applicable under the plans current at the time of payment.**
    - (i) Written confirmation is required attesting that there is no passage of services across the common boundary.
- 23** Prior to the issue of a Subdivision Certificate for any lot the applicant shall undertake the following works in accordance with Councils specifications and at the applicant's expense:
- a. Existing water service to service new lot. New water service to be installed by Council to service existing house \$1494.00
  - b. Proposed additional lot to be connected to Jindera Sewerage Scheme. New sewer manhole and sewer main to be installed to service existing house. Easement to be created over new sewer main – 3 metre wide.
  - c. Submit for approval –detailed engineering plans for the construction of the subdivision showing sewer main route, long section and easements.
  - d. Works as executed plans to be submitted on completion of works.
  - e. Existing house drainage (sewer) to be reconnected to new sewer main.
  - f. New driveway crossover to be constructed to Councils Rural Driveway Crossover Specification.
- 24** All easements necessary to ensure the supply of services and access shall be provided.
- 25** No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 26** Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 27** All Stormwater drainage shall be directed to Mitchell Street.
- 28** Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.

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NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

- 29 This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 30 During construction, work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.
- 31 Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form attached) and payment of the fee applicable when the subdivision certificate is issued.

**PRESCRIBED CONDITIONS OF CONSENT**

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

- 32 All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
- 33 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- 34 Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor, and
    - (ii) the name of the insurer by which the work is insured under Part 6 of the Act,
  - in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder, and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION,  
NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

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

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

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

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

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

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**2. DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321 AND LOT 6 DP1126643 38 SWIFT STREET HOLBROOK AND 51 HALFORD DRIVE HOLBROOK**

**Report prepared by Director Environment and Planning - Colin Kane**

**REASON FOR REPORT**

Council is in receipt of a development application for a two lot subdivision (boundary adjustment) of Lot 1 DP 717321 and Lot 6 DP 1126643 respectively 38 Swift Street Holbrook and 51 Halford Drive Holbrook (the subject land"). The applicant is Habitat Planning and landowners are C B Simpson and Holbrook RS Club.

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

**REFERENCE TO DELIVERY PLAN**

Nil.

**DISCUSSION**

The subject land is located on the eastern edge of Holbrook where 51 Halford Drive is an isolated residential allotment that is surrounded on three sides by the Holbrook Golf Course and Halford Drive on the fourth side.

The proposal seeks approval for a boundary adjustment between the common boundary of Lot 1 in DP717321 and Lot 6 in DP1126643. The intention is to incorporate a surplus portion of the adjoining golf course land, Lot 6, into the lot containing the existing dwelling so that this land can be used in conjunction with the existing dwelling. A site inspection by the author revealed that the land which is to be transferred appears to be occupied as a horse paddock possibly by the owners of lot 1 DP717321.

Proposed Lot 1 will result in a long frontage to Halford Drive of 355 metres and a generally triangular shape with maximum depth of approximately 60 metres near the existing dwelling. The total area of proposed Lot 1 is to be 1.284 hectares.

Proposed Lot 2 will retain a generally rectangular shape however, it will have an adjusted eastern boundary. The lot will only retain a frontage to Halford Drive of 39.7 metres in the north east corner of the lot. The total area of proposed lot 2 is to be 7.217 hectares.

**ASSESSMENT**

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

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



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DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321  
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HOLBROOK [CONT'D]

***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 residual to the golf course and there is nothing to suggest that it has been used for activities that may lead to site-specific contamination.

***The Greater Hume Local Environmental Plan 2012*** (“the GHLEP 2012”) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU5 Village and RE2 Private Recreation and the objectives of these zones are provided below:

Objectives of Village 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.

Objective of Private Recreation zone:

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The proposal does not derogate from the objectives of these zones.

Clause 2.6 of the GHLEP 2012 is applicable and stipulates that development consent is required for this subdivision and that development consent for subdivisions cannot be given in a situation which would result in a dwelling and a secondary dwelling being located on allotments beneath the minimum lot size. In this situation, there is no minimum lot size for the existing lot 1 where a dwelling is located and there will not be the ability to construct a dwelling on the residual of lot 6.

Clause 4.1 of the GHLEP 2012 stipulates that if development consent is required for subdivision of a lot (such as the subject land) that is shown on the lot size map, then the size of any lot resulting from that subdivision is not to be less than the minimum size shown on the Lot Size Map. There is no minimum lot size for the area occupied by lot 1 however, the RE2 zoned land that will be added to that allotment and the residual golf course allotment will both be well beneath the minimum lot size of 100 hectares.

The objective of Clause 4.1 is “*to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of the relevant zone*”. The applicant contends that Clause 4.6 of the GHLEP 2012 allows for consideration of lots less than the minimum lots size which is discussed later.

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

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

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DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321  
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HOLBROOK [CONT'D]

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

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

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

- The proposal achieves the objective at clause 4.1(1)(a) which is to ensure land use and development is undertaken on appropriately sized parcels of land consistent with the objectives of the relevant zones. The outcome sought by the proposal does not change the existing activities for each of the lots, but rather seeks to change the common boundary between the two.
- The existing configuration of both lots are already well under the minimum lot size of 100 hectares and therefore are undersized in the context of the minimum lot size. Altering the lot boundaries as proposed therefore has no significant change to the existing level of compliance with the minimum lot size.
- The total extent of the two lots is 8.51 hectares, with the portion of land proposed to be altered between the lots being 7,085m<sup>2</sup> or 8% of the total area which represents a minimal change in the overall context.
- The nature of the development is effectively residential, with the lot sizes sought intended to provide a more direct response to the existing boundaries of the golf course and the adjacent low density residential uses. The altered boundaries are therefore considered to provide a better response to the existing conditions of this part of Holbrook.
- The intension of the minimum lot size controls is to maintain an appropriate density and lot proportions that are responsive to the character of the area. As above, the resultant lots better represent the existing conditions and the way the land is already being used.
- The proposal will allow a more effective and appropriate utilisation of land as a whole.

In response to subclause 3b the applicant indicates that there are sufficient planning grounds to justify contravening the development standard for the following reasons:

- The existing lots are already created at a smaller size and are well less than the minimum lot size applicable to the RE2 zone. An amendment between the common boundaries is considered to be insignificant in the overall configuration of the land.
- A 100 hectare minimum lot size is only applied to the RE2 land which is to be taken into the RU5 land. The intention of the minimum lot sizes is not to restrict the residential village areas of Holbrook to a minimum lot size of 100 hectares. In this instance, it is logical and appropriate to incorporate an unused area of the adjacent golf course property with the dwelling, despite the applied minimum lot size.

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DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321  
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HOLBROOK [CONT'D]

- The dwelling lot, which is sought to be increased, is predominantly within an area with no minimum lot size and clearly the intent of the LEP provisions is to avoid minimum lot size restriction over the 'village' areas. The variation results only by taking in the surplus golf course land which will effectively serve additional private open space and associated land with the dwelling.
- Under this arrangement, the proposal does not exceed the existing density of lots already allowed for by the LEP. That is, the subject site already comprises two undersized lots (in the context of the minimum lot size) and will remain in a two lot configuration albeit with altered common boundaries.
- The modified common boundary between the two lots will reflect the existing conditions of the subject site and will therefore have no discernible change to the subject site or context. The boundary will follow an existing dividing fence between the golf course, the existing dwelling lot and two portions which are surplus to the function of the golf course.

Subclause 6 relates to subdivision however, those provisions do not apply to the zoning of the two allotments.

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

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

On consideration of subclause 4 the applicant's written request adequately addresses matters in subclause 3 and it is considered that the proposal does not derogate from the objective of Clauses 2.6, 4.1 and 4.6 and the RU5 and RE2 zone objectives. The requirement to grant concurrence of the Secretary in this instance has been delegated to Council (PS 18-003) and the matters to be considered by Council in assuming this delegation is provided in Clause 5 which is provided below:

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

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

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HOLBROOK [CONT'D]

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

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

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

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

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

The applicant advises that the service area already constructed and provided to each lot is appropriate which is accepted by Council.

**Greater Hume Development Control Plan 2013**

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

DEVELOPMENT STANDARD	COMMENT
<p><b>Staging</b></p> <p>1. Where staging of a subdivision is proposed, a staging plan must be submitted with the development application.</p> <p>2. Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative impacts upon infrastructure provision and/or design.</p>	<p>No staging to occur.</p>

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HOLBROOK [CONT'D]

DEVELOPMENT STANDARD	COMMENT
<p><b>Movement network</b></p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. All development for subdivision must comply with the Council's standards for road design.</p> <p>3. For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</p> <p>4. All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</p> <p>5. Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>No roads will be created as part of this subdivision.</p> <p>N/A.</p> <p>Direct access to a public road will be provided to each allotment.</p> <p>N/A.</p>
<p><b>Lot design</b></p> <p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Multi-lot subdivisions should provide for a range of lot sizes.</p> <p>3. Lots are to be provided with legal and practical public road access.</p> <p>4. Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.</p> <p>5. For battle-axe allotments a minimum width of the access handle is to be 4.5m.</p> <p>6. Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling.</p> <p>7. Lots are to be designed to maximise solar access.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>N/A.</p> <p>All lots are provided with frontage to a public road.</p> <p>Lots are adequate.</p> <p>N/A.</p> <p>N/A.</p> <p>These lots will afford excellent solar access.</p>
<p><b>Infrastructure &amp; services</b></p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Where a reticulated external potable water supply is provided, all lots shall be connected.</p> <p>3. Where a reticulated external sewerage system is provided, all lots shall be connected.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>Reticulated water is already provided.</p> <p>N/A.</p>

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HOLBROOK [CONT'D]

DEVELOPMENT STANDARD	Comment
<p><b>Hazards</b></p> <p>1. On land mapped as bushfire prone, compliance with the <i>NSW Rural Fire Service guide Planning for Bushfire Protection</i> (2006).</p> <p>2. On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the <i>Floodplain Development Manual: the management of flood liable land</i> (2005).</p> <p>3. On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of <i>State Environmental Planning Policy No.55 – Remediation of Land</i>. An investigation should be in accordance with the process detailed in the State Government's <i>Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land</i> (1998).</p>	<p>N/A.</p> <p>Some of the land is flood affected however there is no impact on existing dwellings.</p> <p>There is no evidence to suggest the lot is potentially contaminated and hence further investigation in this regard is not necessary.</p>
<p><b>Site management</b></p> <p>1. Compliance with the <i>Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards</i>.</p> <p>2. Compliance with <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga &amp; Hume Councils</i>.</p>	<p>Council's Engineers have assessed the application and provided their conditional approval.</p> <p>No details were provided with the application in regards to soil and water management. Having regard for the characteristics of the lot and the low risk of erosion etc., it is acceptable that a condition be included on the consent to comply with these guidelines.</p>

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HOLBROOK [CONT'D]

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

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

ISSUE	ACCEPT- ABLE	COMMENT
Context & setting	✓	The adjacent land is zoned RU5 or RE2.  The proposed subdivision will be in keeping with the existing use of land in the locality.
Access & parking	✓	Existing.
Roads & traffic	✓	All lots have frontage to a public road and the traffic impacts from the subdivision will not result in an adverse outcome in terms of the road network.
Utilities	✓	Existing.
Heritage	✓	The lot is not a heritage place nor contains any heritage items.
Archaeology	✓	There are no known archaeological items on the lot. As disturbance of the site has already been incurred this issue is not a concern for the subdivision.
Stormwater	✓	The subdivision itself will have no impact on stormwater.
Soils & erosion	✓	Any works associated with the subdivision will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga &amp; Hume Councils</i> .
Flora & fauna	✓	The lot is mostly cleared of vegetation and hence the subdivision will have little impact on flora and fauna.
Flooding	N/A	
Bushfire	N/A	
Technological hazards	N/A	-
Safety, security & crime prevention	N/A	-
Privacy	✓	
Landscaping	N/A	-
Overshadowing	N/A	-
Land resources	N/A	-

- **4.15(1)(c)The suitability of the site for the development**  
The site is suitable for the subdivision despite variances of 98.7% and 92.7% from the minimum lot size requirement of the RE2 zoned land. Both allotments would not derogate from the objective of the RU5 and RE2 zoning.
- **4.15(1)(d)Any submissions made in accordance with this Act or the regulations**  
No submission has been received to the notification of the proposed subdivision.

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HOLBROOK [CONT'D]

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

Although both of the proposed lots are inconsistent with the minimum lots size for the RU5 and RE2 zoning this subdivision, undertaken in accordance with the applicable requirement of the Greater Hume Local Environment Plan 2012, is not against the public interest.

#### **BUDGET IMPLICATIONS**

Nil.

#### **CONCLUSION**

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

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

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

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

#### **RECOMMENDATION**

Pursuant to Clauses 4.16 and 4.17 of the Environmental Planning & Assessment Act 1979 a 2 lot subdivision (boundary adjustment) be approved at Lots 1 DP 717321 and Lot 6 DP 1126643 51 Halford Street Holbrook and 38 Swift Street Holbrook subject to the following conditions of approval:

- 1 The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2020.26.1 except where amended by any conditions of this consent.
- 2 All easements necessary to ensure the supply of services and access shall be provided.
- 3 No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 4 Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 5 All Stormwater drainage shall be to natural drainage lines.



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HOLBROOK [CONT'D]

- 6 Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.
- 7 This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 8 Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form available on Council's website) and payment of the fee applicable when the subdivision certificate is issued.
- 9 Written confirmation is to be provided confirming no services such as private water lines traverse the new common boundary.

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**3. MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK**

**Report prepared by Director Environment and Planning - Colin Kane**

**REASON FOR REPORT**

Council is in receipt of an application to modify Development Application 267-06/07 which gave consent for expansion of quarry at lot 7 DP112943 10721 Hume Highway Holbrook (the subject land"). The applicant is Bald Hill Quarry and the owner is LF Lubke.

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

**REFERENCE TO DELIVERY PLAN**

None relevant.

**DISCUSSION**

Council has received an application in accordance with Section 4.55(2) of the EP&A Act to modify development consent 236-06/07 (DA6-11/12-s96) which relates to a quarry development at the subject land.

The application is requesting a change to working hours from those approved under condition 24 which stated:

- All work on site associated with the extraction, processing and transport of material must only be conducted between 7 am and 6 pm Monday to Friday and 8.00 am to 6pm Saturday excluding public holidays.

The requested change would be as follows:

- All work on site associated with the extraction, processing and transport of material must only be conducted between **6am** and 6pm Monday to Friday and **7am** to 6pm Saturday excluding public holidays.

The applicant is also requesting the ability to accept and process recycled concrete. Currently they receive clean concrete which is overflow (waste) from sleeper beds from the Austrak factory in Bomen, Wagga Wagga. The quantity of this material is estimated to be 400-500 tonnes a month. It is stockpiled and progressively crushed for recycling by blending into selected road bases and aggregated products. The road base material will be used on local roads and building projects. It is increasingly common for quarries to recycle concrete in this manner.

The existing development is designated development as defined in Section 4.10 the EP&A Act and Section 4.55(2) of the EP&A Act applies to this application as the changes to the consent involved environmental impacts. The application was publicly notified in accordance with the Environmental Planning and Assessment Regulation 2000 and approval agencies were contacted for comment.

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MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY  
VARIATION OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY  
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The relevant approval agencies have provided their concurrence and the NSW Environmental Protection Authority have developed conditions to include should Council consent to modifying the consent. The EPA deferred providing their concurrence until the applicant provided a Noise Impact Assessment which demonstrated that the change to working hours would not cause an adverse impact with respect to noise.

Council received a response to the public notification of this application (**ANNEXURE 2**) which raised concerns in relation to dust emanating from the quarry. The objection was referred to the EPA as they are the appropriate regulatory authority for the existing quarry under the provisions of the Protection of the Environment Operations Act 1997. Despite the objection, the EPA advised that they were satisfied to provide their concurrence to the development.

### **BUDGET IMPLICATIONS**

Nil.

### **CONCLUSION**

As the submitted Noise Impact Assessment demonstrated that there should be minimal impacts arising from the change of operating hours and the EPA is satisfied with the proposed changes to accept concrete for recycling, it is considered that the request to modify the consent to change operating hours and accept concrete for recycling can be substantiated.

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

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

### **RECOMMENDATION**

In accordance with Section 4.55 of the EP&A Act 1997 Council consent to the modification of development consent 236-06/07 (DA6-11/12-s96) and change the working hours and allow concrete recycling where the amended conditions are shown in italics:

#### **Administration**

- 1 Except as expressly provided by the following conditions, works and activities must be carried out in accordance with the details contained in:
  - (a) the development application 263-06/07 submitted to the consent authority (Greater Hume Shire Council) on 25 June 2007;
  - (b) the Environmental Impact Statement titled *Lubke Quarry Environmental Impact Statement* dated June 2007 (including proposed environmental impact mitigation measures, monitoring and reporting requirements summarised in Section 3.15);
  - (c) all additional documents and information supplied to the consent authority in relation to the development; and
  - (d) the Planning Report submitted with modification application 6-11/12 submitted to the consent authority (Greater Hume Shire Council) on 7 October 2011.

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- (e) the Planning Report submitted with modification application 10.2011.6.3 submitted to the consent authority (Greater Hume Shire Council) on 27 November 2019.
- 2 This consent lapses 20 years from the date from which it operates.
- 3 The applicant shall not extract, process or transport more than 200,000 tonnes of material a year from the quarry site.
- (a) Notwithstanding Condition 3, for a period not exceeding three (3) years from the date the consent is modified, the extraction of up to 400,000 tonnes of material per annum is permitted.
- (b) Prior to commencing the increased rate of extraction, the applicant shall provide the consent authority with an audit of all existing consent conditions for compliance. The applicant must demonstrate compliance with all conditions. The increased rate of extraction must not commence until all existing consent conditions have been complied with.
- 4 This consent shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.
- 5 **Within one month of the date of consent** the applicant shall surrender the previous development consent applicable to the quarry (Ref: development application No. 10/85).
- Note: The surrender of consent should be undertaken in accordance with Regulation 97(1) of the Environmental Planning and Assessment Regulation 1980.
- 6 The applicant shall comply with any reasonable request from the consent authority arising from matters contained in:
- (a) the endorsed Environmental Impact Statement;
- (b) any reports, plans or correspondence that are submitted to the consent authority in accordance with this development consent; and
- (c) the implementation of any actions or measures contained in these reports, plans or correspondence.
- 7 For the residence of Paul and Narelle Emerson the applicant is to have a dilapidation study performed by a suitably qualified person prior to the three years of increased extraction. At the completion of this time another dilapidation study is to be performed and any damage to the residence that can be attributed to the increased extraction from Cromer quarry is to be rectified to correspond with the original condition of the dwelling prior to the increased extraction rate.

**Stormwater**

- 8 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with and in connection with the carrying out of the development.

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- 9 If a discharge point is proposed for the sedimentation system, the concentration of any pollutant discharged at that point must not exceed the concentration limit specified in the EPA licence for that pollutant in the table.
- 10 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by above conditions must be done in accordance with:
- (a) the Approved Methods Publication; or
  - (b) if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted, unless otherwise provided in the EPA licence.
- 11 **Within 3 months of the date of consent** a Soil and Water Management Plan (SWMP) must be prepared, approved by the consent authority and implemented. The SWMP must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during extraction activities. The SWMP should be prepared in accordance with the requirements for such plans outlined in Managing Urban Stormwater: Soils and Construction (available from the Department of Housing).
- 12 **Within 3 months of the date of consent** a Stormwater Management Scheme (SMS) must be prepared, approved by the consent authority and implemented. Implementation of the SMS must mitigate the impacts of stormwater run-off from and within the premises following the cessation of extraction for the Hume Highway project. The scheme should be consistent with guidance contained in Managing Urban Stormwater: Council Handbook (available from the EPA).

**Groundwater**

- 13 If groundwater is intercepted at any stage of the project, the operation must cease immediately and the NSW Office of Water and the consent authority both contacted.
- 14 The depth of extraction is not to exceed any point less than two (2) metres from the standing water level of the shallowest aquifer.
- 15 **Within 3 months of the date of consent** a Groundwater Monitoring Program must be prepared, approved by the consent authority and implemented to monitor fluctuations in groundwater levels beneath the extraction pit.
- 16 A detailed progressive rehabilitation plan is to be prepared to the consent authority's satisfaction that details the agreed short and long term rehabilitation objectives of the site, a survey plan of the final land form and the information detailed in section 7 of the *EIS Guidelines for Extractive Industries-Quarries* prepared by the former DUAP.

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**Noise**

- 17 Noise emissions from the premises must not exceed the criterion set out in the *New South Wales Industrial Noise Policy* at the nearest and potentially most affected noise sensitive receptors. Noise is to be measured in accordance with this policy if required to determine compliance with this condition.
- 18 All practical measures must be used to silence the plant and equipment used consistent with the best available technology that is economically achievable.
- 19 The applicant must use natural barriers and construct acoustic barriers close to jaw crushing equipment which fully prevents line of site to the three closest properties to the west and southwest. The barrier must comply with the requirements of section 7.1 of the Noise Impact Assessment Report nss21664-final.
- 20 The noise emissions limits apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:
- (a) documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and
  - (b) where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhance impacts under temperature inversions conditions should be developed and implemented.
- 21 The proponent shall complete and submit to DECC a noise compliance assessment within three months of commencement of normal operations.
- 22 The proponent shall develop and implement a Noise Management Plan that has a primary aim, but is not necessarily limited to, the ongoing evaluation and application of best practice and all feasible and practicable means to reduce noise emissions so as not exceed the limits outlined in the Industrial Noise Policy.

**Setback**

- 23 In accordance with Regulation 32 of the *Environmental Planning and Assessment Model Provisions 1980*, no works shall be undertaken within 400 metres of the Hume Highway, including part of the area nominated as a 'temporary stockpile'.

**Hours of Operation**

- 24 *All work on site associated with the extraction, processing and transport of material must only be conducted between 6am and 6pm Monday to Friday and 7am to 6pm Saturday excluding public holidays.*

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- 25 Activities at the site, other than extraction, processing and transport of material, may only be carried out between 7am and 10pm Monday to Friday and 7am to 6pm Saturday excluding public holidays.
- 26 The delivery of material outside the specified hours of operation may be undertaken if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA, consent authority and affected residents as soon as possible, or within a reasonable period in the case of an emergency.
- 27 The hours of operation may be varied with written consent if the EPA and the consent authority are satisfied that the amenity of the residents in the locality will not be adversely affected.

**Blasting**

- 28 The overpressure level from blasting operations on the premises must not:
- exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and
  - exceed 120dB (Lin Peak) at any time,
- The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut off frequency then a correction of 5dB should be added to the measure value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.
- 28(a) Where winds are significant (i.e. over 18km/hour and in the south, west or southwest direction) the charge weight is to be restricted to 30kg from winds between 3 m/s and 5 m/s(18km/hr)
- 28(b) Blasting is not to take place when winds in the south or southwest directions exceed 5 m/sec.
- 29 Ground vibration peak particle velocity from the blasting operations at the premises must not:
- (a) exceed 5mm/s for more than 5% of the total number of blasts over a period of 12 months; and
  - (b) exceed 10mm/s at any time, when measured at any point within 1 metre of affected residential boundary or other noise sensitive location.
- 30 Blasting operations on the premises may only take place between 10am and 3pm Monday to Friday and not during periods of inversions.
- 31 The hours of operation for blasting operations may be varied if the EPA and the consent authority, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

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- 32 Blasting at the site is limited to one (1) blast each day on which blasting is permitted.

Note: The restrictions on times and frequency of blasting referred to above are based on the ANZEC guidelines – “Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration” September 1990.

- 33 A Blasting/Vibration Management Protocol must be prepared in relation to the development, submitted to the consent authority for approval and implemented. The protocol must include, but need not be limited to, the following matters:
- compliance standards;
  - mitigation measures;
  - remedial action;
  - monitoring methods and program;
  - monitoring program for flyrock distribution;
  - measures to protect underground utilities (e.g. rising mains, subsurface telecommunication and electric cables) and livestock nearby;
  - notification of procedures for neighbours prior to detonation of each blast;
  - measures to ensure no damage by flyrock to people, property, livestock and powerlines.

- (a) In the event of the consent authority receiving noise and/or vibration complaints associated with blasting at the quarry, it may request the monitoring of blasting at any residence in accordance with condition 34. Any such monitoring shall be at the applicant's expense.

- 34 For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at:
- the residential boundary; or
  - 30 metres from residences in rural situations where the boundary is more than 30 metres from residences.
  - Airblast overpressure levels should not be measured within 3.5 metres of any building.
  - Ground vibration levels should not be measured with the longest dimension of the foundations of a building or structure away from such building or structure.

**Dust**

- 35 Activities occurring at the site must be carried out in a manner that will minimise the emissions of dust off-site.
- 36 All areas of the site must be maintained in a condition that minimises the generation of dust.
- (a) A dust gauge is to be installed at the “Cromer” property (on Lot 7 DP 1129439) during the temporary three year period to monitor depositional dust levels.



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- (b) The measured dust position levels must be analysed on a monthly basis to demonstrate compliance with OEH objectives.
- (c) The dust deposition gauges should be in place and activated before the start of the temporary expanded quarry operations. The following Australian Standards should be observed when undertaking the proposed monitoring:
  - AS 2922-1987 – Ambient Air-Guide for Siting of Sampling Units; and
  - AS 3580.10.1-1991 – Particulates – Deposited Matter (Gravimetric Method)
- (d) The following dust management practices must be undertaken:
  - Implementation of dust emission control measures including: watering dry surfaces, covering loads on outbound haul truck, seed long-term stockpiles and removing of mud and dirt tracked on to road surfaces;
  - Monitoring and recording the effectiveness of measures implemented to control dust emissions;
  - Progressively rehabilitating disturbed areas as soon as earthworks are completed or where earthworks on disturbed areas are dormant for greater than 8 weeks;
  - Limit vehicle and machinery access to designated work areas; and
  - Undertake progressive rehabilitation of the quarry work area.

- 37 Trucks entering and leaving the site that are carrying loads must have these loads completely covered at all times, except during loading and unloading.

**Traffic**

**New RTA Requirements**

- 38 The access driveway from the Hume Highway shall be sealed to a minimum width of 6m and the seal coverage maintained for at least 50m from the edge of seal of the carriageway of the Hume Highway. This is required to prevent deterioration of the road shoulder and the tracking of gravel onto the roadway.
- (a) The developer is responsible for all works necessary due to the proposed development and as required by the various public utility authorities and/or their agents. It should be noted that relocation of any utility service within the road reserve will require Roads and Maritime Services (RMS) concurrence under section 138 of the *Roads Act 1993* prior to commencement to works.
  - (b) Prior to works commencing within the road reserve of a Classified Road the applicant must apply for and obtain approval under Section 138 of the *Roads Act 1993* from the road authority (Council) and a Road occupancy licence from Roads and Maritime Services (RMS).
  - (c) Any work associated with the proposed development shall be at no cost to Roads and Maritime Services (RMS).

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**Existing RTA Requirements**

- 39 Existing entrance turnout and access road is to be sealed for a minimum length of 50 m from the existing pavement on the Hume Highway to prevent any dust near the highway. This also prevents deterioration of the road shoulder and the tracking of loose materials on to the highway.
- 40 The swept path of the largest vehicle entering/exiting the subject site and manoeuvrability through the site is to be in accordance with current Australian Standards and to the consent authority's satisfaction.
- 41 Gates within the fence line are to be set back a minimum of 30 metres from the road shoulder so as to allow storage of long vehicles likely to service the site.
- 42 If the proposed expansion of the quarry takes place prior to the duplication of the Hume Highway an Auxiliary Right Turn (AUR) treatment is to be constructed at the junction of access location and Hume Highway in accordance with the RTA's Road Design Guide for the prevailing speed limit.
- 43 Detail design of an Auxiliary Right Turn (AUR) treatment is to be sent to the RTA for approval prior to construction.
- 44 The required Safe Intersection Sight Distance (SISD) from the egress location on Hume Highway is to be in accordance with the RTA's Road Design Guide for the prevailing speed limit (i.e. 225m for 100km/hr speed zone).
- 45 As recommended in the submitted traffic report, the three trees on each side of the existing entrance are to be removed prior to the formal commencement of expanded quarry operation in order to improve the sight distance.
- 46 Any road and/or traffic works associated with the proposed development shall be at no cost to the RTA.

**Threatened Species**

- 47 The applicant must **within 12 months of the date of consent** undertake tree planting in the vicinity of the quarry access to offset the impact of proposed clearing. Ten trees must be planted for every tree (living or dead) removed. Locally occurring tree species must be used. Tree planting must occur outside the future Hume Highway Road Reserve. Tree planting sites must be chosen so as to improve connectivity for Squirrel Gliders and to complement tree planting to be undertaken by the Northern Hume Alliance in the locality. The applicant is to advise the consent authority when such planting has been completed.
- 48 Areas supporting trees west of the haul road/current work area and located adjacent to the southern offset area must not be cleared or impacted by the development. These areas must be incorporated into the southern offset area.

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- 49     **Within 3 months of the date of consent** the applicant must provide for the in-perpetuity management for conservation of offset areas via the placement of appropriate restrictions and positive covenants on the land under the *Conveyancing Act 1919* or the approval of a Property Vegetation Plan under the *Native Vegetation Act 2003*. Such mechanisms must be approved by the consent authority prior to implementation.
- 50     **Within 3 months of the date of consent** a revised *Rehabilitation Native Vegetation Offset Replanting Plan* (RNVORP) must be submitted to the consent authority for approval. The consent authority will only approve the RNVORP if, following consultation with the Department of Environment and Climate Change (DECC), it is satisfied the RNVORP will improve environmental outcomes such that impacts of the development are adequately offset. The revised RNVORP must include the requirement for additional revegetation associated with mitigating impacts on Squirrel Gliders associated with the Hume Highway access. The RNVORP is to be implemented within 3 months of approval.
- 51     Clearing of the development site must be staged, with only the minimum amount of clearing necessary to allow for the safe working of each bench undertaken immediately prior to the quarrying of that bench.

**Monitoring**

- 52     The results of any monitoring required to be conducted by a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in the following two conditions.
- 53     All records required to be kept by the licence must be:
- in a legible form, or in a form that can be reduced to legible form;
  - kept for at least four (4) years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA or the consent authority who asks to see them.
- 54     The following records must be kept in respect of any samples required to be collected:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

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**Reporting**

- 55 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity that applicant will be required to submit load-based fee calculation worksheets with the return.
- 56 A copy of the annual return to the EPA is to be provided to the consent authority.

**Amended EPA Conditions (Extension of Hours and Concrete Request)**

**L2 Waste**

**L2.1** The licensee must not cause, permit or allow any waste generated outside the premises, except the wastes expressly referred to in the column titled 'Waste' and meeting the definition, if any, in the column titled 'Description' in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to the waste in the column titled 'Activity' in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled 'Other Limits' in the table below.

This condition does not limit any other conditions in this licence.

<b>Code</b>	<b>Waste</b>	<b>Description</b>	<b>Activity</b>	<b>Other Limits</b>
N/A	Concrete	Recycled concrete from the sleeper beds from Austrak Bomen	Waste Storage Waste Processing (non thermal)	Maximum of 500 tonnes to be received at the premises per month

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**Noise Limits**

**L3.1** Noise generated at the premises must not exceed the noise limits in the table below.

Location	Noise Limits in dB(A)	
	Morning Shoulder LAeq (15 minute)	Day LAeq (15 minute)
Jerapool (exact location to be negotiated with the EPA)	38	40
Beenly (exact location to be negotiated with the EPA)	38	40
Wongalee (exact location to be negotiated with the EPA)	37	40
Wonga Park (exact location to be negotiated with the EPA)	37	40
Cocook (exact location to be negotiated with the EPA)	37	40
Quambatook (exact location to be negotiated with the EPA)	37	40
Mitlon (exact location to be negotiated with the EPA)	37	40

**L3.2** For the purposes of condition L3.1:

- a) Morning shoulder means the period from 6am to 7am Monday to Friday.
- b) Day means the period from 7am to 6pm Monday to Friday and 7am to 6pm Saturday.

**L3.3** Noise-enhancing meteorological conditions

- a) The noise limits set out in condition L3.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C, D and E with wind speeds up to and including 3m/s at 10 metres above ground level.
Morning Shoulder	Stability Categories A, B, C, D and E with wind speeds up to and including 3m/s at 10 metres above ground level; or Stability Category F with wind speeds up to and including 2m/s at 10m above ground level.

- b) For those meteorological conditions not referred to in condition L3.3(a), the noise limits that apply are the noise limits in condition L3.1 plus 5dB.

**L3.4** For the purposes of condition L3.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at Albury, NSW.

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- b) Stability category shall be determined using the following method from Fact Sheet D of the Noise Policy for Industry (NSW EPA, 2017);
  - i. Pasquill-Gifford stability classification scheme (section D1.3.1).

**L3.5** To assess compliance:

- a) with the LAeq (15 minutes) noise limits in condition L3.1 and L3.3, the noise measurement equipment must be located:
  - (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
  - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
  - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
  - (iv) at any other location identified in condition L3.1.
- b) with the LAeq (15 minutes) noise limits in condition L3.1 and L3.3, the noise measurement equipment must be located:
  - (i) at the reasonably most affected point at a location where there is no residence at the location; or,
  - (ii) at the reasonably most affected point within an area at a location prescribed by condition L3.5(a).

- L3.6** A non-compliance of conditions L3.1 and L3.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L3.5(a) or L3.5(b).

NOTE to L3.5 and L3.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

- L3.7** For the purposes of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

- L3.8** Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

**L5 Hours of Operation**

- L5.1** Unless otherwise agreed to in writing by the EPA, activities covered by this licence must only be carried out between the hours of 06:00 and 18:00 Monday to Friday and 07:00 and 18:00 Saturday and at no time on Sundays and Public Holidays.

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For the purpose of this licence, the term “activities” refers to all operations including maintenance, deliveries, movements, fuelling and associated heavy transport.

**RMS REQUIREMENT**

Waste concrete transported to the site must only be a backload after delivering raw materials to the Austrack facility.

**NOTE: CESSATION OF TEMPORARY INCREASE IN EXTRACTION**

The temporary increase in extraction of rock material approved by modification application 6-11/12 has ceased and the approved rate of extraction is the original rate of extraction which is an amount of 200,000 tonnes.

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**4. GREATER HUME COUNCIL – COUNCIL COMMENTS TO SUBMISSIONS REPORT  
AND AMENDMENT REPORT – JINDERA SOLAR FARM**

**Report prepared by Director Environment and Planning – Colin Kane**

**REASON FOR REPORT**

On 26 March 2020 Council received a notice from NSW Planning, Industry and Environment that a Response to Submissions Report and Amendment Report has been received for the Jindera Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020 which has been extended until 16 April 2020.

This report will provide Council with details as to how the applicant has addressed the issues raised by Council in its submission dated 8 November 2019 concerning the Jindera Solar Farm.

**REFERENCE TO DELIVERY PLAN**

None relevant.

**DISCUSSION**

As mentioned, Council received notification on 26 March 2020 from NSW Planning and Industry and Environment that a Response to Submissions Report and Amendment Report has been received by them for the Jindera Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020 which has been extended until 16 April 2020.

The author is still considering the Response to Submissions Report and Amendment Report and will prepare an addendum report on this matter.

**RECOMMENDATION**

That Council note that an Addendum Report will be provided to Council on Greater Hume Council – Council Comments to Submissions Report and Amendment Report – Jindera Solar Farm.



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**5. GREATER HUME COUNCIL – COUNCIL COMMENTS TO RESPONSE TO SUBMISSIONS REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR FARM**

**Report prepared by Director Environment and Planning – Colin Kane**

**REASON FOR REPORT**

On 2 April 2020 Council received a notice from NSW Planning, Industry and Environment that a Response to Submissions Report and Amendment Report has been received for the Walla Walla Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020 which has been extended until 16 April 2020.

This report will provide Council with details as to how the applicant has addressed the issues raised by Council in its submission dated 22 November 2019 concerning the Walla Walla Solar Farm.

**REFERENCE TO DELIVERY PLAN**

None relevant.

**DISCUSSION**

As mentioned, Council received notification on 2 April 2020 from NSW Planning and Industry and Environment that a Response to Submissions Report and Amendment Report has been received by them for the Walla Walla Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020 which has been extended until 16 April 2020.

The author is still considering the Response to Submissions Report and Amendment Report and will prepare an addendum report on this matter.

**RECOMMENDATION**

That Council note that an Addendum Report will be provided to Council on Greater Hume Council – Council Comments to Response to Submissions Report and Amendment Report – Wall Walla Solar Farm.

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## **GOVERNANCE**

### **1. GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)**

**Report prepared by General Manager – Steven Pinnuck**

#### **REASON FOR REPORT**

To advise Councillors of actions taken by Council and/or under consideration to assist residents during the current Novel Coronavirus (COVID-19) pandemic.

#### **REFERENCE TO DELIVERY PLAN ACTIONS**

Nil.

#### **DISCUSSION**

Management is acutely aware of the impacts that the coronavirus (COVID-19) is having on the wider economy. Greater Hume Council is not immune from these impacts; both with the loss of direct employment and downturn in business activity, particularly hospitality related businesses.

Actions already implemented include:

#### **1. Water billing**

The following notation was included in our most recent water billing distributed to consumers.

*Greater Hume Council is mindful that many residents will be experiencing financial difficulties due to the ongoing coronavirus crisis.*

*Council will work cooperatively with all of our residents who find themselves impacted by the current situation and you are encouraged to contact Council on 1300 653 538 or at [mail@greaterhume.nsw.gov.au](mailto:mail@greaterhume.nsw.gov.au) to discuss payment options for this account such as a flexible payment instalment plan.*

#### **2. Pausing any debt recovery action on outstanding rates and charges**

Council has received several requests for assistance from lessees of Council commercial premises, registered clubs and sports committees. It is expected that as the length of time to control the pandemic increases so too will the number of requests for relief.

As stated above some sectors of the Greater Hume community have already been adversely impacted through the loss of employment, downturn in business activity which in some cases leading to temporary business closures or operating on a greatly reduced basis. Conversely, some sectors of the Greater Hume community have been relatively unaffected, apart from the reduction in the freedom of movement.

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GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)  
[CONT'D]

Management continues to investigate opportunities to provide meaningful relief to residents and ratepayers and some initial comments are provided in the table below:

<b>Initiative</b>	<b>Estimated Cost \$</b>	<b>Comment</b>	<b>Recommended Action</b>
Waiving of interest on outstanding rates and charges	\$15,000	Broad initiative that should be supported	Interest on overdue rates and charges waived from 1 April to 30 June 2020
Reduction in rent of Council owned premises where the business has been impacted by the pandemic. <ul style="list-style-type: none"> <li>• 50% reduction where the business continues to trade in a limited capacity</li> <li>• 100% where business ceases to trade</li> </ul>	\$9,300	Targeted initiative likely to provide relief for two businesses	Reductions to take effect from 1 April to 30 June 2020 upon application
Freeze water, sewerage and domestic waste charges at 2019/2020 levels	\$178,000 (Full year)		Refer to budget workshop for further consideration
Local purchase preferencing	Unknown at this stage but can be quantified.	Targeted initiative to ensure local employment retained and possibly expanded	Minimum 10% local supplier (as defined in the policy) weighting of 10%

As Councillors are aware the Australian and NSW State Governments have announced unprecedented spending on health and economic initiatives through the current pandemic and it is unclear what the future holds in relation to external infrastructure grant funding.

Accordingly, Management has deferred the recruitment of the Grants Administration Officer. The recruitment to this position will be reviewed when the future direction of the Australian and NSW State Governments are known following the easing of the pandemic and release of Australian and NSW State Budgets later in the year.

It is Management's view that it is not financially sustainable to waive rates and charges as waiving the General Rates for just one quarter would cost Council \$2.2M in revenue. Equally it is not recommended that Council take up less than the 2.6% rate pegging increase as Council would lose this revenue in perpetuity compounding (unless it is made up over the next two years or there is a special rating variation in the future).

The impact of taking up less than a 2.6% rate increase is outlined below:

<b>Percentage Increase</b>	<b>Loss of Revenue</b>
Nil increase	\$229,071
1 % rate increase	\$140,967
2 % rate increase	\$52,863

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GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)  
[CONT'D]

In addition, if Council was to forego the 2.6% in 2020/2021, the cumulative impact of that over 10 years would be \$2,578,177.

Depending on the duration and severity of the impact of the COVID-19 pandemic there are other initiatives that could be considered but are broad in nature and Council may wish to consider more targeted initiatives. Targeted initiatives are likely to have greater impact but are also difficult to manage from an administrative and equity perspective.

It is recommended that monthly reports be submitted to Council to review existing measures and consider further initiatives if required.

**BUDGET IMPLICATIONS**

In addition to the cost of measures contained within this report, it is anticipated that sick leave and special leave required to be paid to staff under Award conditions and/or special agreements between LGNSW and relevant Unions will increase Council's costs in the 2019/2020 and 2020/2021 financial years.

It is difficult to quantify the likely cost to Council of the pandemic through waiving of fees and reduced revenue streams at this point, but is likely to be several hundred thousand dollars over the next six months.

**CONCLUSION**

Management is acutely aware of the impacts that the coronavirus (COVID-19) is having on the wider economy. Greater Hume Council is not immune from these impacts; both with the loss of direct employment and downturn in business activity, particularly hospitality related businesses.

Actions have already been undertaken to reduce the immediate impact on residents and ratepayers and other are proposed within this report.

It is difficult to quantify the likely cost to Council of the pandemic through waiving of fees and reduced revenue streams at this point, but is likely to be several hundred thousand dollars over the next six months.

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GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)  
[CONT'D]

**RECOMMENDATION**

1. That Council:
  - waive interest on outstanding rates and charges for the period 1 April 2020 to 30 June 2020.
  - from 1 April to 30 June 2020 rent on commercial premises impacted by the COVID -19 pandemic be reduced by 50% where the business continues to trade in a limited capacity and 100% where the business temporarily ceases to trade.
  - refer to the Budget Workshop the freezing of water, sewerage and waste collection charges.
  - Amend the Local Purchase Preference Policy to provide a minimum 10% weighting for local businesses to 31 December 2020.
  
2. Further, that reports on the impact of COVID-19 be submitted to each monthly meeting of Council.

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**2. OFFICE OF LOCAL GOVERNMENT - COUNCILLOR SUPERANNUATION DISCUSSION PAPER**

**Report prepared by General Manager – Steven Pinnuck**

**REASON FOR REPORT**

To advise Councillors that the Office of Local Government (OLG) has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments.

**REFERENCE TO DELIVERY PLAN ACTIONS**

Nil.

**DISCUSSION**

The Office of Local Government (OLG) has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments. A copy of the Discussion Paper is included as **ANNEXURE 3** for Councillors' information.

Submissions should be made before close of business (COB) Friday, 8 May 2020.

Under the Commonwealth Superannuation Guarantee (Administration) Act 1993, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to mayors and councillors. This is because mayors and councillors are elected to a civic office in a council and are not employees of the council.

The Discussion Paper provides comment on several questions including:

- Are NSW mayors and Councillors adequately remunerated?
- Have NSW mayors and councillors been denied a financial benefit received by other members of the workforce through the payment of the superannuation guarantee.
- Will payment of the superannuation guarantee encourage more women to stand as candidates at Council elections?
- Will payment of the superannuation guarantee encourage younger people to stand as candidates at council elections?
- How much will it cost and who will pay?

According to the OLG, the release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

Four options have been developed for consideration:

- Maintaining the status quo – mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice;
- Amending the Local Government Act 1993 (the Act) to require councils to pay a portion of the mayor's and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors.

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OFFICE OF LOCAL GOVERNMENT - COUNCILLOR SUPERANNUATION DISCUSSION PAPER [CONT'D]

- Amending the Act to allow councils to require councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the payment of the mayor's and councillors fees. Based on the 2019/2020 Mayoral and Councillor fees this would amount to \$12,914 per annum.
- Amend the Act to give councils the option to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor and councillors' fees.

**Submissions should be made before COB Friday 8 May 2020.**

**BUDGET IMPLICATIONS**

Based on the 2019/2020 Mayoral and Councillor fees this would amount to \$12,914 per annum should the payment of superannuation on councillor fees be compulsory.

**CONCLUSION**

The Office of Local Government (OLG) has issued a discussion paper to seek the views of councils and their local communities on whether councillors should receive superannuation payments. A copy of the Discussion Paper is included in this report.

According to the OLG the release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

Four options have been developed for Councillors' consideration with submissions closing on 8 May 2020.

**RECOMMENDATION**

For Councillors' consideration and comment.

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## **CORPORATE AND COMMUNITY SERVICES**

### **1. GREATER HUME CHILDREN SERVICES OPERATIONS**

**Report prepared by Director Corporate & Community Services – David Smith**

#### **REASON FOR REPORT**

To provide an update on the impact of the COVID-19 pandemic on the operations of Greater Hume Children Services (GHCS).

#### **REFERENCE TO DELIVERY PLAN ACTION**

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

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

#### **DISCUSSION**

The COVID-19 crisis has impacted all aspects of life over recent weeks. Individuals and families have been required to respond to a rapidly changing environment and the lives, and livelihoods, of most Australians have been impacted to some degree.

Many areas of Council's operations have also been impacted. One area of particular concern is Greater Hume Children Services where the number of children attending care at the Holbrook, Henty and Walla Walla long day care centres and across the many Family Day Care services that GHCS manages has plummeted by 60-80%. Whilst childcare services have officially remained open, many families are acting on advice from health authorities and keeping their children home from school and early childhood care. The impact of this, in financial terms, is of particular concern and as a provider of essential early childhood care Council must be proactive in lobbying the Australian and NSW Governments for the immediate introduction of relief measures to ensure that the early childhood care sector does not collapse.

To date, the Australian Government has introduced significant measures to assist the early childhood education and care sector manage the impact of Coronavirus (COVID-19) on its businesses. From 6 April 2020 the Government will provide the Early Childhood Education and Care Relief Package payments in lieu of Child Care Subsidy (CCS) and Additional Child Care Subsidy (ACCS).

The new payment under the Early Childhood Education and Care Relief Package is a payment to support Child Care Services to remain open. Weekly payments will be approximately 50 per cent of services' fee revenue or 50 per cent of the existing hourly rate cap, whichever is lower, for sessions of care in the fortnight preceding 2 March 2020 (i.e. Monday 17 February 2020 through to 28 February 2020). The payments are made in lieu of any Child Care Subsidy and Additional Child Care Subsidy.

However, at the time of preparing this report there is a fundamental flaw in the Early Childhood Education and Care Relief Package in that it is assumed that the balance of the funding needed by childcare providers, i.e. funding in excess of the 50% being paid under the program, will be provided by the Jobkeeper payment of \$1,500 per fortnight per employee. The issue of great concern is that local government is not eligible to receive the Jobkeeper allowance.



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GREATER HUME CHILDREN SERVICES OPERATIONS [CONT'D]

That being the case, as the largest provider of early childhood education and care in NSW, local government will receive 50% of fees and not a cent more. No parent payment and no Jobkeeper allowance. Unfortunately the package in its current form does nothing for local councils who provide critical childcare services to their communities and local government childcare providers are facing an immediate crisis.

Greater Hume Children Services is steadfastly committed to keeping the centres and family day care services open and retaining the staff that Council has worked hard to recruit and train. However clearly this is unsustainable from a financial perspective and with no access to parent fees or the Jobkeeper allowance, local government providers are going to struggle to keep services operating for much longer. Even worse, in rural areas there is no private sector investment in childcare and local government is the only provider.

As a provider, Council acknowledges the significant support measures already put in place however the immediate impact of the Early Childhood Education and Care Relief Package and its reliance on providers also receiving the Jobkeeper payment is such that the entire local government childcare sector is under extreme financial pressure and a wholesale collapse is possible. That being the case, it is recommended that Greater Hume Council join other providers and peak bodies in calling on the Australian Government to immediately implement further relief measures for local councils who provide critical childcare services to their communities.

**BUDGET IMPLICATION**

Council's child care operations run independently from Council's recurrent budget and under normal operating conditions are financially cost-neutral to Council. However, the dramatic reduction in children attending care due to the COVID-19 crisis and the shortcomings in the Early Childhood Education and Care Relief Package as detailed in this report is placing child care services under extreme financial pressure and immediate action is required if Council's services are to survive and remain sustainable in the longer term. In the case of Greater Hume Children Services centres at Henty, Holbrook and Walla Walla, the combined operating deficit under the new funding arrangements totals \$30,460 per fortnight.

**CONCLUSION**

Greater Hume Children Services continues to provide quality services to families in Greater Hume and the wider region. However the immediate impact of the Early Childhood Education and Care Relief Package and its reliance on providers also receiving the Jobkeeper payment is such that the entire local government childcare sector is under extreme financial pressure and a wholesale collapse is possible. That being the case, it is recommended that Greater Hume Council join other providers and peak bodies in calling on the Australian Government to immediately implement further relief measures for local councils who provide critical childcare services to their communities.

**RECOMMENDATION**

That Council continue to call on the Minister for Education, Hon Dan Tehan MP and Member for Farrer, Hon Sussan Ley MP for the immediate introduction of further relief measures for local councils who provide critical childcare services to their communities.

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**2. WALBUNDRIE HALL COMMITTEE – RELINQUISH STATUS OF COMMITTEE**

**Report prepared by Manager Corporate Services – Suzanne Klemke**

**REASON FOR REPORT**

To seek Council approval for the Walbundrie Hall Committee to relinquish its status as a Section 355 Committee of Council.

**REFERENCE TO DELIVERY PLAN ACTION**

Not Applicable.

**DISCUSSION**

The Walbundrie Hall Committee has been active since the commencement of the Local Government Act in 1993. In more recent years, the committee, like most rural committees has seen minimal or no change to their membership.

The committee advised that attempts to recruit new members have been unsuccessful and the existing members are no longer able to continue with the management of the hall.

Council has written to a number of Walbundrie community groups seeking assistance to manage the facility. Council had received two nominations from individuals. Given that follow up letters have been issued, it is highly unlikely that further nominations will be presented.

Discussions with Council's Officers conclude that the control and management of the facility should formerly be handed back to Council. The use of the facility and hire arrangements will be in accordance with Councils facility hire agreement and booking process.

This will also mean that regular maintenance will also be undertaken as part of Council's building maintenance regime.

**BUDGET IMPLICATION**

Council currently provides an annual Council Contribution of \$1,313.00 towards the maintenance of the facility.

Funds held by the committee (\$7,074.30 at 30 June 2019) will be reserved by Council to assist with the future development and maintenance of the hall.

**CONCLUSION**

It is recommended that Council support the request to formally relinquish the control and management of the facility to Greater Hume Shire Council.

**RECOMMENDATION**

That:

1. the delegations issued to the Walbundrie Hall Committee be terminated and that the Walbundrie Hall Committee be removed from Council's register of committees appointed under Section 355 of the Local Government Act 1993.
2. funds held by the committee be transferred to Councils Reserve Funds to be held for future development and maintenance of the Walbundrie Hall.

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## **ENGINEERING**

### **1. ADDITIONAL PROJECTS - ENGINEERING**

**Report prepared by Director Engineering – Greg Blackie**

#### **REASON FOR REPORT**

For Council to consider the addition of two projects to Council's current works program.

#### **REFERENCE TO DELIVERY PLAN ACTION**

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

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

#### **DISCUSSION**

Council has received requests for two small projects to be undertaken. The request are for:

1. An extension of a parking bay in front of St Joseph's Primary School, Blair Street, Culcairn (refer **ANNEXURE 4**)
2. Construction of a footpath from Council's Kala Court Units, Holbrook in Frampton Court to link up to the footpath adjacent to the Holbrook Library (refer **ANNEXURE 4**).

Both projects have been assessed by the Author as being appropriate to be undertaken due to the safety benefits for both users and general public.

Estimated costs of the projects are:

1. \$15,000 – St Joseph's extension of parking bay in Blair St, Culcairn
2. \$26,000 – Frampton Court - construction of footpath.

It is proposed that both projects be outsourced to local contractors to allow work to be completed promptly.

#### **BUDGET IMPLICATION**

Funding for the projects is proposed from:

1. St Joseph's extension of parking bay funded by savings from Creek St Footpath Jindera that has been recently completed
2. Frampton Court Footpath funded from Kala Court Reserve.

As the projects are being funded from savings and reserves there will be no impact on the current budget.

#### **CONCLUSION**

Council has received requests for the completion of two small projects in Culcairn and Holbrook. Both projects have merit and provide immediate safety benefits and both can be completed without impacting on Councils current budget and works program.

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ADDITIONAL PROJECTS – ENGINEERING [CONT'D]

**RECOMMENDATION**

That Council approve the addition of the following projects to Council's 2019/20 Works Program:

1. \$15,000 – St Joseph's School - extension of parking bay in Blair Street to be funded from savings from the Creek Street footpath at Jindera
2. \$26,000 – Frampton Court - construction of new footpath from Kala Court Units to Library footpath to be funded from the Kala Court reserve.

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## **OFFICER'S REPORT – PART B – TO BE RECEIVED AND NOTED**

### **GOVERNANCE**

#### **1. NOVEL CORONAVIRUS (COVID-19) – IMPACT ON COUNCIL SERVICES**

**Report prepared by General Manager – Steven Pinnuck**

##### **REASON FOR REPORT**

To advise Councillors of interruptions to Council services as a result of Novel Coronavirus (COVID-19) pandemic.

##### **REFERENCE TO DELIVERY PLAN ACTIONS**

Nil.

##### **DISCUSSION**

As the COVID-19 pandemic has unfolded a number of Council services have been impacted either as a result of directions from the Australian or NSW State Government and/or to ensure the protection of Council staff.

Council services impacted are detailed below:

- Closure of the Visitor Information Centre at Holbrook.
- Closure of Council Customer Services Centres to the public. Customer Service facilities remain operational either: by phone, email or electronically
- Closure of Council libraries (including click and collect)
- Closure of caravan parks and camping ground (except for permanent residents)
- Closure of playgrounds, skate parks and the Submarine
- Free waste day postponed, however waste facilities remain open
- Closure of all public halls
- Closure of selected public toilets (refer **ANNEXURE 5**). **Note: Cleaning frequency of remaining public toilets has been increased.**

Other measures implemented to ensure business continuity and protection of Council staff include:

- Segregation of key staff with employees working from Culcairn and Holbrook Offices, Holbrook Library Complex and Jindera Community Hub. Several staff are working from home.

Staff segregation to achieve redundancy has occurred in the following areas:

- ✓ IT
- ✓ Water and Waste Water
- ✓ Rating
- ✓ Accounts Payable
- ✓ Payroll
- ✓ Building Inspection
- ✓ Engineering
- Allowing operational staff to travel in their own vehicle from home directly to the work site to assist in achieving social distancing.

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NOVEL CORONAVIRUS (COVID-19) – IMPACT ON COUNCIL SERVICES [CONT'D]

- Restriction of face to face meetings and to decline invitations to face to face meetings at other locations.
- All Staff function proposed for 6 May postponed until later in the year or early 2021.
- Providing an additional vehicle for the Holbrook Patching Team to enable social distancing.
- Providing hand wash and sanitizer for all work location including vehicles.
- Allowing employees with an underlying medical condition (and supported by a doctor's certificate) to be placed on sick leave
- Mandated that staff can only visit one office and/or council depot per day.
- General Manager to provide updates to Operational Staff with regular meetings.

**BUDGET IMPLICATIONS**

The implication on current and future budgets is being monitored and will be reported to Council on a monthly basis.

**CONCLUSION**

As the COVID-19 pandemic has unfolded a number of Council services have been impacted either as a result of directions from the Australian or NSW State Government and/or to ensure the protection of Council staff.

The restriction will remain in place until advice to the contrary is received from either the Australian or NSW State Government.

**RECOMMENDATION**

That the report be received and noted.

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## **PART C - ITEMS FOR INFORMATION**

### **GOVERNANCE**

#### **1. WORKSHOP/BRIEFING SESSION SCHEDULE 2020/2021**

##### **REASON FOR REPORT**

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

##### **DISCUSSION**

The current session dates are outlined in the table below.

<b>Workshop/Briefing Session date</b>	<b>Topic</b>
24 February 2020 (MONDAY)	Preliminary Roads Workshop
7 March 2020 (SATURDAY)	Shire Works and Roads Tour
11 March 2020	Preliminary Budget Workshop and consideration of Bush Fire Community Resilience & Economic Recovery Fund projects
1 April 2020	Final Roads Workshop
22 April 2020	Final Budget Workshop
6 May 2020	EXTRAORDINARY COUNCIL MEETING
3 June 2020	
1 July 2019	
5 August 2020	
2 September 2020	
7 October 2020	
4 November 2020	

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

- 20-05 Release of Councillor Superannuation Discussion Paper
- 20-06 Novel Coronavirus (Covid-19) Development Updates
- 20-07 Department of Premier and Cabinet Circulars on Employment Arrangements and International And Domestic Travel In Relation To Novel Coronavirus (Covid-19)
- 20-08 Release of the Guide To Webcasting Council and Committee Meetings
- 20-09 Compliance with Social Distancing Requirements to Limit The Spread Of The Covid-19 Virus At Council and Committee Meetings
- 20-10 Postponement of the September 2020 Local Government Elections
- 20-11 Final Code of Accounting Practice and Financial Reporting (Update 28) Including Joint Organisations Supplement

**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 June is provided on the LGNSW website. Distribution of the LGNSW newsletters has now moved to an electronic format.

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

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

For Councillors' information.



**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY, 15 APRIL 2020**

**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 6**.

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

For Councillors' information.

**CORPORATE AND COMMUNITY SERVICES**

**1. GREATER HUME 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 MARCH 2020**

The statements of bank balances and investment report as at 31 March 2020 are attached at **ANNEXURE 7**.

**3. PEOPLE & CULTURE (HR) REPORT FOR MARCH 2020**

**REASON FOR REPORT**

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

**REFERENCE TO DELIVERY PLAN ACTION**

Objective We lead a vibrant, connected and inclusive community

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

**LEGISLATION / POLICIES / PROCEDURES**

Currently reviewing the policy register to identify amendments on a needs basis

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PEOPLE & CULTURE (HR) REPORT FOR MARCH 2020 [CONT'D]

**PLANNING**

- People & Culture Management System and Plan developed to guide future activities through a process of development, implementation, review and improvement
- Ongoing succession planning - Work Instructions being developed and documented for key activities performed by People & Culture
- REROC Workforce Development meeting - next meeting; 25 June 2020

**RECRUITMENT**

- New employees commencing with Council:
  - Hayden Honeywill – Supported Work Program - Library Assistant – Part-Time-up to 12 Months
  - Phillip Armstrong – ATEL Civil Construction Traineeship – Jindera
  - Hamish Mackinlay – ATEL Civil Construction Traineeship – Holbrook
  - Tim Robertson – ATEL Water Wastewater Traineeship – Jindera
  - Ameile Quinn – ATEL Childcare Traineeship – Holbrook
  - Kealy Steeper – ATEL Childcare Traineeship – Holbrook
- Position/role changes with existing Council employees:
  - Nil
- Employees ceasing duties with Council:
  - Abby Austin – Pool Lifeguard – Casual
  - Julie Barber – Pool Lifeguard – Casual
  - Denise Coghlan – Pool Lifeguard – Part-Time
  - Jena Kent – Pool Lifeguard – Part-Time
  - Sophia Kohlhagen – Pool Lifeguard – Casual
  - Caitlin Kotzur – Pool Lifeguard – Casual
  - Danielle Liddell – Pool Lifeguard – Part-Time
  - Greta Mackinlay – Pool Lifeguard – Casual
  - Camilla Plunkett – Pool Lifeguard – Casual
  - Will Plunkett – Pool Lifeguard – Casual
  - Kacie Schuur – Pool Lifeguard – Casual
  - Alisha Stead – Pool Lifeguard – Casual
  - Ethan Stead – Pool Lifeguard – Casual
  - Ruth Parker – Early Childhood Teacher Holbrook – Part-Time
- Positions advertised:
  - Internal Plant Operator Roller – Holbrook – applications closed 19 March - 3 interviewed, 1 appointed (commences 6 April 2020)
  - Internal Truck Driver Articulated – Jindera – applications closed 19 March - 1 interviewed, 1 appointed (commences 6 April 2020)

**WORKPLACE RELATIONS**

- Participate with Outdoor Staff quarterly meetings – meeting held on 12 March; next Outdoor meeting 11 June 2020
- Coordinate and administer Consultative Committee – meeting held on 12 March; next meeting 11 June 2020
- Participate with Risk WHS Committee – meeting held 12 March; next meeting 11 June 2020

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PEOPLE & CULTURE (HR) REPORT FOR MARCH 2020 [CONT'D]

**PERFORMANCE MANAGEMENT**

- Review of alternative Performance Appraisal processes used by other councils and organisations with the intent to update/improve Council's existing process
- Design and input of data in Performance Appraisal system, 'PULSE' is currently being undertaken. A timeline has been created to ensure desired implementation date of April/May 2020 is achieved. All required information has been submitted and currently planning user training

**HEALTH & WELLBEING**

- Coordination of Phase 3 of Align Work Health Early Intervention Onsite Health and Wellbeing program. Program consists of a Physiotherapist and Health and Wellness Consultant. Currently, Health and Wellness Consultations take place electronically, via videoconferencing, on a weekly basis for 2 hours.
- Physiotherapy will commence in the near future via video/teleconferencing.

**REVIEW & CONTINUOUS IMPROVEMENT**

- Daily reviews with Director Corporate & Community Services
- Monthly reviews with MANEX
- Networking with LGNSW HR Group & REROC Workforce Development Group

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## **ENGINEERING**

### **1. MARCH REPORT OF WORKS**

#### **Grants Program**

##### **State Roads Maintenance (RMCC):**

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

Site preparation is continuing on MR78 north of Henty as part of the Henty Rail Crossing Project. Project has been delayed by ARTC/NBN/ Telstra issues.

The final segment of Council's resealing program has been completed on MR284.

##### **Regional Roads Block Grant:**

General maintenance including guide post replacement is continuing on all Regional Roads.

A final seal on Kywong Howlong Road has been carried out as part of Council's sealing program.

##### **Local Roads**

###### **Sealed:**

General maintenance on local roads is continuing.

Works have been carried out along a section of Gerogery Road, Gerogery West to improve drainage.

Resealing on Hawthorn Road, Morebringer Lane, Mountain Creek Road and dust seals on Brocklesby Goombarwana Road and Gum Swamp Road has been completed as part of Council's Resealing Program.

###### **Unsealed:**

Maintenance grading has been carried out on the following roads during March.

- Burma Road
- Campbells Road
- Coach Road
- Crawleys Road
- Fielder Moll Road
- Graetz Road
- Hickory Hill Road
- Hulms Road
- "King Parrot Creek Crossing"
- Mandaring Road
- Merri Meric Road
- Patersons Road
- Sherwyn Road
- The Elms Lane
- Walla West Road
- Woods Road
- Yenschs Road

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**REPORT OF WORKS [CONT'D]**

**Urban Streets:**

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

Resealing on Charles Street, Gerogery; Railway Street, Walla Walla; Watson Street, Jindera and Ellis and West Streets, Brocklesby has been completed.

**General:**

General maintenance of public toilets and parks is continuing.

General maintenance and replacement of signs on rural roads and urban streets is continuing.

**Monthly Works Maintenance Expenditure:**

Local Roads Program	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Urban Local Roads Maintenance	\$510,000.00	\$382,500.00	\$326,375.72	\$56,124.28	
Rural Roads Sealed	\$760,714.00	\$570,535.50	\$559,772.81	\$10,762.69	
Rural Roads Unsealed	\$1,109,467.00	\$832,100.25	\$902,643.75	-\$70,543.50	Additional work being conducted due to weather and CRM's. This additional expenditure may be offset by the under expenditure in other road maintenance
Street Tree Maintenance	\$242,536.00	\$181,902.00	\$184,588.09	-\$2,686.09	

Regional Roads Program	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Regional Roads Maintenance	\$1,072,580.00	\$804,435.00	\$642,281.77	\$162,153.23	
Regional Roads Capital	\$1,927,132.00	\$1,445,349.00	\$776,151.83	\$669,197.17	

Sportsgrounds, Parks & Public Toilets	Original Budget	YTD Budget	YTD Expenditure	YTD Variance	Comments
Sportsground Maintenance	\$127,957.00	\$95,967.75	\$106,049.79	-\$10,082.04	Monitoring expenditure
Parks & Gardens Maintenance	\$284,251.00	\$213,188.25	\$252,612.10	-\$39,423.85	Additional maintenance conducted due to weather. This should reduce due to the coming colder weather and also with parks being closed due to COVID-19. Will continue to monitor expenditure.
Public Toilets Maintenance	\$157,664.00	\$118,248.00	\$115,472.21	\$2,775.79	

**NB : Sportsground Maintenance excludes annual GHC contribution payment**

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**2. WATER & SEWER REPORT – MARCH 2020**

**Capital Works Program:**

- Holbrook – sewer main relining – WIP
- Water main extension Stock Route, Culcairn – WIP

**Operation & Maintenance:**

- New water service connection – 11 Frosty Lane, Jindera
- New water service connection – 231 Coogera Circuit, Jindera
- New water service connection – 7 Senna Crt, Jindera
- New water service connection – 65 Mulgrave Rd, Jindera
  
- Water main repair – 46 Burrumbuttock Walla Walla Rd, Burrumbuttock
  
- EPA risk review audit – Completed
- EPA licensed premises update information - Completed

**Drinking Water Monitoring Program:**

- 8 x Water samples for Microbial Water Analysis submitted in the month of March 2020 for Villages and Culcairn Water Supply have all complied with the Australian Drinking Water Guidelines.

**Water Quality Complaints**

Date	Location	Problem	Action Taken
Nil to report			

**Water Supply Sourced and Used**

1 July 2019 – 31 March 2020	2017/2018	2018/2019	2019/2020
Culcairn Water Supply (ML)	151.4	144.31	135.1
Village Water Supply (ML)	327.55	392.28	407.38
<b>Totals (ML)</b>	<b>478.95</b>	<b>536.59</b>	<b>542.48</b>

**Drought Relief Assistance**

2 new applications received – March 2020

**Filling Stations Transactions**

- Filling station sites - 15 transactions during the July 2019 period
- Filling station sites - 39 transactions during the August 2019 period
- Filling station sites -120 transactions during the September 2019 period
- Filling station sites - 299 transactions during the October 2019 period
- Filling station sites - 411 transactions during the November 2019 period
- Filling station sites - 596 transactions during the December 2019 period
- Filling station sites - 496 transactions during the January 2020 period
- Filling station sites - 299 transactions during the February 2020 period
- Filling station sites - 184 transactions during the March 2020 period

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WATER & SEWER REPORT – MARCH 2020 [CONT'D]

**Filling Stations Usage**

Station	July 2019	Aug 2019	Sept 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020
Culcairn	45.8	181.4	81.8	648.5	342.8	703.1	357.7	527.5	367.8
Jindera	37.6	72.9	214.8	1421.2	1471.7	1538.2	1300.4	795.8	551.4
Brocklesby	0.0	14.7	60.7	114.4	180.7	103.6	71.8	45.8	2.4
Burrumbuttock	1.3	0	41	69.4	80.1	328	445.9	28.1	20.8
Gerogery	0	0	18	1.6	9.4	47	49.3	3.5	0
<b>Totals (KL)</b>	<b>84.7</b>	<b>269.0</b>	<b>416.3</b>	<b>2255.1</b>	<b>2084.7</b>	<b>2719.9</b>	<b>2225.1</b>	<b>1400.7</b>	<b>942.4</b>

**Filling Station Customer Usage**

Customer	July 2019	Aug 2019	Sept 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020
Council – Road Construction, Maintenance & Tree Watering	46.0	185.6	76.7	605.6	245.9	561.3	79.3	281.6	361.2
Contractors – Water Carters, Households & Roadworks	37.4	75.7	249.3	1371.2	1601.0	1474.6	1200.3	767.2	524.9
Residents	1.3	3.6	80.5	269.5	211.5	666.1	914.3	342.3	54.8
Fire Brigade (RFS)	0.0	4.1	9.8	8.8	26.3	17.9	31.2	9.6	1.5
<b>Totals (KL)</b>	<b>84.7</b>	<b>269.0</b>	<b>416.3</b>	<b>2255.1</b>	<b>2084.7</b>	<b>2719.9</b>	<b>2225.1</b>	<b>1400.7</b>	<b>942.4</b>

**ENVIRONMENT AND PLANNING**

**1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF MARCH 2020**

The schedule of development applications processed for the month of March 2020 is attached at **ANNEXURE 8**.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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**2. RANGER'S REPORT – MARCH 2020**

**COMPANION ANIMALS**

<b>No. of Complaints Received</b> 16		<b>Including: 2 barking dog, 9 roaming dogs, dealing with an aggressive dog, nuisance dogs, 2 menacing and dangerous dog compliance checks</b>	
No. of dog attacks:	1	Location: Walla Walla	Dog chasing sheep. Infringements and Nuisance Dog Order issued.
	1	Holbrook	2 dogs attacking sheep, 8 sheep killed and the owners of the 2 dogs were issued Menacing Orders and Infringements.
	1	Jindera	2 dogs chasing sheep. Infringements and Nuisance Dog Order issued.
Comments:			
		<b>Dogs</b>	<b>Cats</b>
<b>In Council's Facility at Beginning of Month</b>		2	2
<b>Captured &amp; Returned to Owners</b>		5	
<b>Captured &amp; Impounded</b>		6	2
<b>Released from Pound to Owners</b>		6	
<b>Surrendered by Owners</b>		7	
<b>Rehomed</b>		8	2
<b>Euthanased</b>			2
<b>Remaining in Council's Facility at End of Month</b>		1	

**FERAL CATS**

<b>No. of Complaints:</b>	5
<b>No. Feral Cats caught:</b>	14

**LIVESTOCK**

	Cattle	Sheep	Horse	Goats	Other Alpacas
<b>No. of Reports of Stock on Roads</b>	2	2	2		
<b>Instances - Returned to owners</b>	2	2	2		
<b>Impounded</b>					
<b>Vehicle accidents involving stock</b>					

**OTHER LIVESTOCK & WILDLIFE COMPLAINTS**

3 injured kangaroos euthanased in the Jindera area.



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**RANGER'S REPORT [CONT'D]**

**ABANDONED VEHICLES**

Culcairn – trailer obstructing road and footpath, removed by owner. 10 vehicles currently impounded.

**POLLUTION AND ENVIRONMENTAL INCIDENTS**

<b>Inspection conducted: Overgrown Vegetation Unsafe Land</b>	Inspections being conducted. 2 NOI sent.
<b>Pollution: Noise</b>	Walla Walla, Jindera and Culcairn – barking - warning issued and ongoing monitoring. Holbrook – barking dogs – monitoring.
<b>Pollution: Waste</b>	Holbrook – waste left on laneway off Mountain Creek Road. Removed by Council. Little Billabong – old furniture. Removed by Council. Glenellen – waste removed by Council. Jindera – waste on a property. Correspondence sent. Bungowannah – clean up notices for asbestos.

**ON-SITE SEWERAGE MANAGEMENT SYSTEMS**

<b>Inspection Type</b>	<b>Total</b>	<b>Pass</b>	<b>Fail</b>
<b>OSMS Compliance Inspections</b>	1		1
<b>Pre-Purchase Inspections</b>			
<b>OSMS Orders issued</b>			
<b>OSMS Orders Compliance Inspections</b>	1		
<b>Plumbers Site Inspections</b>	2		
<b>OSMS Upgrade Applications Received</b>	2	2	
<b>OSMS Approvals To Do Works Issued</b>	2		
<b>OSMS Approvals To Operate Issued</b>	7		
<b>AWTS Service Contract Renewal Letters</b>			
<b>Local Government Application Approvals</b>			
<b>Local Government Approval Inspections</b>	2		
<b>Local Government Approval Soil Report Assessments</b>			
<b>OSMS Rate charge enquires</b>			
<b>Septic Enquiry</b>	1		
<b>Solicitors letter</b>			

**OTHER WORKS CONDUCTED**

- RID online (Report Illegal Dumping online) updating with data entry.
- Property inspections unsightly and excessive cars.
- Holbrook and Culcairn Landfill site works, asbestos inspections and refuelling conducted.
- Landfill cameras checks and relief landfill attendants work at several sites.
- Holbrook Landfill receive waste from truck fire damaged goods buried.
- Assist RSPCA with companion animal and stock welfare issue.

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RANGER'S REPORT [CONT'D]

- Hoarders at Jindera - Orders issued and compliance checks. One hoarder cleaned up by rangers.
- Business Firearms Licence police compliance inspection.
- Preparation of court documents for infringement annulment hearing.

**3. SENIOR WEEDS OFFICER'S REPORT- MARCH 2020**

Spraying of Silver-Leaf Nightshade has been completed for the season throughout the Council area.

Some control work of Green Cestrum has commenced along the Billabong Creek in the Walbundrie area.

Spraying of all cemeteries has commenced throughout the Council area.

Spraying of Khaki Weed and Bindi Weed in all towns has been completed for the season throughout the Council area.

Spraying of Blackberry and Sweatbriar is ongoing throughout the Council area.

Monitoring of Alligator Weed along Mountain Creek in the Woomargama area.

Controlling and monitoring of rabbit infestations throughout the Council area.

General roadside and property inspections have been completed throughout the Council area.

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## **PART D – COMMITTEE AND DELEGATE REPORTS**

Attached, in **ANNEXURE 9** are minutes of the following meetings:

- Minutes of Walla Walla Community Development Committee meetings held on 6 May, 29 July, 30 September and 25 November 2019

### **DELEGATE REPORTS**

- Report on Deputation to Parliament House, Sydney on 27 February 2020.

### **RECOMMENDATION**

That Part D of the Agenda be received and noted.