



Greater
Hume
Council

To: «Name»

Ordinary Meeting of Greater Hume Council

Wednesday, 17 March 2021

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Community Meeting Room, Library Complex, Library Lane, Holbrook, commencing at 6.00pm. The meeting commences with a Public Forum.

Persons wishing to address Council in the forum must register by 5pm Monday, 15 March 2021. The conduct of the forum is governed by the Council's Code of Meeting Practice. A new procedure applies for persons wishing to attend the meeting which can be obtained from Council's website or any Council office.

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, 17 March 2021

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

All present today are reminded that by speaking you are agreeing to your view and comments being recorded and published. You are also reminded that, if or when speaking, you are to be respectful to others and use appropriate language. Greater Hume Council accepts no liability for any defamatory or offensive remarks or gestures during this Council Meeting.

BUSINESS:

1. OPENING THE MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

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

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

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 17 February 2021

6. ACTION REPORT FROM THE MINUTES

7. DISCLOSURES OF INTERESTS

8. NOTICES OF MOTIONS

9. REPORTS FROM OFFICERS

PART A For Determination

- Environment and Planning
- Corporate and Community Services
- Engineering

PART B To Be Received and Noted

- Governance
- Corporate and Community Services

PART C Items For Information

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

PART D Items for Information

10. MATTERS OF URGENCY

11. CONCLUSION OF THE MEETING

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OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM LOT SIZE CHANGES FOR CULCAIRN

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

The public exhibition of the abovementioned planning proposal concluded on 22 February 2021. This report will:

1. Discuss the public and government agency responses to the exhibition.
2. Explain the post exhibition process which may result in the gazettal of the amendments to the Greater Hume Local Environment Plan 2012 (GHLEP); and
3. Provide recommendations to Council so that the process leading to the gazettal of the amending LEP can continue.

REFERENCE TO THE DELIVERY PLAN

Objective	We are revitalizing our communities, welcoming visitors, growing our economy and promoting the lifestyle, culture and heritage offered in our communities
Outcome 3.2	Our towns and villages are revitalised
Action 3.2.2.1	Promote residential development

DISCUSSION

The June 2020 Ordinary Meeting of Council received a report on a planning proposal prepared by Council that sought amendments to the GHLEP seeking a change of land use zoning and minimum lot size for four parcels of land in the township of Culcairn. In response to that report the following was resolved by Council:

5598 RESOLVED [Hicks/Schilg]

That:

1. *In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning, Infrastructure & Environment the planning proposal for changes to the zoning and minimum lot size of a number of allotments in the vicinity of Culcairn and seek a Gateway Determination.*
2. *Council advise the Department that it would like to utilise its planning system acceleration program as Council intends to develop land at CU4 Walbundrie Road in a timely manner.*
3. *Council advise the Department that it will utilise its delegations under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make or not make the plan.*
4. *Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.*

A Gateway Determination for the planning proposal was received from the Department of Planning Industry and Environment on the 24 September 2020 as shown overleaf.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY
LANE, HOLBROOK ON WEDNESDAY, 17 MARCH 2021**

**AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM
LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**



Gateway Determination

Planning proposal (Department Ref: PP_2020_GHUME_001_00): for zoning and minimum lot size changes at Culcairn

I, Director, Western Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Greater Hume Local Environmental Plan (LEP) 2012 to amend zones and minimum lots sizes for land identified as Baird Street, Railway Parade, Walbundrie Road and Balfour Street precincts should proceed subject to the following conditions:

1. Prior to undertaking consultation, the following is required:
 - a. A preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines for candidate sites CU1, CU2 and CU3.
 - b. Amend the planning proposal to rezone candidate site CU1 to R5 large lot residential.
 - c. Document options to consider the 70-metre strip of land and interface with the existing sewerage treatment works, future infrastructure expansion, cemetery and candidate site CU1.
 - d. Investigate alternate zoning options for CU4 to reflect the existing zoning pattern applicable to Culcairn.

The above information must be provided to the Department of Planning, Industry and Environment Planning Western Region Office prior to proceeding with public and agency consultation.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the Department of Planning, Industry and Environment, Biodiversity and Conservation Division (Floodplain Management) under section 3.34(2)(d) of the Act. The Biodiversity and Conservation Division (Floodplain Management) is to be provided with a copy of the planning proposal

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM
LOT SIZE CHANGES FOR CULCAIRN [CONT'D]

and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 24th day of September 2020.



**Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**

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**AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM
LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**

The Gateway Determination required amendments to be made to the planning proposal prior to undertaking consultation and these amendments are listed below:

- a. A preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines for candidate sites CU1, CU2 and CU3.
- b. Amend the planning proposal to rezone candidate site CU1 to R5 large lot residential.
- c. Document options to consider the 70-metre strip of land and interface with the existing sewerage treatment works, future infrastructure expansion, cemetery and candidate site CU1.
- d. Investigate alternate zoning options for CU4 to reflect the existing zoning pattern applicable to Culcairn.

Council staff arranged for the preliminary investigation to be undertaken and altered the planning proposal to remove the 70 metres of land adjacent to the sewerage treatment works from being considered for rezoning. Through negotiation with representatives of the Department of Planning Infrastructure and Environment the requirement to undertake b. and d. were removed and a new Gateway Determination was issued which also authorised Council to be the local plan making authority.

In accordance with the requirements of the Gateway Determination the planning proposal was publically exhibited and there was a response from the public on the planning proposal.

The correspondence as shown below requests Council to consider increasing the density on the land owned by the submitter.

SHOWN RECAUCI

PLANNING PROPOSALS FOR CONSIDERATION BY GREATER HUME COUNCIL.

From : [REDACTED]
To : MailMailbox 'mail@greaterhume.nsw.gov.au';
Sent : 20 February 2021 16:09:12

Colin Kane
Director Environment & Planning
Greater Hume Council

Dear Sir,

We would like to reduce the minimum lot size on Lot 1, Baird St (DP7064) CU1 to 1ha lots which would allow 4 blocks of reasonable size with a shared easement on the eastern side to provide access. Services to these blocks from Baird St would not be a problem. This could compliment Council's plans for future development on their block to east.

Thank you for the opportunity to present this submission.

Yours Sincerely,

Allan and Barb Mackie

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This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM
LOT SIZE CHANGES FOR CULCAIRN [CONT'D]

The response is provided below:

Issue	Comment
<p>The submitter is requesting to reduce the density to be 1 hectare for one of the lots that they own in CU2 Baird Street. The requested lot would yield 4 lots.</p>	<p>CU2 is proposed to be zoned RU4 with a minimum lot size of 4 hectares. This zoning and lot size was selected to address issues with access for allotments off the Olympic Highway, flooding and servicing with pressurised sewer.</p> <p>It is conceded that the nominated allotment is not burdened with access and flooding issues. However to accommodate the request it would be necessary for Council to nominate another zoning such as R2 Low Density Residential. It would be irregular to have a small area such as the allotment rezoned differently to the adjacent zoned land. There would be implications for different levels of servicing for the land should that occur.</p>

The Gateway determination also required that Council consult with the Department of Planning, Industry and Environment, Biodiversity and Conservation Division (Floodplain Management).

Comments were received from the Department of Planning, Industry and Environment, Biodiversity and Conservation Division about flooding and biodiversity which has been reproduced on next pages.

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LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**



**Planning,
Industry &
Environment**

Our ref: DOC21/50977
Senders ref: KC:SG

Colin Kane
Director Environment and Planning
Greater Hume Council
PO Box 99
HOLBROOK NSW 2644
Via email: mail@greaterhume.nsw.gov.au
18 February 2021

Dear Mr Kane

Subject: Planning Proposal – Zoning and Minimum Lot Size for Culcairn

Thank you for your letter dated 21 January 2021 about the Culcairn Planning Proposal seeking comments from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment.

BCD has statutory responsibilities relating to biodiversity (including threatened species, populations, ecological communities, or their habitats) and flooding.

We have reviewed the documents supplied and provide the following comments in **Attachment A**.

While we note that the Gateway Determination requires Council to consult with BCD on floodplain management, we have taken this opportunity to also provide comment on biodiversity aspects. The proposal increases the potential for harm to threatened species in Culcairn and should demonstrate that the thresholds established by the *Biodiversity Conservation Act 2016* have not been exceeded.

We consider that the proposal has been informed by an appropriate flood risk assessment completed under the NSW Floodplain Risk Management Process and have no concerns from a flood perspective.

If you have any questions about this advice, please contact Marcus Wright, Senior Conservation Planning Officer, via rog.southwest@environment.nsw.gov.au or 02 6983 4917.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Fisher'.

Andrew Fisher
**Senior Team Leader Planning
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment**

ATTACHMENT A – Detailed comments on Planning Proposal – Zoning and Minimum Lot Size for Culcairn

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**AMENDMENT TO GREATER HUME LOCAL ENVIRONMENT PLAN 2012- ZONING & MINIMUM
LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**

ATTACHMENT A – Detailed comments on Planning Proposal – Zoning and Minimum Lot Size for Culcairn

Flooding

The primary objective of the NSW Government's Flood Prone Land Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone land, and to reduce private and public losses resulting from floods. The most appropriate method to assess the development of flood prone land is to apply the floodplain risk management process detailed in the NSW Floodplain Development Manual 2005.

Section 9.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes Ministerial Directions including Direction 4.3 *Flood Prone Land*. A primary objective of Direction 4.3 is to ensure that development of flood prone land is consistent with the NSW Government's *Flood Prone Land Policy* and the principles of the *Floodplain Development Manual 2005*.

Greater Hume Council has previously completed the *Culcairn Flood Study* (2013) followed by the *Culcairn Floodplain Risk Management Study and Plan* (2017) (the Culcairn FRMS&P) following the NSW floodplain risk management process. These studies include most of the land that is subject to this planning proposal.

The Culcairn FRMS&P examined the flood risks of the proposed development sites identified as CU1, CU2 and CU4 in this planning proposal. This report, adopted by Council, recommended those sites as being suitable for residential development because they were commensurate with the flood risks. We agree that for those sites, the planning proposal has been informed by an assessment of flood risk in accordance with the principles and guidelines of the Floodplain Development Manual 2005.

However, the Culcairn FRMS&P report did not include site CU3 of the planning proposal. Despite this, we acknowledge that the flood risks at this site are considered minor and that this inconsistency is of a low significance.

The Culcairn FRMS&P notes that not all areas suitable for rezoning are flood free. Accordingly, we recommend the following be addressed before future development is undertaken:

- consider egress in the case of large, rare floods
- consider and apply appropriate flood proofing controls to industrial development within the Flood Planning Area (FPA), and more specifically the floodway
- set minimum floor heights for dwellings in the FPA.

Biodiversity

Since commencement of the *Biodiversity Conservation Act 2016* (the BC Act), Council has a duty to ensure that development does not cause harm to threatened species. This planning proposal makes that harm more likely. The duty established by the BC Act prevails over clause 6.2 of the Greater Hume Local Environmental Plan (LEP) 2012 to assess impacts on biodiversity on the Terrestrial Biodiversity Map.

The effect is that any clearing of native vegetation ancillary to development applications and activities under Part 5 of the EP&A Act must be assessed consistent with Part 7 of the BC Act, regardless of whether it is mapped on the Terrestrial Biodiversity Map. This planning proposal does not assess the anticipated harm to threatened species consistent with Part 7 of the BC Act.

The Department's preference is that Council satisfy itself at the planning proposal stage of the potential for future development to harm threatened species. This is done by determining whether the anticipated development exceeds the thresholds established by the BC Act. If so, Council should apply Stage 1 of the Biodiversity Assessment Method (BAM) to all anticipated development that involves the clearing of native vegetation resulting from the proposal. This assessment should include all ancillary clearing including services, access, storm water disposal, both within and adjacent to the subject land.

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LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**

The advantage of this approach is that Council only assesses this evidence once, assuming all clearing associated with subsequent development is included in the assessment.

Alternatively, Council must ensure that any subsequent clearing of native vegetation within the rezoned area, including all clearing ancillary to each development application, is assessed in accordance with Part 7 of the BC Act. In this way subsequent development applications must be accompanied by a Biodiversity Offset Scheme Entry Threshold (BOSET) report and a Test of Significance, and potentially a Biodiversity Development Assessment Report (BDAR).

Council may not consent to development without being satisfied that no harm to threatened species will occur, or that such harm will be offset under the Biodiversity Offset Scheme.

Whichever approach is taken, consideration should be given to the native vegetation on the subject land, the loss of connectivity provided by this vegetation to any local populations, and the cumulative impacts of losing small areas of habitat and scattered paddock trees in the Culcairn landscape.

Regarding development that is permitted without consent on the proposed RU5 and R2 zones (CU2, CU3 and CU4), Council's power to regulate clearing ancillary to those matters relies on the *State Environmental Planning Policy (Vegetation on non-rural land) 2017* (the Vegetation SEPP) and is limited by the Greater Hume Development Control Plan (DCP). To better protect native vegetation on all land regulated by the Vegetation SEPP, Council is encouraged to amend the DCP to enhance the protection of native vegetation. Alternatively, specific conditions of consent may be used to protect habitat at the subject site including Tree Preservation Orders.

Regarding development that is permitted without consent on the proposed RU4 zone (CU1), ancillary clearing is regulated by the *Local Land Services Act 2013* (the LLS Act).

By not adopting clause 5.9(9) of the standard instrument LEP, Routine Agricultural Management Activities (RAMAs) remain available in some zones of the Greater Hume LEP. Council is reminded that RAMAs are always limited to development that is permitted without consent only and are not available on RU4 land. The availability of RAMAs is not increased by the proposal.

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LOT SIZE CHANGES FOR CULCAIRN [CONT'D]**

The comments indicated that to some extent flooding effected the areas proposed to be rezoned however, there was support for Council's opinion that the land was suitable for residential development as it was commensurate with the flood risks.

Within the letter from the Department of Planning, Industry and Environment, Biodiversity and Conservation Division were comments about assessments that are required by Part 7 of the Biodiversity Conservation Act 2016. It was stated that the preference was that Council would undertake the assessments prior to rezoning the land however, Council had the option to ensure threatened species and vegetation assessments were undertaken as part of future development applications. The letter also recommended that Council amend the Greater Hume Development Control Plan to afford enhanced protection of native vegetation. It is considered that rezoning the land and deferring threatened species and vegetation assessments to future development assessment of development applications is the most appropriate course of action.

If the planning proposal is not to be amended by Council as a result of its exhibition then the next step is for a request to be submitted to Parliamentary Counsel for drafting of the amendment to the LEP and the provision of an opinion on the validity of the proposal. Once this has been provided then the delegate of the Minister for Planning and Public Spaces (the General Manager) can consider a Section 3.36 report on the planning proposal and decide to make or not make the amending LEP. Notification is then required to be made on the NSW Legislation Website.

BUDGET IMPLICATIONS

The budget implications of proceeding with the planning proposal has been reported to Council previously.

CONCLUSION

This report has provided an overview on the process for amending the GHLEP. A submission from the public and comments from the Department of Planning, Industry and Environment, Biodiversity and Conservation Division were both received and has been considered by this report. In consideration of the submission and comments the following recommendations are considered to be appropriate.

RECOMMENDATION

That:

1. As a result of the exhibition of the planning proposal Council resolves not to make any changes to the amendments to the GHLEP stipulated within the planning proposal.
2. The planning proposal be forwarded to Parliamentary Counsel for drafting of the amendment to the GHLEP and the provision of an opinion on the validity of the proposal.
3. Subject to a favourable response from Parliamentary Counsel the delegate of the Minister for Planning and Public Spaces (the General Manager) be permitted to consider a Section 3.36 Planning Report on the planning proposal and decide to make or not make the amending LEP and undertake notification on the NSW Legislation website.

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2. DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET JINDERA

Report prepared by Environmental Health & Building Surveyor – Sharyn Coulston

REASON FOR REPORT

Council is in receipt of a development application for the construction of a shed (“proposed development”). The site is 4 Polack Street Jindera described as Lot 1 DP1267384 (“the subject land”). The applicant and landowner is BR & CL MacKenzie.

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

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

An application has been received for the construction of a shed, the zoning is R2 Low Density Residential and the development is permissible within this zone.

The plans submitted to Council indicate the floor area size and height of the development meets all the requirements of Council’s DCP.

The proposed development is for a 104m² shed with a total building height of 4.476 metres to be constructed at 4 Polack Street Jindera and to be located at the rear of the allotment. 4 Polack Street is part of the new estate located off Pioneer Drive Jindera. The wall height of the proposed shed is 3.6 metres. This height is 600mm higher than what is set out in the 88B Instrument requirement however, meets the height requirements of the DCP. The required setbacks will not cause any overshadowing to neighbouring properties.

Similar developments have been approved in neighbouring streets without concern or objection from neighbouring properties or the developer.

An objection has been received by the developer regarding the breach of the 88B Instrument between the developer and the owners. The instrument states “A storage shed not exceeding 140m² in area and 3 metres in wall height located entirely behind the rear building line of the dwelling on the land”.

The developer has been advised that Council will only enforce covenants, agreements and instruments as outlined in the Local Environmental Plan and the matter would need to be settled between the developer and owner.

The objector’s points have been addressed fully in the table below.

ASSESSMENT

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

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

State Environmental Planning Policies

Nil.

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**DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET
JINDERA [CONT'D]**

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

The construction of any development or structure which would be permissible in the zone is permitted with consent. In this instance the proposed development is permissible with consent in the R2 Low Density Residential.

Development Control Plans

This development application is for the construction of a shed which meets all the requirements of the Greater Hume Development Control Plan 2013 (“the DCP”).

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

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

ISSUE	ACCEPTABLE	RESPONSE
Context & setting		The proposed development will have no impacts on the context and setting of the allotment.
Noise	✓	Nil effect
Access & parking	✓	Nil effect
Roads & traffic	✓	Nil effect
Utilities	✓	Nil effect
Heritage	✓	Nil effect
Archaeology	N/A	-
Stormwater	✓	Nil effect
Soils & erosion	✓	Nil effect
Flora & fauna	N/A	-
Flooding	✓	Nil effect
Bushfire	✓	Nil effect
Technological hazards	N/A	-
Safety, security & crime prevention	✓	Nil effect
Privacy	✓	Nil effect
Landscaping	✓	Nil effect
Overshadowing	✓	The proposed development will not cause any overshadowing to neighbouring properties due to setbacks being greater than the minimum setback requirements.
Land resources	N/A	-

The suitability of the site for the development

The development is on a residential allotment. The building height and gross floor area are within the requirements of Council’s DCP. The proposed development is for the construction of a shed.

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LANE, HOLBROOK ON WEDNESDAY, 17 MARCH 2021**

DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET
JINDERA [CONT'D]

Any submissions made in accordance with this Act or the Regulations

As mentioned a submission has been received (as a confidential submission) that raises concerns that the development is in breach of the 88B Instrument between the developer and land owner.

The concerns are addressed in the table below:

<p>1. The proposed development is in breach of the 88B Contract between the developer and the land owner. The 88B instrument states “A storage shed not exceeding 140m² in area and 3 metres in wall height located entirely behind the rear building line of the dwelling on the land”</p>	<p>The proposed development meets all DCP requirements in relation to gross floor size, maximum height and setbacks.</p> <p>The developer has been advised that Council will only enforce covenants, agreements and instruments as outlined in the Local Environmental Plan and the matter would need to be settled between the developer and owner.</p>
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The public interest

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

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

In this case there is very little possibility of public detriment.

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

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

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

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

RECOMMENDATION

That Council approved the development application with the recommended conditions.

APPROVED PLANS

1 Compliance with Plans and Conditions

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

2 Time Period of Consent

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

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JINDERA [CONT'D]

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

PRIOR TO THE 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 Water & Sewer Connection to Mains

Prior to works commencing an application, plans and specifications relating to any proposed water & sewer to be carried out within the site and / or works proposed to be connected to Council infrastructure shall be submitted to and approved by Council. The development will not be permitted to connect and discharge into Council's mains, without these service drawings being approved by Council.

REASON: It is in the public interest that plumbing work is carried out in accordance with AS/NZS 3500 and New South Wales Code of Plumbing Practice, Plumbing and Drainage. Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended.

7 Notice of Works - Plumbing

Prior to works commencing a Notice of Works is to be submitted to Council by the Plumber.

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DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET
JINDERA [CONT'D]

- 8 All Work to be Carried Out by a Licensed Plumber and Drainer**
All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500-2015 and the Local Government Act 1993 and Local Government (General) Regulations, 2005, the Plumbing & Drainage Act 2011 and Plumbing & Drainage Regulations 2012.
- 9 Proposed Sub-floor Drainage Plan**
A proposed sub-floor drainage plan and external drains plan for the dwelling shall be submitted to and approved by Council prior to any such work commencing.
- 10 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.
- 11 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.
- 12 Building Insurance/Owner Builders Permit**
Prior to the commencement of works, the Certifying Authority shall be provided with an original copy of:
- a. The builder's (licensee's) name and contract license number and an approved insurance policy under Part 6 of the Home Building Act 1989; or
 - b. The Owner Builders Permit, issued by the New South Wales Office of Fair Trading.
- Note: An on the spot penalty of \$600 will be issued for any non-compliances with this requirement without any further notification or warning.
- 13 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.

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DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET
JINDERA [CONT'D]

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.

14 Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), a 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 or Construction Certificate.

15 Certificate of Compliance

Prior to the issue of a final plumbing approval a certificate of compliance for all plumbing works is to be submitted to Council.

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.

16 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.

17 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).

18 Use of Building

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

19 Critical Stage Inspections

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

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

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JINDERA [CONT'D]

20 Drain Roofed and Paved Areas

All roofed area is to be drained and the water from those areas and from any other drainage conveyed to:

- a. The existing roof water drainage system, in accordance with AS3500-2015.

Storm water disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge rainwater to the approved method of disposal.

Where kerb and gutter is constructed, an approved PVC or galvanised steel kerb adaptor (either roll over kerb adaptor or upright kerb adaptor) shall be installed in the kerb.

REASON: Because the character of the development is such that storm water run-off will be increased and must be safely conveyed to the storm water drainage system. Section 4.15(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended.

21 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.

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.

22 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).

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

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DEVELOPMENT APPLICATION 10.2021.22 – SHED LOT 110 DP1267384 – 4 POLACK STREET
JINDERA [CONT'D]

- 24** 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.

- 25** 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.

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

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

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**3. GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY
DEVELOPMENT CONTRIBUTIONS PLAN 2021**

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

The reason for this report is to seek the adoption of the draft Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2021 (the draft plan).

DISCUSSION

The draft plan was subject to public exhibition for 28 days concluding on 19 February 2021 which is in accordance with Clause 28 of the Environmental Planning and Assessment Regulation 2000 and Schedule 1 of the Environmental Planning and Assessment Act 1979. The exhibition notice advised that the draft plan is a replacement for Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2019.

The draft plan has been on exhibition on Council's website and hard copies available at the Culcairn, Holbrook, Henty, Walla Walla and Jindera offices. Residents were advised to write a submission if any concerns were raised in relation to the draft plan.

A submission was received in relation to the draft plan which is reproduced below.

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GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY
DEVELOPMENT CONTRIBUTIONS PLAN 2021 [CONT'D]

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[Show header](#)

Greater Hume Council Section 7.12 Development Contributions Plan 2021

From : Howard, Jonathon 'jhoward@csu.edu.au'

To : MailMailbox 'mail@greaterhume.nsw.gov.au';

Sent : 18 February 2021 21:16:28

Inline Attachments :  logo-full_bq-white_68aab86a-6a34-417d-8ead-4cf1d27d24c5.jpg (32KB)

Dear Greater Hume Council

I wish to make a submission about the proposed development contribution plan.

My understanding is that a Section 7.12 Contributions Plan provides a system for requiring contributions when a development takes place. These contributions are levied by councils on new developments to ensure that growing and changing communities have adequate public amenities and services. Development contributions (monetary or in-kind) can be used to help provide for parks, local road improvements, town centre improvements, community centres and other services.

The works program (Schedule 1) in the Greater Hume plan identifies the public facilities for which section 7.12 levies under the EP&A Act will be required. It proposes the following activities:

- Contribution to Urana Road intersection \$150,000 1 – 2 years
- Jindera Dog Park \$50,000 1 – 2 years
- Morven Drainage – Brownrigg St \$170,000 2 – 3 years
- Jindera Multi-Purpose Hall \$150,000 2 – 3 years
- Culcairn Recreation Reserve Playground \$70,000 2 – 3 years
- Walla Walla Hall/Childcare Centre Carpark shade \$150,000 3 - 5 years
- Morven Community Park project \$200,000 3 – 5 years
- Holbrook Dog Park \$50,000 3 – 5 years
- Henty Public Toilet/RV Stop \$200,000 3 – 5 years
- Henty Dog Park \$50,000

I am sure these are all 'good' projects, however there is no alignment of these projects with the Greater Hume Local Strategic Planning Statement. At a minimum this should be clearly articulated. Even a cursory look at these proposals would make someone wonder whether the demand by dog owners across the LGA is enough to warrant three specific dog walking projects. This is being proposed despite the Greater Hume Local strategic planning statement stating a need to "(Priority two actions): Review and update the Section 7.12 development control plans to provide for opportunity to fund the upgrade of community facilities". What are the demonstrated needs for community facilities and how does this plan align with them?

The Greater Hume Local strategic planning statement (LSPS) is a good basis on which to make decisions. The LSPS sets out: i) the 20-year vision for land use in the local area; and ii) the special characteristics which contribute to local identity. So the question arises is how do the proposed projects in the contribution plan align with ensuring "*growing and changing communities have adequate public amenities and services.*"

I can only reflect on the needs in my local community, and I draw the Councils attention to the LSPS actions and possible projects:

- Direction 15: Protect and manage the region's many environmental assets, and Council priorities "*Protect areas with high environmental value and/ or cultural heritage value and important biodiversity corridors*" and "*To better identify land with high conservation attributes, Council undertake a review of road and public space biodiversity mapping*" Given the roadside vegetation was assessed over twenty years ago, why isn't this being 're-valued' to look at what are the significant roadside corridors that must be retained in a rapidly growing shire? Why isn't there a program to support community stewardship of these valuable areas?
- Priority Two actions: Undertake access masterplans for our commercial core areas to provide accessible public and commercial spaces that attract and retain visitors to the area. Both Friends

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**GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY
DEVELOPMENT CONTRIBUTIONS PLAN 2021 [CONT'D]**

Page 2 of 2

- of Jindera Wetlands and the Anglers Club have identified the possibility of enhancing the open space areas near the Tennis club for passive recreation. Why is this sort of project not supported?
- Priority Three actions: "Complete an integrated water management plan to ensure future water and sewer aligns with future growth". So why is not the flooding in Jindera and the overall amenity of the stormwater drainage system that networks the Jindera township being addressed as part of this plan? The urban space could be much more attractive if there was a more considered planning approach

I urge that there be a re-examination of the plan to demonstrate a clear alignment with community needs

Kind Regards

Jonathon Howard PhD SFHEA

See my [LinkedIn](#) Profile

"Unless"

www.csu.edu.au

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GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY
DEVELOPMENT CONTRIBUTIONS PLAN 2021 [CONT'D]

The submitter has made a number of suggestions as to the proposed work schedule. It is indicated in the submission that the expenditure of the funds should align with the planning priority actions that are contained within the Greater Hume Council Local Strategic Planning Statement.

Section 7.12(3) of the Environmental Planning and Assessment Act 1979 indicates that:

Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

The work schedules contained in the draft plan is shown below:

Project description	Estimated cost	Estimated time frame
Contribution to Urana Road intersection	\$150,000	1 – 2 years
Jindera Dog Park	\$50,000	1 – 2 years
Morven Drainage – Brownrigg Street	\$170,000	2 – 3 years
Jindera Multi-Purpose Hall	\$150,000	2 – 3 years
Culcairn Recreation Reserve Playground	\$70,000	2 – 3 years
Walla Walla Hall/Childcare Centre Carpark Shade	\$150,000	3 - 5 years
Morven Community Park Project	\$200,000	3 – 5 years
Holbrook Dog Park	\$50,000	3 – 5 years
Henty Public Toilet/RV Stop	\$200,000	3 – 5 years
Henty Dog Park	\$50,000	3 – 5 years

It is the view of the author that the expenditure contained within the work schedule aligns with the requirements of Section 7.12(3) of the Environmental Planning and Assessment Act 1979.

BUDGET IMPLICATIONS

Council benefits financially from the plan through off-setting the cost of providing public amenities and services into the future. The amendments to the plan will provide funds for essential community projects.

CONCLUSION

The plan's update aligns with changes in legislation and provides for an updated schedule of works.

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GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY
DEVELOPMENT CONTRIBUTIONS PLAN 2021 [CONT'D]

RECOMMENDATION

That:

1. In accordance with section 31(1)(a) of the Regulations, Council adopt the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2021 in the same format that it was advertised.
2. In accordance with section 31(2) of the Regulations, Council place an advertisement upon its website advising of the adoption of the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2019.
3. In accordance with Section 32(2) of the Regulations, Council repeals the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2019 and places an advertisement upon it website advising of the repeal of the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2019.

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**4. DEVELOPMENT APPLICATION 10.2020.107.1 – INTENSIVE LIVESTOCK
AGRICULTURAL FACILITY (SHEEP FEEDLOT) – 198 HUMPHREYS ROAD
BUNGOWANNAH**

Report prepared by consultant - Habitat Planning

REASON FOR REPORT

Council is in receipt of a development application for the construction of a sheep feedlot at 198 Humphreys Road, Bungowannah.

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

REFERENCE TO DELIVERY PLAN

Nil.

DISCUSSION

Council is in receipt of an integrated development application for an intensive livestock agricultural facility at 198 Humphreys Road, Bungowannah ("the subject land"). Specifically, the proposal comprises a sheep feedlot and associated works.

The applicant is Blueprint Planning and Development and the landowner is Bungowannah Pastoral Pty Ltd.

This report represents an assessment of the application under the requirements of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This report is presented for Council's determination as it relates to a Development Application that has received submissions as part of the neighbour notification process.

The development application was lodged on 16 July 2020 for an 'intensive livestock agricultural facility' comprising of a 3,750-capacity sheep feedlot. The application also sought approval ancillary earthworks, stormwater drainage and management work, road work upgrades, vegetation removal and subject landscaping works.

A request for additional information was made to the applicant on 4 September 2020, seeking a Level 2 Odour Assessment in accordance with the NSW EPA's Technical Framework Assessment and Management of Odour from Stationary Sources in NSW. The applicant was requested to justify the choice of the weather data used in the reports. The applicant was also provided with a redacted copy of the submissions for their acknowledgement and response to the issues raised as part of the neighbor notification period. Additional information was received by Council on 1 February 2021.

The subject land is located on the northern side of the Riverina Highway at 'Culverley Rise' 198 Humphreys Road, Bungowannah and is legally described as Lot 7 DP665615, Lot 7 DP665616, and Lots 74, 75, 102, 276 and 300 of DP753749. The subject land is located approximately 8 kilometres to the east-northeast of Howlong and approximately 21 kilometres northwest of Albury.

The subject land is zoned RU1 – Primary Production and the development is permissible with consent under the Greater Hume Local Environmental Plan 2012.

DESCRIPTION OF PROPOSAL

The application seeks development consent for the construction and use of an intensive livestock agricultural facility comprising of a 3,750-capacity sheep feedlot. The development also includes ancillary earthworks, stormwater drainage and management work, road work upgrades, vegetation removal and landscaping works. A detailed description is provided below for each main aspect of the development.

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DEVELOPMENT APPLICATION 10.2020.107.1 – INTENSIVE LIVESTOCK AGRICULTURAL FACILITY (SHEEP FEEDLOT) – 198 HUMPHREYS ROAD BUNGOWANNAH [CONT'D]

Feedlot

The feedlot land area will include the construction of, open pens, handling yards, combined laneways for livestock and vehicular roads, manure stockpile pad, feed-mill and storage sheds, holding ponds, sediment basins, truck parking areas, workshop, lay down area, waste disposal facilities, weighbridge, tailwater dams and irrigated and grassed areas.

The feedlot will contain 15 pens measuring 25m wide by 50m long and is oriented north/south to ensure appropriate levels of solar access to the pens. The pen surfaces will be evenly graded with a slope of between 2-4% and will include compacted crushed rock in high traffic areas and the remainder to be constructed of crushed and compacted ferricrete. Shelter structures will be constructed at a rate of 0.4m² per lamb. Each pen will accommodate up to 250 sheep equating to 5m² per animal, which exceeds the minimum standards under the *Australian Animal Welfare Standards and Guidelines for Sheep (2016)*.

Road work & access

The subject land is proposed to have vehicle access from Mayfield Road and Humphreys Road via the Riverina Highway. The following intersections detailed below are proposed to be upgraded as part of the development;

Humphreys Road and the Riverina Highway

This will include upgrades to a BAR/BAL type intersection consistent with Austroads design guidelines.

Humphreys Road and Mayfield Road

Upgrades include the removal of three existing trees to facilitate adequate b-double truck movements.

As part of the proposed works a new vehicle accessway from Mayfield Road will be constructed in the south-east corner of the subject land and provide an access road along the eastern boundary to the location of the proposed feedlot. This is to provide separated access from the residential dwelling to the traffic associated with the feedlot operation.

Vegetation Removal & Establishment

The proposal includes the removal of six (6) trees, including two standing dead trees and four living mature Yellow Box trees. A further seven (7) trees are proposed for removal from the Mayfield Road reserve. Permission for clearance was negotiated with Local Land Services. The submitted Vegetation and Biodiversity Report by Hamilton Environmental Services notes that the approvals sought as 'allowable activities' under the *Local Land Services Act 2013*. Authorisation to remove the trees was granted on 2 April 2020 under Notification Event Number LMC02480 under Part 5 Division 1 of the Land Management Code.

The seven (7) trees within the Mayfield Road reserve that are proposed to be removed form part of the approval under this development application.

The proposal includes the plantation of 'vegetative environmental buffer' plantation belts at the several locations. This landscaping is being provided to ensure retained environmental and amenity values.

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Pivot Irrigator Development

The development of three proposed pivot irrigator sites associated with the feedlot development on parcels Lot 7 DP665615, Lot 7 DP665616 and Lot 74 DP753749. The pivot irrigators will be able to apply 12.5mm across the irrigable area in a 24-hour period. The irrigation design for the feedlot uses poly lined pivot irrigators with drop hoses that place the wastewater directly on the ground. The low-pressure irrigation that will be used generates little aerosol.

CONSULTATION AND REFERRAL PROCESS

Neighbour Notification

The subject application was notified from 28 July to 14 August 2020. Twenty four owners were notified during the exhibition period, including property holders within the adjoining Federation Council Local Government Area. A total of twelve (12) submissions were received (refer **ANNEXURE 1**) of which included ten (10) unique and two (2) proforma submissions. The submissions raised issues and concerns including;

- Traffic and access impacts
- Proposed hours of operation
- Impact on apiculture
- Biosecurity impacts
- The use of incorrect wind data
- Potential noise impacts
- Quality of works and compliance
- Wastewater management and stormwater drainage impacts
- Potential dust impacts
- Potential odour impacts
- Potential air quality impacts
- Compliance with Industry Guidelines
- Proposed road upgrades and associated drainage concerns
- Property Value
- Amenity and potential land use conflicts
- Animal Welfare
- Bushfire Impacts
- Water Use
- Concerns with the number of sheep proposed.

Detailed consideration and a response to submissions is undertaken later in the report.

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Government Agencies

The subject application was referred to Transport for NSW (formerly the Roads and Maritime Service) for assessment and comment. A response was received on 23 September 2020 raising no objection to the proposal subject to the imposition of following conditions of consent (if approved).

1. *As a minimum the intersection of the Riverina Highway and Humphreys Road shall be constructed and the roadside maintained to the satisfaction of Transport for NSW to comply with the following:*
 - a. *Be constructed and the roadside maintained so as to provide the Sight distance requirements for a reaction time of 2.5 seconds in either direction along the Riverina Highway in accordance with the Austroads Publications as amended by the supplements adopted by Transport for NSW for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.*
 - b. *Be constructed with a sealed Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment on the Riverina Highway in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit. The intersection is to be constructed to the standards required for an approved B-Double route.*
 - c. *The construction of Humphreys Road to provide for 2 travel lanes and be sealed for at least 50 metres from the carriageway of the Riverina Highway. The intersection shall be designed and constructed so that vehicles turning between the Riverina Highway and Humphreys Road are not required to cross to the opposing travel lane in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.*
 - d. *Be designed and constructed so as not to interfere with the capacity of the current roadside drainage network and to prevent water from proceeding onto, or ponding on, the carriageway of the Riverina Highway or Humphreys Road at the intersection. If a culvert is to be installed and is to be located within the clear zone of the carriageway for the posted speed limit it shall be constructed with a traversable type headwall.*
2. *A management plan to provide measures to suppress dust generation from the development site and the transportation route shall be prepared and implemented to the satisfaction of Council and Transport for NSW.*
3. *Any damage or disturbance to the road reserve of the Riverina Highway is to be restored to match surrounding landform in accordance with Council requirements.*
4. *As a minimum any works within the road reserve of the Riverina Highway shall be designed and constructed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit. As a minimum the pavement shall be designed to the satisfaction of Transport for NSW to accommodate the volume and type of traffic through the intersection.*
5. *The Riverina Highway is part of the State Road network. For works on the State Road network the developer is required to enter into a Works Authorisation Deed (WAD) with Transport for NSW before finalising the design or undertaking any construction work within or connecting to the road reserve. The Works Authorisation Deed shall address each specific change to the state road network for assessment and approval by Transport for NSW prior to commencement of any works within the road reserve. The applicant is to contact the Land Use Manager for the South West Region on Ph. 02 69236611 for further detail.*
6. *Any works within the road reserve of a classified road requires approval under Section 138 of the Roads Act, 1993 from the road authority (Council) and concurrence from Transport for NSW prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents*

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7. *Works associated with the development shall be at no cost to Transport for NSW.*

Council Engineering Department

1. The intersection of the Riverina Highway and Humphreys Road be upgraded to incorporate Rural BAR (Basic Right Turn) and Rural BAL (Basic Left Turn) treatments. Capable of accommodating vehicles up to and including a B-double.
2. The intersection of Humphreys Road and Mayfield Road (including approaches) be upgraded to allow vehicles up to and including B-Double to safely negotiate the turn, including possible removal and/or trimming of some trees
3. Mayfield Road to be gazetted for travel by B-doubles between Humphreys Road and the proposed site access (approximately 140 metres west of Humphreys Road); and
4. Access into the site be designed as a typical rural property access (as detailed in Section 7.2.3 of the Austroads Guide to Road Design Part 4: Intersections and Crossings General and shown in RMS (TFNSW) Model Drawing – Typical Rural Property Access Standards (Figure 2 – Articulated Vehicles).
5. Road reserve drainage to be directed to natural runoff (table drains)
6. 3 trees marked for removal on the Humphries and Mayfield Roads Intersection are to be crossed using Councils Tree Removal Policy

ASSESSMENT

Protection of the Environment Operations Act 1997 (POEO Act)

Pursuant to section 4.46 of the Environmental Planning and Assessment Act the proposal is not identified as 'integrated development' for the purposes related to the POEO Act as the development does not meet the thresholds stipulated under the Act. Schedule 1 of the POEO Act specifies the types of activities that would require a licence under the subject Act. The proposed development is defined as 'livestock intensive activities' as noted under Part 1, Clause 22 of Schedule 1 of the Act. 'Livestock intensive activities' is defined under the Act as;

22 Livestock intensive activities –

cattle, sheep or horse accommodation, meaning the accommodation of cattle, sheep or horses in a confinement area for rearing or fattening (wholly or substantially) on prepared or manufactured feed (excluding facilities for drought or similar emergency relief).

Column 2 Criteria

capacity to accommodate more than 4,000 sheepat any time"

As such, the development does not require an Environmental Protection Licence (EPL) under sections 43(b), 48 and 55 of the POEO Act because the capacity of the proposal is less than 4,000 sheep. Any future expansion of the proposed feedlot that seeks to increase the number of sheep and results in the exceedance of the thresholds will require development consent and an EPL.

Environmental Planning & Assessment Act 1979 (EP&A Act)

Section 4.46 – Integrated Development

The subject application is considered to be 'integrated development' pursuant to Section 4.6 of the EP&A Act as the development requires an approval under s138 of the *Roads Act 1993* and the concurrence of Transport for NSW. It is noted that the applicant did not nominate the development as integrated development; however, Council proceeded to refer the subject application to Transport for NSW for comment. As discussed above, Transport for NSW response provided no objection to the proposal (subject to conditions). One such condition includes the requirement that the applicant apply for an approval under s138 of the *Roads Act* prior to the commencement of any works. It is considered that this section of the Act has been satisfied.

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Section 4.15 - Evaluation

A development application is required to be assessed by Council against the following 'matters of consideration' listed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*

4.15(1)(a)(i) - any environmental planning instrument

State Environmental Planning Policy (Koala Habitat Protection) 2020

State Environmental Planning Policy (Koala Habitat Protection) (Koala SEPP) aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. The Koala SEPP applies to this proposal as the subject property is located in a LGA which is defined under Schedule 1 of the SEPP. The SEPP further defines that land to which Part 2 applies includes

- (a) *that is land to which this Policy applies, and*
- (b) *that is land in relation to which a development application has been made, and*
- (c) *that, whether or not the development application applies to the whole, or only part, of the land—*
 - i. *has an area of more than 1 hectare, or*
 - ii. *(ii) has, together with adjoining land in the same ownership, an area of more than 1 hectare.*

Part 2 of the SEPP sets out certain 'steps' which a consent authority must review regarding an application where this SEPP applies. Clause 8 (set out below) sets out the first step in the process by defining if the land is potential koala habitat.

- (1) *Before a council may grant consent to a development application for consent to carry out development on land to which this Part applies, the council must be satisfied as to whether or not the land is a potential koala habitat.*
- (2) *The council may be satisfied as to whether or not land is a potential koala habitat only on information obtained by it, or by the applicant, from a person who is qualified and experienced in tree identification.*
- (3) *If the council is satisfied—*
 - (a) *that the land is not a potential koala habitat, it is not prevented, because of this Policy, from granting consent to the development application, or*
 - (b) *that the land is a potential koala habitat, it must comply with clause 9.*

The application is supported by a 'Vegetation Assessment & Test of Significance' carried out by Hamilton Environmental Services. The subject report states that Koala's are 'highly unlikely to be present' on the subject land and was not identified during the site inspections undertaken by Hamilton Environmental Services.

Therefore, as the property is not identified as being potential koala habitat, it is deemed that no further investigation or assessment is required, and that Council is not prevented because of the Koala SEPP to grant development consent to the subject application.

Greater Hume Local Environmental Plan 2012

The Greater Hume Local Environmental Plan ("the LEP") is the principal environmental planning instrument that guides development within the Greater Hume Local Government Area (LGA). The following section provides an assessment of consistency and compliance of the proposal against the relevant provisions of the LEP.

Permissibility

The subject land is zoned RU1 – Primary Production.

Under the LEP the proposed development has been generally defined as the following;

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“intensive livestock agriculture means – the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—
(a) dairies (restricted),
(b) feedlots,
(c) pig farms,
(d) poultry farms,
but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.”

More specifically, the proposed development is more clearly defined as a;
“feedlot means – a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.”

Objectives of the Zone

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

The proposal complies with the above objectives. It is therefore considered that the subject proposal is permissible with consent under the Greater Hume LEP subject to the consent authority granting approval. The proposed development is also considered to meet the objectives of the subject zone.

Assessment of Local Provision Clauses

An assessment against the relevant local provisions of the Greater Hume LEP is provided below.

Clause 5.10 – Heritage Conservation

In determining whether or not to grant development consent under the Greater Hume LEP, the consent authority must take into consideration Clause 5.10(4) which requires consideration of the effect that the proposed development has on the heritage significance of the item or area concerned.

The subject land includes an item of environmental heritage listed in Schedule 5 of the Greater Hume LEP. The item is identified as I17 and described as “Culverley Rise”, homestead’ and is located within Lot 7, DP665615.

The Statement of Environmental Effects notes that heritage impacts associated with the proposed development would not occur. The submitted report stated *‘No part of the proposal impacts upon the heritage significance of this heritage item or its relevant curtilage area.*

Comment:

Complies - The heritage listing applies the existing homestead, located on Lot 7 DP665615. The homestead would have been built in association with an agricultural function to support the work and production of the subject property. The development of a feedlot located around 800 metres away from the heritage listed homestead is considered to have no significant impact on the existing context of the homestead. The proposed feedlot will have no impact on the fabric of the existing heritage item. Moreover, the proposed feedlot will continue the previous agricultural pursuits of the property as a whole and it is deemed that the continued heritage value of the dwelling will not be impacted as a result of the proposed development. It is therefore considered that the development has regard to the provisions of Clause 5.10(4) of the LEP and any potential impact on the heritage item has been addressed and can be appropriately managed.

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As such it is considered that the proposed development meets the requirements of Clause 5.10 Heritage Conservation.

Clause 5.18 – Intensive livestock agriculture

In determining whether or not to grant development consent under the Greater Hume LEP, for development relating to the purpose of intensive livestock agriculture, the consent authority must take the following into consideration;

- (a) *the adequacy of the information provided in the statement of environmental effects or (if the development is designated development) the environmental impact statement accompanying the development application,*
- (b) *the potential for odours to adversely impact on the amenity of residences or other land uses within the vicinity of the site,*
- (c) *the potential for the pollution of surface water and ground water,*
- (d) *the potential for the degradation of soils,*
- (e) *the measures proposed to mitigate any potential adverse impacts,*
- (f) *the suitability of the site in the circumstances,*
- (g) *whether the applicant has indicated an intention to comply with relevant industry codes of practice for the health and welfare of animals,*
- (h) *the consistency of the proposal with, and any reasons for departing from, the environmental planning and assessment aspects of any guidelines for the establishment and operation of relevant types of intensive livestock agriculture published, and made available to the consent authority, by the Department of Primary Industries (within the Department of Industry) and approved by the Planning Secretary.*

Comment:

Complies – The application is supported by a Statement of Environmental Effects (SEE) prepared by Blueprint Planning. The SEE provides a general overview of the proposed development and addresses the relevant legislation and statutory instruments as part of its assessment of the proposed development. The development application is also supported by a Level 2 Odour Assessment prepared in accordance with the 'NSW Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW' and 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales'. The application was originally submitted with a basic Level 1 assessment however, on the advice of the NSW EPA a Level 2 Odour Assessment was requested from the applicant. The Odour Assessment Report concluded that the proposed 3,750 head sheep feedlot at the subject property would not generate excessive odours at any nearby receptors. The assessment methodology included modelling of the odour impacts utilising AUSPLUME and CALPUFF dispersion models. The report stated that both models were utilised to ensure a comparison could be made against both recommended modelling techniques. The results of both models were quite similar and indicated that the NSW EPA odour performance criteria would not be exceeded at any of the mapped nearby receptors. Further detailed assessment of the Level 2 Odour Assessment is detailed later in this report under 'the likely impacts of development' section. The development application is supported by a Surface Water Assessment Report. The report details the capability of the proposed stormwater infrastructure and other water infrastructure on site to manage water movements across the subject land adequately and demonstrate any impacts on offsite receptors. The development of the feedlot will include a 'controlled drainage area' including a clean water diversion, internal drainage, sediment pond, holding pond, waste utilisation areas and tailwater dam. The Surface Water Assessment Report concludes that the site in general is suitable for use of feedlot purposes. The report also provides a set of recommendations which include the development of an Environmental Management Plan. Further detailed assessment of the Surface Water Assessment Report is detailed later in this report under 'the likely impacts of development' section.

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The application is supported by a Surface Water Assessment Report, Environmental Assessment Report, Flora and Fauna Biodiversity Assessment, Traffic Impact Assessment, Aboriginal Due Diligence Report, Odour Assessment Report, A Disease and Animal Management Plan. The supporting documentation provides assessment, recommendations and mitigation measures for any identified impacts.

The applicant has indicated the intention to comply with relevant industry codes of practice for the health and welfare of animals. All relevant industry codes as specified in the SEE and Appendices have been incorporated as draft conditions of consent.

It is noted that the subject development is not classified as 'designated development' and therefore does not have any specific guidelines that need to be considered for the environmental planning and assessment aspects of the proposed sheep feedlot. However, the applicant has noted that the proposal has been designed and the SEE has been prepared, generally in accordance with the '*Planning Guidelines - Intensive Livestock Agriculture Development*' developed by the Department of Planning and Environment in 2019.

As such it is considered that the proposed development meets the requirements of Clause 5.18 – Intensive Livestock Agriculture

Clause 6.1 – Earthworks

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

- (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
- (b) *the effect of the development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*
- (g) *the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Comment:

Compiles – the proposed earthworks are considered appropriate for the subject development and no detrimental effect is proposed. All matters for consideration above (a) to (h) have been considered and it is concluded that appropriate measures have been proposed to avoid, minimise and mitigate the impacts of the earthworks to what is absolutely necessary for the proposed development to operate.

As such it is considered that the proposed development meets the requirements of Clause 6.1 – Earthworks.

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Clause 6.2 – Terrestrial biodiversity

The proposed ancillary components of the development are located on land identified as 'terrestrial biodiversity'. Before determining a development application for development on land to which this clause applies, the consent authority must consider—

- (a) *whether the development is likely to have—*
 - i. *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - ii. *any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - iii. *any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - iv. *any adverse impact on the habitat elements providing connectivity on the land, and*
- (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Furthermore, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that;

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment:

Complies - the subject development application is accompanied by a Flora and Fauna Biodiversity Report that verifies that there is no effective native vegetation that will be impacted on any freehold land where the proposed areas for development will be located. Although tree removal is proposed, these trees will be removed to facilitate a safe entry and egress point for the operations associated with the feedlot. The report confirms that the level of clearing does not trigger the need for a BDAR and does not meet the clearing threshold to enter into a Biodiversity Offset Scheme. The report also concludes that the investigation undertaken as part of the impact assessment found no representative threatened communities or threatened flora or fauna and it is considered that the proposed development will have no impact on any species and populations or their habitats. Where impact is proposed (the tree removal) it is considered that there is no feasible alternative and the access has been designed, sited and seeks to mitigate the impact where possible. As such it is considered that the proposed development meets the requirements of Clause 6.2 Terrestrial Biodiversity.

Clause 6.7 – Essential Services

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

- (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.*

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Comment:

Complies – the subject land has access to reticulated electricity, ground water bores with adequate quantity for the proposed development, stormwater detention and sewer form part of the proposed works and access arrangements via Mayfield and Humphrey's Roads are to be utilised. As such it is considered that the proposed development meets the requirements of Clause 6.7 – Essential Services.

4.15(1)(a)(ii) - any proposed instrument

At the time of lodgement of the development application, there were no relevant draft instruments applying to the subject land.

4.15(1)(a)(iii) - any development control plan

Pursuant to Clause 4.15(1)(a)(iii) of the EP&A Act 1979, consideration is to be given to the relevant provisions of the applicable development control plan. The relevant development plan in this instance is the Greater Hume Development Control Plan 2013 ("the GHDCP"). The purpose of the GHDCP is to provide detailed provisions to supplement the LEP.

There are no sections within the GHDCP that apply to the subject development. A merits-based assessment is therefore required. A detailed merits-based assessment is carried out under 'the likely impacts of development' as required by s4.15(1)(b).

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

No planning agreement is proposed regarding the subject application.

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

Environmental Planning and Assessment Regulation 2000 (EP&A Regs)

The proposed development is not classified as 'designated development' pursuant to clause 21(1) of Schedule 3 of the EP&A Regs, as the proposed sheep feedlot as a capacity of less than 4,000 sheep.

"21 Intensive livestock agriculture

- (1) *Feedlots that accommodate in a confinement area and rear or fatten (wholly or substantially) on prepared or manufactured feed, more than 1,000 head of cattle or 4,000 sheep (excluding facilities for drought or similar emergency relief).*"

The proposed development does not meet the threshold specified under the EP&A regulations and is as such not considered 'designated development'.

Any future cumulative expansion of the feedlot capacity that exceeds this threshold will require development consent and the applicant to prepare an Environmental Impact Statement in accordance with the relevant Secretaries Environmental Assessment Requirements (SEARs) issued by the Department of Planning, Industry and Environment.

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 sections provide an overview of the likely impacts of development as a result of the application

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Context and Setting

The subject development is of a scale and proportion that is appropriate for the context and setting of the locality. The subject land is zoned for primary production, which includes uses such as what is proposed under this development application. The proposal is not anticipated to have any adverse impact on the locality and is appropriately located for this type of development.

Vehicular Access and Traffic Impacts

As the land has no frontage to the Riverina Highway it relies on access via the intersection of Humphreys Road with the highway, both during construction and operation of the proposed development. The Application was referred to Transport for NSW (TfNSW) for assessment and comment. TfNSW raised concerns with the impact of the development on the safety and efficiency of the road network, particularly during the construction phase of the development. TfNSW stated that minimisation of the impacts on the existing road network is ideal especially considering the subject land is to be accessed via an intersection with the Riverina Highway which is located within a 100km/h speed zone. As such TfNSW provided a range of conditions relating to the access, approval and construction aspects of the road upgrades and operations. These conditions have been included in the conditions of consent.

The application is also accompanied by a Traffic Impact Assessment (TIA) carried out by Spotto Consulting dated May 2020. The TIA undertook an assessment to review the existing conditions in the vicinity of the land, including traffic, parking and servicing, as well as the performance of the surrounding network. The TIA also undertook an evaluation of the requirements for traffic, access and parking as a result of the proposed development and associated impacts on the surrounding network. The report included investigation of Mayfield and Humphreys Roads as well as the connection of these roads to the Riverina Highway.

The TIA provided a range of conclusions and recommendations that are outlined below:

It is concluded that:

- *Traffic surveys and analysis of key roads in the vicinity of the site (including Humphreys Road, the Riverina Highway and Bungowannah Road) shows that the roads currently carry low levels of traffic, and operate at an excellent Level of Service (LOSA, the highest level);*
- *The proposed development is anticipated to generate an additional 2 vehicle trips per hour in the peak period and a total of 7 vehicle trips per day, which will not have a significant impact on the performance of the surrounding road network;*
- *The site and proposed development allows vehicles to enter and exist the site in a forward direction, with adequate room available on site to park anticipated vehicles; and*
- *There is no significant impact of the proposed development on pedestrians and cyclists.*

It is recommended that:

- *The intersection of the Riverina Highway and Humphreys Road be upgraded to incorporate Rural BAR (Basic Right Turn) and Rural BAL (Basic Left Turn) treatments, capable of accommodating vehicles up to an including a B-double;*
- *The intersection of Humphreys Road and Mayfield Road (including approaches) be upgraded to allow vehicles up to and including a B-Double to safely negotiate the turn, including possible removal and/or trimming of some trees;*
- *Mayfield Road be gazetted for travel by B-Doubles between Humphreys Road and the proposed site access (approximately 140m west of Humphreys Road); and*
- *Access into the site be designed as a typical rural property access as detailed in Section 7.2.3 of the Austroads Guide to Road Design Part 4: Intersections and Crossings – General and shown in RMS (TfNSW) Model Drawing – Typical Rural Property Access Standards (Figure 2 – Articulated Vehicles)”*

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As such it is considered that as a result of the conclusions and recommendations of the Traffic Impact Assessment, as well as the comments and conditions received from Transport for NSW is that the development seeks to mitigate the impacts on traffic and access appropriately and is therefore considered to be satisfactory for the proposed development.

Hours of Operation

The hours of operation proposed as part of the development specify that the development will normally operate between 6:00am and 8:00pm, 7 days per week. The Statement of Environmental Effects also provided comment that although most operations will cease from 6:00pm each day, there will be times where trucks may not arrive until later in the evening and operations will need to continue until 8pm to ensure the animals are managed appropriately. The proposed hours of operation are considered acceptable, in that farming and agricultural generally has variable hours of operation. The development is also consistent with the rural zoning of the land and is appropriate for its location which is within a primary agricultural area of the shire.

Stormwater, Drainage and Erosion and Soils

The development application is accompanied by an Environmental Assessment Report and Surface Water Assessment Report, both prepared by EnviroAg Australia Pty Ltd.

The assessment report provides conclusions and recommendations that have been incorporated as conditions of consent, including the development of an Environmental Management Plan that incorporates a range of monitoring options that ensure that any potential contamination to surface water, ground water or soil quality deterioration is reduced. The associated infrastructure that is to be constructed as part of the feedlot for waste water retention and stormwater retention will be monitored, along with the surrounding property to ensure minimisation and mitigation of any potential impacts.

It is considered that any stormwater, drainage and erosion of soils can be appropriately managed through conditions of consent, including the preparation of an Environmental Management Plan.

Air, Microclimate and Odour

The development application is accompanied by a Level 2 Odour Assessment that was completed in accordance with the *NSW Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW* and *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*.

The assessment methodology included modelling of the odour impacts utilising AUSPLUME and CALPUFF dispersion models. The report stated that both models were utilised to ensure a comparison could be made against both recommended modelling techniques. The results of both models were similar and indicated that the NSW EPA odour performance criteria would not be exceeded at any of the mapped nearby receptors. The reports concluded that it was unlikely that the operation of the feedlot would generate odour nuisance beyond the boundaries of the property. It is also noted that the Odour Assessment report also utilised data inputs based on cattle feedlots (as a worst case scenario) as cattle feedlots are substantially more odorous due to the composition of waste products produced from cattle.

The Odour assessment concluded that the proposed 3,750 head sheep feedlot at the subject property would not generate excessive odours at any nearby receptors. The results of both models were quite similar and indicated that the NSW EPA odour performance criteria of $C_{99\ 1sec} = 2$ to 7OU would not be exceeded at any of the mapped nearby receptors.

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Receptor 1 experienced the most frequent and highest concentration of predicted odour emissions with a maximum record of 2.02OU and a C₉₉ of 1.32OU. The highest predicted odour emissions generally occurred at receptor 1 during the early hours of the morning between 1am and 4am, and during autumn and winter periods. The report concluded that given the majority of the predicted odour levels are below 2OU it is unlikely that the operation of the sheep feedlot would generate odour nuisance beyond the boundaries of the property.

Whilst the EPA was not required to be notified or referred to for the proposed development, Council requested that the EPA provide informal comments regarding the submitted odour assessment. The EPA stated that they had no issues with the submitted Level 2 odour assessment and suggested conditions to form part of the consent.

It is therefore considered that all odour, air and microclimate impacts have been appropriately assessed as part of the development application. Appropriate conditions of consent (including the EPA's comments) have been recommended.

Flora, Fauna and Biodiversity

The parcels where development is proposed are not in a declared area of outstanding biodiversity value and are also not mapped as areas of Biodiversity Value. The report by Hamilton Environmental Services states that there is no effective native vegetation on any of the proposed areas for development, and no native vegetation will be impacted on the areas of development on the freehold land.

The proposed tree removal in the northern Mayfield Road reserve does not meet the area clearing thresholds required to enter the Biodiversity Offset Scheme and for a BDAR to be completed. The extent of the native vegetation loss proposed is 0.08ha and is well below the threshold of 1ha to trigger the BOS or a BDAR.

The proposed development area has been evaluated and subjected to a Test of Significance under Part 7 Division 1 Section 7.3 of the *Biodiversity Conservation Act 2016*. The report by Hamilton Environmental Services concluded that there will not be any significant impacts on any threatened species or community.

Aboriginal & European Heritage

An Aboriginal Due Diligence Assessment Report prepared by OzArk Environment and Heritage was undertaken. The due diligence assessment found that while the proposed works will have an impact on the ground surface, there will be no Aboriginal objects or intact archaeological deposits harmed as a result of the proposal. Appropriate conditions of consent have been included to ensure that in the event that if Aboriginal objects or artifacts are found than work is to cease and Heritage NSW is to be contacted immediately.

The subject property contains an existing heritage item that is listed as having 'local significance' in Schedule 5 of the Greater Hume LEP 2012. An assessment against Clause 5.10 of the LEP was carried out earlier in this report and no impact was identified.

As a result of both the Aboriginal Due Diligence Assessment Report and the Clause 5.10 Assessment undertaken both in the submitted Statement of Environmental Effects and this report it is considered no impact is likely. Appropriate conditions of consent have been recommended.

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Natural Hazards

The subject property is identified as being bushfire prone, however, all works that form part of this consent are not affected by the bushfire prone land mapping. Therefore, no further consideration is required.

Noise

Noise impacts are addressed in the Environmental Assessment Report submitted with the development application. The report provides a description of the existing environment, an assessment of the potential noise impacts and proposes mitigation and management measures. The assessment noted comparative studies carried out for a cattle feedlot of similar size, capacity, and landform in Victoria. The report drew broad conclusions that the operations would not exceed the NSW EPA's standards for background noise or project noise trigger levels. The conditions of consent include the requirement for the proponent to prepare an Environmental Management Plan. This plan will include noise impact mitigation measures and will ensure appropriate noise management where required. It should be noted that any noise impacts or complaints can be dealt with under the *Protection of the Environment Operations Act* as regulated by the Council.

Waste

The development application as noted previously is supported by an Environmental Assessment Report. The report takes 'waste' into consideration in multiple sections of the reports including potential impacts from solid waste impacts, waste water irrigation and liquid waste. The report sets out a comprehensive array of potential impacts and provides mitigation and management strategies to ensure minimisation of impacts on the subject and surrounding properties. As previously described, the conditions of consent include the requirement for the proponent to prepare an Environmental Management Plan. This plan will include waste impact mitigation measures and will ensure appropriate waste management will be undertaken.

Economic Impact

The proposed development will not have any adverse economic impact. The proposal will provide employment opportunities both during construction and operation. The proposal will ensure the effective and ongoing operation of the rural/agricultural area of Bungowannah.

Social Impact

The proposal will not create any adverse social impact, the subject land is located in an existing and established rural zone and the development provides satisfactory buffers from adjoining properties and appropriate setbacks from sensitive land uses.

Visual Impact

It is considered that the proposed development will not result in any adverse visual impacts. The area is zoned for this type of agricultural development, and the character of the locality is well established within Council's policies and guidelines.

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

The subject land is suitably zoned for the proposed intensive livestock agriculture facility development. The design and siting of the development is considered responsive to the subject land attributes and the development is responsive to the established character of area and meets the relevant land use objectives.

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4.15(1)(c) - any submissions made in accordance with this Act or the regulations,

Since 1 December 2019, all New South Wales planning authorities have been required to have a Community Participation Plans (CPP) in place. Part 2 Division 2.6 of the EP&A Act outlines the requirements in relation to community participation and the CPP is developed in response to Section 2.23 of the Act. Under the Greater Hume CPP the subject application was exhibited for the minimum period of 14 days. A total of **twelve** (12) submissions were received during the notification period. Of the twelve submissions, ten were objections and two were in support (subject to conditions). In addition, ten (10) submissions were received as 'unique' submissions and two (2) were 'proforma' submissions. Twenty (20) separate issues were raised in the submissions received.

The table below sets out the issues that were raised as part of the notification process and provides a response to each issued raised.

Issue Raised	Response
<p>Traffic, Access, associated drainage and</p>	<p>Of the total number of submissions received, a total of seven (7) submissions raised concerns regarding traffic and access arrangements. Additionally, a total of four (4) submissions raised concerns regarding road upgrades and drainage impacts on Humphries Road.</p> <p>Submissions raised the following concerns;</p> <ul style="list-style-type: none"> - Drainage and flooding concerns for Humphries Rd - Unsubstantiated comments about traffic movements, dangers, and other traffic safety issues. - Road train routes - Current access/egress dangers to other properties on Riverina Highway and Humphries Roads. - Traffic Generation <p>The application is supported by a Traffic Impact Assessment that outlines, recommends, and justifies the relevant upgrades to ensure safe and appropriate access arrangements for the proposed feed lot. As works are proposed on the Riverina Highway (a classified road), the application was referred to Transport for NSW, who reviewed and assessed the proposed upgrades. TfNSW provided a response stating that they had no objection to the proposed development and associated road upgrades. Their response included a range of conditions to be addressed as part of the construction and upgrade works and these have been incorporated into the conditions of consent.</p> <p>In response to the main issues raised as part of the notification process, the following should be noted.</p> <p>Where issues of road safety, access and egress are raised it should be noted that the proposed upgrades are intended to address these potential impacts and to ensure appropriate and safe functioning of the road network and intersections. The claims made in the submissions that the proposed development would be of detriment to the road network are unsubstantiated and the proponent will be providing road upgrades to mitigate any potential impact.</p>

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Issue Raised	Response
<p>Traffic, Access, associated drainage</p> <p><i>Continued</i></p>	<p>Furthermore, concerns regarding road train permits were addressed in the Traffic Impact Assessment and noted that the roads are not gazetted for road train use. Therefore, road trains would not be allowed to access the site. Mayfield Road however has been recommended for b-double access (to be gazetted). It is also noted that concerns regarding traffic generation have been addressed in the submitted Traffic Impact assessment, this report also addresses associated noise, dust and safety impacts are negligible.</p> <p>A small number of submissions raised concerns of access to their individual properties. These submissions stated that they currently have difficulty accessing their own driveways and requested that they be upgraded as part of the works. Unfortunately, the existing condition of neighbouring properties driveways is not a relevant matter for consideration and is not the responsibility of other property owners to improve. If property owners are concerned about the condition and functioning of their individual driveways, they should consider upgrading them if they are concerned about the current access arrangements.</p> <p>Finally, drainage issues on Humphreys Rd were raised as a concern in some submissions. TfNSW have provided comment that should the upgrades result in interference with the capacity of the current roadside drainage networks, the proponent is to prevent water from proceeding onto, or ponding on the carriageway of the Riverina Highway and Humphreys road intersections. The condition also states that should a culvert need to be installed it must be installed with the relevant construction requirements outlined in the condition.</p>
<p>Hours of Operation</p>	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding hours of operation.</p> <p>The site is in a rural area zoned RU1 – Primary Production under the Greater Hume LEP 2012. This zone is the highest order agricultural land use zone available for the development and operation of agricultural industries like what is proposed. Rural operations are generally entitled to operate 24/7 365 days of the year. The main operation of this facility would happen during standard business hours and into the early evening, however this is not at odds with what should be expected from any enterprise located within the Primary Production Zone and is consistent with right-to-farm policies.</p>

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Issue Raised	Response
Impact on Apiculture	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding impacts on adjoining apiculture enterprise.</p> <p>The submission contained several unsubstantiated claims, including matters regarding impacts on threatened species. Whilst potential impact to the apiculture enterprise is acknowledged the impact can be mitigated and offset through the conditions of consent and through compliance with industry and national guidelines. The submission made comment regarding compliance with industry guidelines which on investigation were unable to be substantiated in regard to the context of the proposed development and its context. It is noted that the proposed development has no identified impact on any threatened or endangered species, ecological communities or ecosystems, habitats etcetera.</p> <p>The applicant was also requested to respond to the concerns raised in the submission. The applicant responded with the following comments;</p> <p><i>‘...together with the relevant setback distances, and the type and intensity of any pesticide use at the Proposal has been researched and no unmanageable risks to the existing adjoining apiculture operation were found. The location of the existing adjoining apiculture operation will be accounted for during any pesticide use which will comply with standard agricultural industry practices of assessing spray drift and fallout prior to application’</i></p> <p>It is considered that the impacts identified in this submission have been appropriately addressed and can be appropriately managed through the conditions of consent.</p>
Biosecurity	<p>Of the total number of submissions received, a total of five (5) submissions raised concerns regarding biosecurity. The submissions included concerns with increases in weeds, pests (mice, flies etc.) and scavenger species.</p> <p>The application is supported by an Environmental Assessment report which sets out mitigation and management methods for farm biosecurity. A condition of consent will require the proponent to prepare a detailed Environmental Management Plan that includes how the management and mitigation of biosecurity impacts will be managed, mitigated, and reported. The application is also supported by a Preliminary Disease and Animal Management Plan which sets out other biosecurity measures including, disease management and risk management of likely biosecurity issues.</p> <p>The Environmental Management Plan must be in place prior to operation of the feedlot and will be used by regulators should verified complaints be received during the operation of the facility.</p>

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Issue Raised	Response
Incorrect Wind Data	<p>Of the total number of submissions received, a total of three (3) submissions raised concerns regarding incorrect sourcing of wind data.</p> <p>Submissions raised concern with the selection of the wind data used. As part of the request for additional information sent to the applicant, justification of the choice of wind data was requested. The submitted Level 2 Odour Assessment made further clarification and assessment with regard to the wind data and associated modelling. Subsequent correspondence between Council staff and the EPA noted that there was no objection or concerns with the submitted documentation and reports. It is noted that the conditions of consent require an Environmental Management Plan to be prepared prior to the operation of the feedlot. The plan will include all relevant monitoring requirements to ensure appropriate functioning and operation of the facility.</p>
Noise	<p>Of the total number of submissions received, a total of two (2) submissions raised concerns regarding noise.</p> <p>Submissions raised concerns with regard to noise, both traffic noise and operational noise.</p> <p>The Environmental Assessment report demonstrated that there would be no unacceptable noise impacts as a result of the proposed development.</p> <p>The development application for the proposed intensive agriculture is a permissible use within the primary production zone and approval of the subject application will include conditions as part of the consent that the operator will be required to comply with to ensure that the operation of the facility creates minimal impact on any nearby residential properties during the operation of the feedlot. As previously noted, the conditions of consent require an Environmental Management Plan to be prepared prior to the operation of the feedlot. The plan will include all relevant monitoring requirements to ensure appropriate functioning and operation of the facility.</p> <p>The Environmental Management Plan must be in place prior to operation of the feedlot and will be used by regulators should verified complaints be received during the operation of the facility.</p>
Quality of works	<p>Of the total number of submissions received, a total of one (1) submissions raised concerns regarding the quality of works and appropriate design.</p> <p>The development consent specifies a range of conditions that include applying for a construction certificate, ensuring works comply with the National Construction Code, compliance with any applicable design & construction guidelines for feedlots and require these works to be certified during construction at critical stages and on completion of all works prior to being able to operate the facility.</p>

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Issue Raised	Response
Dust	<p>Of the total number of submissions received, a total of five (5) submissions raised concerns regarding dust generation.</p> <p>The development application is accompanied by an Environmental Assessment Report that provides discussion and investigation of any potential dust impact. The report concludes that there will be minimal dust impact and that any dust associated with the development can be managed through the implementation of appropriate management measures. The assessment also notes that whilst dust is a common occurrence in agricultural areas, the potential for impact as a result of the feedlot remains relatively low. The report notes that dust deposited at nearby receptors is unlikely to be directly related to the feedlot as studies have shown that dust from feedlots drop out of air suspension quickly; and monitoring events to not correlate between wind direction and dust fallout recorded at monitoring locations.</p> <p>As previously noted, the conditions of consent require an Environmental Management Plan to be prepared prior to the operation of the feedlot. The plan will include all relevant monitoring requirements to ensure appropriate functioning and operation of the facility.</p> <p>The Environmental Management Plan must be in place prior to operation of the feedlot and will be used by regulators should verified complaints be received during the operation of the facility.</p>
Odour	<p>Of the total number of submissions received, a total of four (4) submissions raised concerns regarding odour generation.</p> <p>Submissions received during the notification period raised concerns with the submitted level 1 odour assessment. As a result of these issues being raised Council staff requested EPA to informally provide assessment and comment on the submitted documentation. The EPA recommended that a Level 2 Odour Assessment be undertaken. Subsequently, the applicant submitted a Level 2 Odour Assessment, which was again referred to the EPA for assessment and comment. The EPA stated that they raised no concern with the submitted documentation and provided recommended conditions of consent. Those conditions have been included as part of the draft development consent and include the requirement for an Odour Management Plan to be prepared and implemented.</p>
Air Quality	<p>Of the total number of submissions received, a total of six (6) submissions raised concerns regarding air quality impacts.</p> <p>The development application is accompanied by an Environmental Assessment Report that provides discussion and investigation of any potential air quality impact. Air quality impacts have been discussed above in the Odour and Dust submission responses.</p>

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Issue Raised	Response
<p>Accordance with Industry Guidelines</p>	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding compliance with industry guidelines.</p> <p>The operator will be required to comply with all relevant industry, state and federal guidelines as obligated under the relevant legislation and as documented within the Environmental Assessment Report submitted with the subject application.</p>
<p>Property Value</p>	<p>Of the total number of submissions received, a total of three (3) submissions raised concerns regarding property values.</p> <p>Several submissions raised concern that their properties would be devalued because of the development. The <i>Environmental Planning and Assessment Act 1979</i> requires consent authorities to take into consideration, when relevant, the 'likely impacts' including the 'social and economic impacts in the locality' of a proposed development, when making their determinations. In this context 'likely impacts' means "a real chance or possibility": <i>Hoxton Park Residents Action Group Inc v Liverpool City Council (2011) 184 LGERA 104 at [46]</i>. However, the additional proviso of 'in the locality' requires a unique, and possibly expanded, consideration of loss as authorities consider local economic consequences. The nature of the development and its likely impacts will influence the scope of locality to be considered. In this instance, the development of the sheep feedlot is considered to have an overall positive economic impact on the 'locality', due to its appropriate location, siting, and compliance with the objectives of the relevant zoning. Whilst this could increase or decrease property values, it is considered that the impact of this development will have little negative implications and overall impact across the locality of Bungowannah and the Greater Hume Local Government Area.</p>
<p>Amenity/Land use conflicts</p>	<p>Of the total number of submissions received, a total of three (3) submissions raised concerns regarding amenity and land-use conflicts.</p> <p>It is acknowledged that it is common where agricultural industries exist land use conflict often arises in the agricultural context due to urban encroachment into farming areas. It is also acknowledged that intensive agriculture systems also increase the chance of noise, odour, spray drift and other outputs of farming practices interacting with surrounding land users.</p> <p>People who live in rural and agriculture areas understand that land (particularly primary production zoned land) is primarily used for productive purposes, such as agriculture. The reality is that normal farming practices can have impacts on neighbours ranging from residual noise, light, dust and other impacts. Primary producers have a right to farm to the extent of what is lawful.</p>

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Issue Raised	Response
<p>Amenity/Land use conflicts</p> <p><i>Continued</i></p>	<p>This means compliance with the legislation and regulations that govern, for example, land uses, uses of chemicals, intensity and timing of lights and noise and management of odours. The suite of rules applies equally to all land users, including rural lifestyle land owners who, like farmers, have obligations in relation to management of weeds, pests and other biosecurity risks.</p> <p>The development application for the proposed intensive agriculture is a permissible use within the primary production zone and approval of the subject application will include conditions as part of the consent that the operator will be required to comply with to ensure that the operation of the facility creates minimal impact on any nearby residential properties during the operation of the feedlot.</p>
<p>Animal Welfare</p>	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding animal welfare.</p> <p>Animal welfare is not a planning consideration when determining the outcome of a development application under the Environmental Planning & Assessment Act 1979. However, the welfare of animals in NSW, including farm animals and pets, is protected under the Prevention of Cruelty to Animals Act and the Prevention of Cruelty to Animals Regulation which is regulated by the Department of Primary Industries (DPI). The NSW DPI is responsible for this regulation and also provides support for operators and the general public on general animal welfare.</p> <p>The operations undertaken at the feedlot will be required to comply with all relevant Commonwealth and State Government industry guidelines.</p> <p>It should also be noted that a Preliminary Disease and Animal Management Plan was submitted with the application. Furthermore, Section 4.7 of the Environmental Assessment Report also provides brief detail on the Animal Welfare aspects of the proposed development.</p>
<p>Bushfire Risk</p>	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding bushfire risk.</p> <p>The subject property and the location of the proposed feedlot are not identified as bushfire prone land. Whilst this does not negate the fact that fires could potentially be started, the likelihood and risk is much lower in areas which are not identified as bushfire prone land. The buildings provide appropriate asset protection zones from surrounding vegetation.</p>

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Issue Raised	Response
Water Use	<p>Of the total number of submissions received, a total of two (2) submissions raised concerns regarding water-use.</p> <p>The applicant has provided detail of the currently water supply that services the property. The property is currently serviced by four existing underground water bores within the site that has a 500ML groundwater licence capacity. Combined with rainwater tanks connected to building roofs, the property contains sufficient water supply to ensure the appropriate health and welfare of the animals to be contained within the feedlot operations.</p>
Cumulative impacts of the proposed stocking densities.	<p>Of the total number of submissions received, a total of one (1) submission raised concerns regarding the number of sheep proposed and the cumulative impacts of the proposed densities.</p> <p>Any future expansion of the proposed feedlot would require a subsequent development application to Council for approval. Should the applicant propose to increase the intensity of the operations that results in the exceedance of a threshold under Schedule 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> or Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> this will trigger the requirement for an Environmental Protection Licence and will require additional assessment and concurrence from the Environmental Protection Authority prior to any expansion being approved.</p>

4.15(1)(d) - the public interest.

The public interest is a broad consideration relating to many issues and is not limited to the demand upon public services and infrastructure. In the judgement of *Double Bay Marina v Woollahra Council* [2009] NSWLEC 1001 about the following three step process to determine whether an application is in the 'public interest':

- i. defining the public whose interest is being invoked;*
- ii. defining the benefit towards which a proposal claims to make a contribution (or from which it is claimed to detract); and*
- iii. making explicit the weight given to the public interest relative to other considerations.*

Taking into account the full range of matters for consideration under Section 4.15C of the Environmental Planning and Assessment 1979 (as discussed within this report) it is considered that approval of the application is consistent with 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, with or without conditions;
2. Defer the application for further information or redesign; or
3. Refuse the application.

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

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RECOMMENDATION

That consent be granted to development application 10.2020.107.1 for intensive livestock agricultural facility at 198 Humphreys Road, Bungowannah, subject to the following conditions:

General

- 1 Development shall be generally in accordance with the approved plans and accompanying information (including the Statement of Environmental Effects), except where modified by the following conditions.
- 2 The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises.
- 3 The proponent and operator are to ensure that all operations comply with the submitted 'Preliminary Disease and Animal Management Plan'
- 4 No use of the subject land is to commence until an Occupation Certificate has been issued.
- 5 All aspects of the building design are to comply with the applicable Performance Requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the Performance Requirements can only be achieved by:
 - (a) Complying with the Deemed-to-Satisfy provisions, or
 - (b) Formulating a Performance Solution which:
 - i. Complies with the Performance Requirements, or
 - ii. Is shown to be at least equivalent to the Deemed-to-Satisfy provision, or
 - (c) A combination of (a) and (b).
- 6 Prior to commencing any building construction works, the following provisions of the Environmental Planning and Assessment Act 1979 are to be complied with:
 - (a) A Construction Certificate is to be obtained in accordance with Section 6.7 of the Act
 - (b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 6.6 of the Act
 - (c) Council is to be notified at least two (2) days in advance of the intention to commence building works in accordance with Section 6.6 of the Act
 - (d) Submit to the Principal Certifying Authority a copy of the insurance certificate as required by the Home Building Act 1989.
- 7 Inspections are to be conducted in accordance with section 6.5 (1)(b) for building work and/or section 6.5 (2)(b) for subdivision work of the Environmental Planning & Assessment Act 1979 and Section 162A of the Environmental Planning & Assessment Regulation 2000 and as required by the Principal Certifying Authority.
- 8 Construction and site 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.

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FACILITY (SHEEP FEEDLOT) – 198 HUMPHREYS ROAD BUNGOWANNAH [CONT'D]**

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.

Note: The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

- 9 No work is to be carried out beyond the property boundary on any road reserve, naturestrip, footpath, concrete kerb, paved area, and building or supply service without the prior written consent of the Council, in order to protect community assets and eliminate potential hazards to the community in the "public place".
- 10 The applicant's/landowner's attention is drawn to the need to obtain separate Council approval for any ancillary activity not approved by this consent, including the erection of any advertising sign which is not classified as exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or the *Greater Hume Local Environmental Plan 2012*.
- 11 Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development. Adequate protection must be provided for public infrastructure prior to work commencing and during building operations. Any damage to public infrastructure caused during construction shall be made good prior to the issue of an occupation certificate.
- 12 Tree removal is to be carried out in accordance with Local Land Services approval. Should further tree removal be required, further consultation with Local Land Services will be required.
- 13 If any archaeological relics are uncovered during the course of the work then works in that area are to immediately cease and the NSW Heritage Office contacted immediately. The applicant is advised that, depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act, 1977 may be required before any further work can be considered in that area of the site.

Odour Management

- 14 Prior to the commencement of operations, the proponent must prepare an Odour Management Plan in accordance with the relevant feedlot guidelines. The completed plan must be submitted to Council for approval.

The Odour Management Plan must include, but is not limited to the following:

- Proactive and reactive management strategies;
- Key performance indicators;
- Monitoring methods;
- Location, frequency and duration of monitoring;
- Record keeping;
- Mitigation measures;
- Compliance reporting; and
- Complaints management and reporting.

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Environmental Management

15 Prior to the commencement of operations, the proponent must prepare an Environmental Management Plan in accordance with the relevant industry guidelines and the recommendations as described in the submitted Environmental Assessment report (Table 25 and 26) prepared by EnviroAg Australia Pty Ltd and dated 17 June 2020. The completed plan must be submitted to Council for approval. Additionally, at a minimum the Environmental Management Plan must incorporate the following monitoring of;

- Soil quality in WUAs
- Groundwater quality in feedlot and WUAs
- Application rates of wastewaters and composted manures
- Quality of waste material applied to WUAs; and
- Surface water quality of water in the tail water dam,

The monitoring parameters and regime for these elements should be determined by a suitably qualified consultant at the detailed design phase when appropriate hydraulic modelling has been completed. The Environmental Management Plan must set out monitoring commitments that includes reporting of the results to Council on a regular basis as determined by the qualified consultant.

Roads

16 Prior to the issue of the construction certificate and any road upgrades required under this consent, the Applicant must prepare a Traffic Management Plan for the development in consultation with Council. This plan must include, but not limited to:

- (a) Details on number of vehicles accessing the site for construction and decommissioning phases;
- (b) Details of the entire transport route to be utilised for development-related traffic;
- (c) Dilapidation surveys for the construction phase of works. Surveys must be conducted prior to works commencing, during works and following completion of works. A survey must report on the condition of local roads on the transport route/s to identify the required upgrades to ensure the road is maintained as per predevelopment standard and adequately caters for heavy vehicle turning movement accessing the site and as per Council Engineering Guidelines (newest version);
- (d) A protocol for the repair of any road upgrades as identified in the approved dilapidation surveys;
- (e) Details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction and decommissioning works including, but not limited to:
 - i. Temporary traffic controls, including detours or signage,
 - ii. Notifying the local community about project-related traffic impacts,
 - iii. Procedures for receiving and addressing complaints from the community about development related traffic,
 - iv. Minimising potential for conflict with school buses or other motorists as far as practicable,
 - v. scheduling of haulage vehicle movements to minimise convoy length or platoons,
 - vi. responding to local climate conditions that may affect road safety such as fog, dust, wet weather,
 - vii. responding to any emergency repair or maintenance requirements and

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- viii. a traffic management system for managing over-dimensional vehicles;
- (f) A heavy vehicle driver's code of conduct that addresses:
 - i. travelling speeds,
 - ii. driver fatigue,
 - iii. procedures to ensure that drivers adhere to the designated transport routes and
 - iv. procedures to ensure that drivers implement safe driving practices.

Transport for NSW Conditions

- 17 The proponent is required to comply with the requirements set out below by Transport for NSW in relation to the associated road upgrades.
- (a) As a minimum the intersection of the Riverina Highway and Humphreys Road shall be constructed and the roadside maintained to the satisfaction of Transport for NSW to comply with the following:
 - i. Be constructed and the roadside maintained so as to provide the Sight distance requirements for a reaction time of 2.5 seconds in either direction along the Riverina Highway in accordance with the Austroads Publications as amended by the supplements adopted by Transport for NSW for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.
 - ii. Be constructed with a sealed Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment on the Riverina Highway in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit. The intersection is to be constructed to the standards required for an approved B-Double route.
 - iii. The construction of Humphreys Road to provide for 2 travel lanes and be sealed for at least 50 metres from the carriageway of the Riverina Highway. The intersection shall be designed and constructed so that vehicles turning between the Riverina Highway and Humphreys Road are not required to cross to the opposing travel lane in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.
 - iv. Be designed and constructed so as not to interfere with the capacity of the current roadside drainage network and to prevent water from proceeding onto, or ponding on, the carriageway of the Riverina Highway or Humphreys Road at the intersection. If a culvert is to be installed and is to be located within the clear zone of the carriageway for the posted speed limit it shall be constructed with a traversable type headwall
 - (b) A management plan to provide measures to suppress dust generation from the development site and the transportation route shall be prepared and implemented to the satisfaction of Council and Transport for NSW.
 - (c) Any damage or disturbance to the road reserve of the Riverina Highway is to be restored to match surrounding landform in accordance with Council requirements.

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- (d) As a minimum any works within the road reserve of the Riverina Highway shall be designed and constructed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit. As a minimum the pavement shall be designed to the satisfaction of Transport for NSW to accommodate the volume and type of traffic through the intersection.
- (e) The Riverina Highway is part of the State Road network. For works on the State Road network the developer is required to enter into a Works Authorisation Deed (WAD) with Transport for NSW before finalising the design or undertaking any construction work within or connecting to the road reserve. The Works Authorisation Deed shall address each specific change to the state road network for assessment and approval by Transport for NSW prior to commencement of any works within the road reserve. The applicant is to contact the Land Use Manager for the South West Region on Ph. 02 69236611 for further detail.
- (f) Any works within the road reserve of a classified road requires approval under Section 138 of the Roads Act, 1993 from the road authority (Council) and concurrence from Transport for NSW prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.
- (g) Works associated with the development shall be at no cost to Transport for NSW.

18 Council Engineering Conditions

- (a) The intersection of Humphreys Road and Mayfield Road (including approaches) be upgraded to allow vehicles up to and including B-Double to safely negotiate the turn, including possible removal and/or trimming of some trees.
- (b) Application is to be made to Council for Mayfield Road to be gazette for travel by B-doubles between Humphreys Road and the proposed site access (approximately 140 metres west of Humphreys Road);
- (c) Access into the site be designed as a typical rural property access (as detailed in Section 7.2.3 of the Austroads Guide to Road Design Part 4: Intersections and Crossings General and shown in RMS (TFNSW) Model Drawing – Typical Rural Property Access Standards (Figure 2 – Articulated Vehicles).
- (d) Road serve drainage to be directed to natural runoff (table drains)
- (e) 3 trees marked for removal on the Humphries and Mayfield Roads Intersection are to be crossed using Councils Tree Removal Policy

Reason for conditions

The above conditions have been imposed:

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

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5. EXHIBITION OF THE DRAFT JINDERA RESIDENTIAL LAND USE STRATEGY

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

To advise Council that the Jindera Residential Land Use Strategy (the strategy) has been prepared for the Jindera Township which will outline the future residential growth and development of the Township for the next 20-30 years. This report will seek a resolution of Council to place the strategy on exhibition for 28 days.

REFERENCE TO DELIVERY PLAN

Objective	We are revitalizing our communities, welcoming visitors, growing our economy and promoting the lifestyle, culture and heritage offered in our communities
Outcome 3.2	Our towns and villages are revitalised

DISCUSSION

The strategy provides the strategic framework and vision to guide the future residential growth of Jindera.

Specifically, the Strategy seeks to achieve the following:

- Background review of all relevant policies, strategies and reports for the township of Jindera that have informed the growth of the town to date;
- Undertake a constraints and opportunities analysis of land within Jindera to identify land that is suitable for future residential opportunities;
- To cater for the residential needs of the community and identify appropriate residential densities that reflect the environmental and servicing constraints of the land, whilst avoiding land use conflicts with existing developments;
- Identify infrastructure and servicing capacities and constraints;
- Identify areas of environmental significance and the implications this has for future development;
- Provide an implementation plan to outlined how the recommendations of this Strategy will be established.

The strategy (refer **ANNEXURE 2**) identifies proposed residential land supply for RU5 village zone which has a minimum lot size of 600m², R2 Low Density Residential zone that has a minimum lot size of either 2000m² or 4000m² and R5 Large Lot Residential which has a minimum lot size of 2ha. The number of proposed lots identified is 1,178 which represent 39 years of land supply based on the current uptake of 33.5 allotment per year. The strategy has identified further potential residential land which is marked as proposed zoning (future growth).

The strategy also discusses the interaction of residential land with industrial land and the need for additional open space

The Greater Hume Community Participation Plan sets out when and how Council will engage with its communities across all the planning functions it performs. For the strategy the plan indicates that the minimum community participation requirement is 28 days of exhibition. It is proposed that the exhibition will involve advertising upon Council's website and through written correspondence to landowners and their immediate neighbours.

BUDGET IMPLICATION

Preparation of the Jindera Residential Land Use Strategy has been funded by NSW Department of of Planning and Industry and Environment.

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EXHIBITION OF THE DRAFT JINDERA RESIDENTIAL LAND USE STRATEGY [CONT'D]

CONCLUSION

The strategy will be a precursor to future planning proposals to rezone land in the vicinity of Jindera Township for a range of residential zonings.

RECOMMENDATION

That Council exhibit in accordance with the Greater Hume Community Participation Plan for a minimum period of 28 days the Jindera Residential Land Use Strategy.

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GOVERNANCE

Nil reports.

CORPORATE AND COMMUNITY SERVICES

1. FINANCIAL REPORTING

Report prepared by Chief Financial Officer – Dean Hart

REASON FOR THE REPORT

To inform Councillors of a change to the Local Government Code of Accounting Practice and Financial Reporting 2020/21 with respect to reporting of unrestricted cash balances at financial year end.

REFERENCE TO DELIVERY PLAN

Objective	WE lead a vibrant, connected and inclusive community
Outcome 1.1	Leadership and advocacy is demonstrated and encouraged in our communities
Action 1.1.1.3	Implement best practice financial management processes

DISCUSSION

Historically Council's Financial Statements have included a note on restricted cash, cash equivalents and investments. The note provides a breakdown of the amount attributable to external restrictions, internal restrictions **and unrestricted cash**.

The note is a quick visual indicator of the liquidity of Council, indicating how much of Council's funds are not restricted either by legislation or Council resolution. Should the unrestricted cash balance go into negative, Council would need to redirect funds otherwise internally reserved for specific purposes to cover the shortfall.

The Office of Local Government have determined the following in the most recent 2020/21 Code update:

- 1. Council shall disclose, together with a commentary by management, the amount of significant cash and cash equivalent balances held by the entity that is not available for use by the Council.*
- 2. Disclose details of nature of external restrictions.*
- 3. Internal restrictions shall include those assets, the uses of which are only restricted by a resolution of the elected Council. These assets are disclosed with details of the nature of the internal restrictions.*
- 4. Given that Council can remove internal restrictions by a resolution of the elected Council, **the unrestricted cash line item has been removed from this note.***

There is no obligation under the Australian Accounting Standards to report the unrestricted cash amount, however, it is the writer's view that this figure is one of the most important indicators to Councillors, Council staff and external users of Financial Statements of the financial health of Council.

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FINANCIAL REPORTING [CONT'D]

Whilst it is true that internal restrictions can be redirected by Council resolution, normally these funds have arisen out of specific events or activities, (such as the sale of the Holbrook and Jindera Hostels), and Council has a responsibility wherever possible to ensure that the use of these funds is consistent with the reason it was reserved initially. In other cases, (such as the plant reserve), it is to ensure that Council has funds set aside for the replacement or upgrade of important assets. These funds are therefore not available to cover general operating shortfalls.

The result of this determination is that Council's financial reports are no longer required to report the unrestricted cash in their financial statements. Whilst it is conceded that the figure can be derived from the reports, the writer is of the opinion that its inclusion adds value to users of the Financial Statements and should be retained.

The Local Government Code of Accounting Practice and Financial Reporting sets the minimum reporting requirements for Council's financial reporting. The writer has discussed our intention to continue reporting the unrestricted cash figure in Council's Financial Statements with Council's Auditor's.

BUDGETARY IMPLICATION

Nil.

CONCLUSION

The reporting of unrestricted cash in the notes to the Financial Statements is considered useful and important information to users of the Financial Statements and should be retained.

RECOMMENDATION

That:

1. Council endorse the actions of the Responsible Accounting Officer in continuing to report the unrestricted cash line in its Financial Statements for 2020/21.
2. Council write to the Office of Local Government expressing its objection to the removal of the unrestricted cash line from the Financial Statements.

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2. PROPOSED SHORT TERM LICENCE – ROAD RESERVE – WOOMARGAMA HOTEL

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To seek Council endorsement to give public notice to enter into a Lease on an unused road reserve between Greater Hume Council and the licensee of the Woomargama Hotel.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

Council is in receipt of correspondence from the owner of the Woomargama Hotel requesting consent to enter into a lease arrangement with Greater Hume Council over a road reserve adjoining Lot 2 DP 1080671 and Lot 3 DP Sec 2 DP 759118, Woomargama Hotel, Woomargama Way, Woomargama as shown below.



Greater
Hume
Council

Lease Area

Adjacent to Lot 2 DP1080671 and Lot 3 DP Sec 2 DP759118

The request has been made following the approval of a Footpath Dining & Temporary Structures Application and an extended Liquor Licence application. The existing building fronts a grassed area which is an unused road reserve and is currently utilised by patrons of the hotel. To improve the dining experience for patrons the owner is seeking to construct decking over the road reserve to enhance the outdoor dining area. A Development Application will be submitted for the construction of the decking, however, permission to occupy the road reserve by way of a licence will be required in the first instance.

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PROPOSED SHORT TERM LICENCE – ROAD RESERVE – WOOMARGAMA HOTEL [CONT'D]

Council, as the roads authority, is able to lease unused roads pursuant to the following section of the Roads Act 1993:

153 Short-Term Leases of Unused Public Roads

(1) A roads authority may lease land comprising a public road (other than a Crown road) to the owner or lessee of land adjoining the public road if, in its opinion, the road is not being used by the public.

157 Special Provisions With Respect To Short-Term Leases

- (1) The term of a lease, together with any option to renew, must not exceed--*
- (a) except as provided by paragraph (b), 5 years, or*
 - (b) in the case of a lease of land that has been acquired by the roads authority under Division 3 of Part 12, 10 years.*
- (2) A person must not erect any structure on land the subject of a lease under this Division otherwise than in accordance with the consent of the roads authority.*
- (3) Such a consent may not be given unless the roads authority is satisfied that the proposed structure comprises a fence or a temporary structure of a kind that can easily be demolished or removed.*

Council staff have inspected the property and considered the road reserve is excess to Council requirements and not required for any current or future road network extensions.

Council has no assets within the road reserve.

Whilst the licensee wishes to construct decking over the land, Council's Director Environment and Planning has confirmed the decking structure to be that of a kind easily demolished and removed at the termination of the lease.

Before granting a lease the Council must give public notice of its intention to do so in a local newspaper. The term of a lease, together with any option to renew, must not exceed five years and will be in accordance with the existing terms and conditions of Council lease arrangements for Unused Roads.

BUDGET IMPLICATIONS

No material impact on Council's income. An annual rental and administration fee will be charged in accordance with Council's Fees and Charges for Unused Roads.

CONCLUSION

This section of unused road is surplus to Council's needs and will have no impact on access to surrounding properties. The construction of decking will enhance the dining experience for patrons of the Woomargama Hotel.

RECOMMENDATION

That:

1. Council give public notice of its intention to lease the road reserve adjoining Lot 2 DP 1080671 and Lot 3 DP Sec 3 DP 759118.
2. subject to no objections being received following public notice of the proposal, Council enter into an Unused Road Licence with the licensee of the Woomargama Hotel for a term of 5 years.

ENGINEERING

1. URANA STREET JINDERA AND MCBEAN ST CULCAIRN SHARED/FOOTPATH PROJECTS AND LAND OWNER COST APPORTIONMENT

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To consider the construction of a shared path in Urana St Jindera and a footpath in McBean St Culcairn and to advise Council of the proposed cost and apportionment for adjacent landowners as required by Council policy.

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 applied for funding through the Active Transport Program (NSW Government) over a number of years without success to part fund the construction of a shared path in Urana St Jindera to link up the existing shared paths in Urana St between Dight Street and Pioneer Drive, as well as linking the Jindera Public School to Urana St in Dight St. Also applications have been lodged to extend the existing footpath in McBean St Culcairn from Elizabeth St to Hamilton St.

It has become apparent that funding will probably not be forthcoming for these projects in the near future and it is considered that Council should proceed with the construction of at least two of the projects due to their current use, evidenced by the number of requests received by Council and worn path in the nature strip in some locations.

It is considered that the Urana St shared path between Dight St and Pioneer Drive and the Mc Bean St footpath between Elizabeth St and Hamilton Street be the projects that proceed due to pedestrians using existing gravel paths and/or grassed nature strips in these locations or using the road creating an unsafe situation. It is considered that the Dight St shared path be delayed and be constructed as part of the reconstruction of Dight St, planned for 2023/24.

The construction of the paths at Urana St and McBean St will not only provide linked access to schools and recreational facilities but improved accessibility for all landowners adjacent to the new path.

As required, all new footpath and kerb and channel works within Greater Hume require 50% landowner contribution towards the overall cost if constructed adjacent to the landowner's property as detailed in Council's Contributory Policy for the construction of new footpaths and kerb and channel.

Maps of the project are shown below.

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**URANA STREET JINDERA AND MCBEAN ST CULCAIRN SHARED/FOOTPATH PROJECTS AND
LAND OWNER COST APPORTIONMENT [CONT'D]**



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URANA STREET JINDERERA AND MCBEAN ST CULCAIRN SHARED/FOOTPATH PROJECTS AND
LAND OWNER COST APPORTIONMENT [CONT'D]

Tables of apportionment used to assess the landowner contributions are **ENCLOSED SEPARATELY** for Councillors' information.

CONCLUSION

With the likelihood of funding not being obtained in the foreseeable future, it is considered appropriate that Council commit existing funds held to construct the shared path in Urana St Jindera between Dight St and Pioneer Drive and the footpath in McBean St between Elizabeth St and Hamilton St Culcairn.

The construction of both paths will alleviate ongoing issues in relation to providing all weather linkages (Concrete paths) to existing paths in both towns and provide access for not only for the benefit of adjoining residents but to the other residents and visitors to the communities.

As stated the construction of these paths will require contributions from adjoining landowners as required by Council Kerb and Channel and Footpath Contributory policy.

RECOMMENDATION

That:

1. Council undertake the construction of a 2.0m wide concrete shared path in Urana St Jindera (between Dight St and Pioneer Drive – western side).
2. Council undertake the construction of a 1.5m wide concrete footpath in McBean St Culcairn (between Elizabeth St and Hamilton St – eastern side)
3. the cost to land owners be as detailed
4. the landowners be notified of the amount of their contribution to the projects.

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**2. JINDERA STREET JINDERA - FOOTPATH AND KERB AND CHANNEL PROJECT AND
LAND OWNER COST APPORTIONMENT**

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To consider the construction of a footpath and kerb and channel in Jindera Street, Jindera and to advise Council of the proposed cost and apportionment for adjacent landowners as required by Council policy.

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.

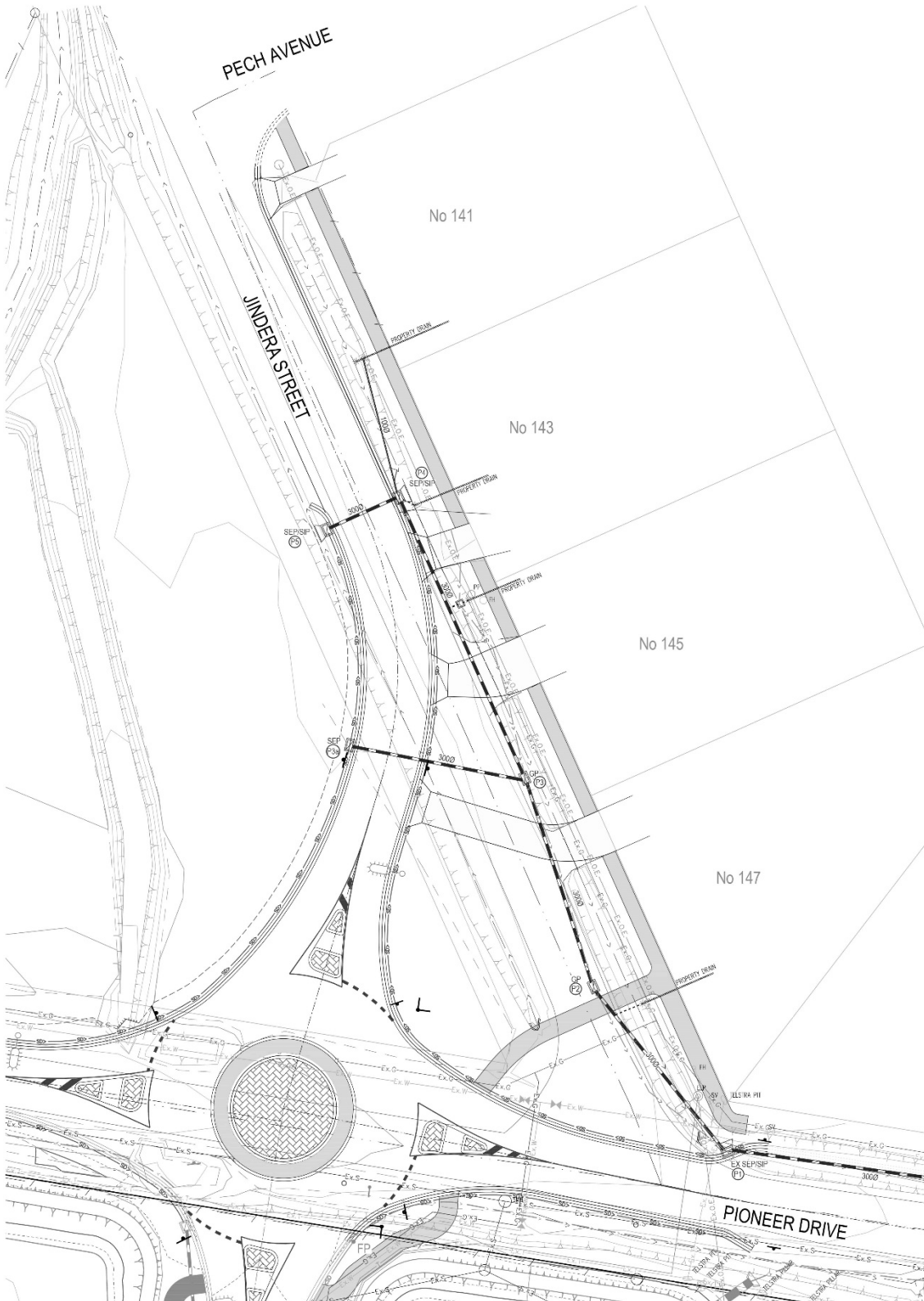
DISCUSSION

As part of the Heritage Park residential development in Jindera the developer Nordcon was required to contribute to the construction of a roundabout at the intersection of Pioneer Drive and Jindera Street. In lieu of other contributions Nordcon has agreed to undertake the full construction of the roundabout for Council as part of the next stage of the Heritage Park development which is expected to be commenced shortly.

The construction of the roundabout requires the installation of kerb and channel in front of three properties in Jindera Street, however it is considered that the kerb and channel be extended in front of the remainder of 143 Jindera St and 141 Jindera Street to link up to kerb and channel in Pech Avenue. This will then provide a more consistent frontage of Jindera St between Pioneer Drive and Pech Avenue, and alleviate localised drainage issues. It is also proposed to construct a footpath in front of the four properties in Jindera Street to provide a connection to the footpath in Pech Avenue from the new shared path in Pioneer Drive creating a fully connected looped footpath for the residents to use. The proposed footpath and kerb and channel is shown on the plan on the next page.

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**JINDERA STREET JINDERA - FOOTPATH AND KERB AND CHANNEL PROJECT AND LAND
OWNER COST APPORTIONMENT [CONT'D]**



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**JINDERA STREET JINDERERA - FOOTPATH AND KERB AND CHANNEL PROJECT AND LAND
OWNER COST APPORTIONMENT [CONT'D]**

The construction of the path in Jindera Street will not only provide linked access to schools and recreational facilities but improved accessibility for all landowners adjacent to the new path.

As required, all new footpath and kerb and channel works in Council require 50% landowner contribution towards the overall cost if constructed adjacent to the landowner's property as detailed in Council's Contributory Policy for the construction of new footpaths and kerb and channel.

A table of apportionment used to assess the landowner contributions is **ENCLOSED SEPARATELY** for Councillors' information.

It is to be noted that residents will only pay contributions based on the length of the frontage of their property and not the length of kerb and channel for this project as the alignment of the kerb and channel (as shown on the plans) must be built to meet the realignment of the Jindera St with the new roundabout.

BUDGET IMPLICATION

An estimate for the extension of the footpath and kerb and channel is \$20,000 above the proposed roundabout works and this can be funded from the footpath funds held in reserve as advised in the earlier report along with landholder contributions received by Council.

CONCLUSION

The installation of kerb and channel and footpath in Jindera St will alleviate ongoing issues in relation to providing all weather linkages (Concrete paths) to existing paths, alleviate localised drainage issues, and provide access for not only for the benefit of adjoining residents but to the other residents and visitors.

As stated the construction of the kerb and channel and footpath will require contributions from adjoining landowners as required by Council Kerb and Channel and Footpath Contributory policy.

RECOMMENDATION

That Council:

1. approve the construction of a 1.5m wide concrete footpath and kerb and channel in Jindera St Jindera (between Pioneer Drive and Pech Ave – western side)
2. the cost to land owners be as detailed.
3. the landowners be notified of the amount of their contribution to the project.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY
LANE, HOLBROOK ON WEDNESDAY, 17 MARCH 2021**

3. TENDER TL 13 – 2020/21 - GEROGERY DRAINAGE STAGE 1 - EXTENSION OF WORKS

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider an extension of works of the current contract relating to Stage 1 of the Gerogery Drainage Scheme.

REFERENCE TO DELIVERY PLAN ACTION

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

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

DISCUSSION

This project is part of the Council 2020/21 Delivery Plan.

As part of the overall drainage scheme for Gerogery the current contract was sized to match the available Council budget at that time and included a proportion of Stage 1 of the project.

Subsequent to Council awarding that tender further funding has been secured under Local Roads and Community Infrastructure Fund. The proposed extension of works aims to provide Council with an additional portion of the works that will complete drainage on both sides of Main Street.

The proposed works include the construction of underground drainage and table drains along the western side of Main Street.

The benefit to Council of expanding the scope of the existing contract include;

- Completion of the full scope of Stage 1.
- Take advantage of the favourable tendered rates submitted for TL13 2020/21.
- Utilise current Contractor availability at a time when suitable contractors are at a premium.
- Reduce Council costs with respect to tendering for the remaining portion of the scheme.

Submitted prices for the original contract ranged from \$202,190.00 to \$788,368.18 (exclusive of GST) with Fuge Earthworks being the most competitive tender.

A table showing the current contract rates used to assess the proposed extension of works is **ENCLOSED SEPARATELY** for Councillors' information.

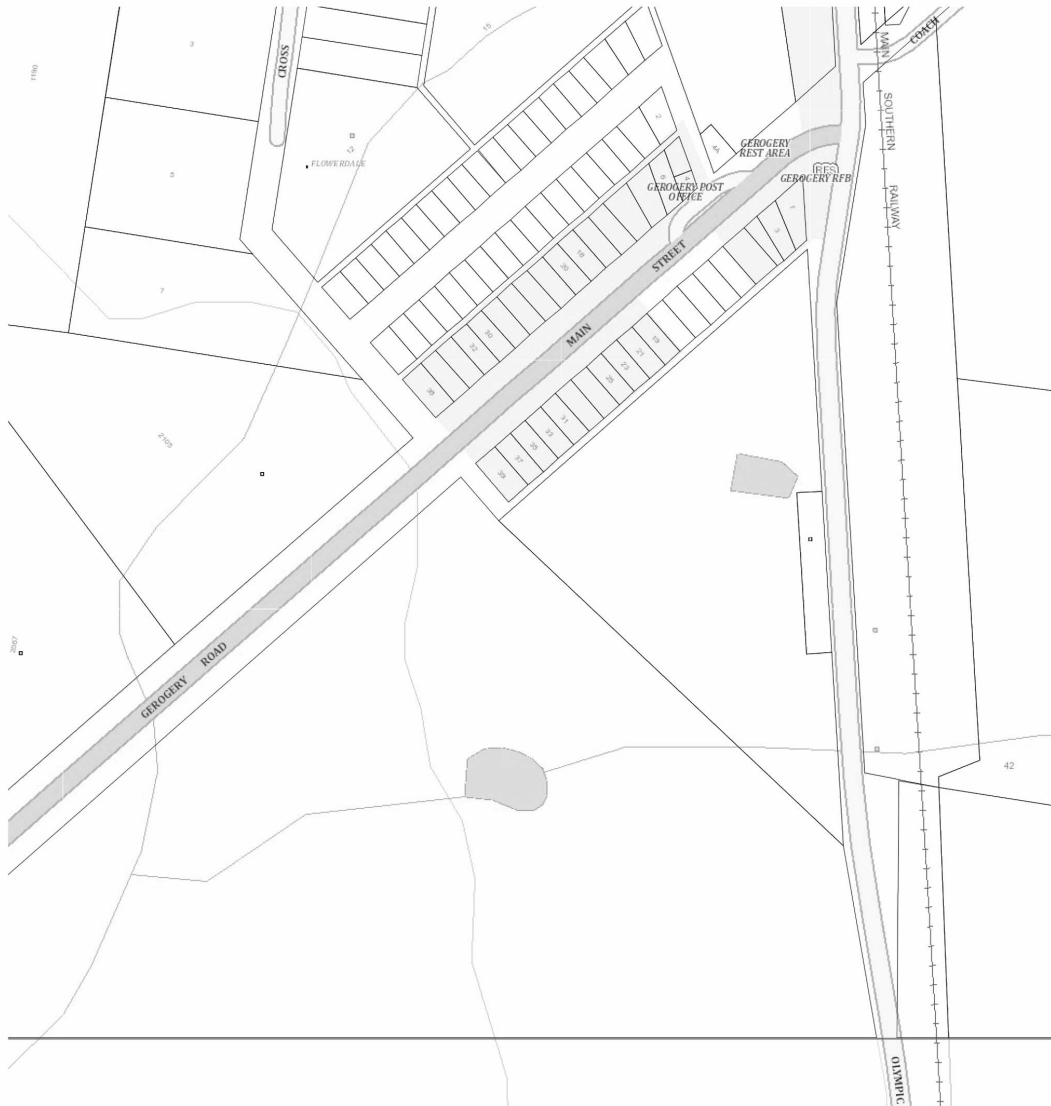
Fuge Earthworks was previously awarded the current contract for TL13-2020/21 and has shown that they are capable of completing a project such as Gerogery Drainage Stage 1 to a satisfactory standard. Council officers have noted the capacity of Fuge Earthworks to undertake works safely, to a high standard and with the minimum of disruption to residents.

Mr Andrew Johnson from Fuge Earthworks has confirmed that he is satisfied that Fuge Earthworks have the personnel and equipment to complete the proposed extension of works to the required standard in a safe and timely manner.

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TENDER TL 13 – 2020/21 - GEROGERY DRAINAGE STAGE 1 - EXTENSION OF WORKS
[CONT'D]

A sketch of the proposed works is shown below.



Disclaimer: Greater Hume Council does not represent that the plan provided is free from errors or omission.
The information represented in this plan is subject to change.
Greater Hume Council accepts no liability for loss, damage, or costs that you may incur.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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TENDER TL 13 – 2020/21 - GEROGERY DRAINAGE STAGE 1 - EXTENSION OF WORKS
[CONT'D]

BUDGET IMPLICATION

The price of \$117,125.20 (ex GST) for the extension of works is consistent with the budget estimate for these works and is based on the tendered rates submitted by Fuge Earthworks for TL13-2020/21. The price does not include the possibility of provisional items which in any case would be expected to amount to less than 10% of the price.

CONCLUSION

The tender TL13-2020/21 awarded to Fuge Earthworks P/L has been executed to a satisfactory standard and there is no technical or practical reason to conclude that Fuge Earthworks P/L is not capable of completing the proposed extension of works to the required standard and within a reasonable timeframe.

There are clear and tangible benefits to Council in awarding a significant variation of scope to include the works on the western side of Main Street, Gerogery.

RECOMMENDATION

That Fuge Earthworks P/L be offered an extension of their existing contract totalling \$117,125.20 (ex GST) to complete drainage works on the western side of Main Street Gerogery.

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

GOVERNANCE

1. **SUPPORT PROVIDED BY COUNCIL TO MEDICAL PRACTITIONERS IN THE SHIRE**

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To respond to a Notice of Motion submitted to the February meeting by Cr Schilg in relation to support provided by Council to medical practitioners in the Shire.

REFERENCE TO DELIVERY PLAN ACTION

Nil

DISCUSSION

At the February meeting the following resolution was adopted.

That the General Manager present a detailed report on financial support provided by Council to medical practitioners located in Greater Hume currently and over past years.

In addressing the Notice of Motion, the Author has reviewed Council files back to 2000. This review has identified that Council has introduced initiatives in Henty, Holbrook and Jindera aimed at the attraction and retention of medical practitioners. These initiatives are outlined below.

Henty

Construction of Doctors Residence – Lyne Street, Henty

In 2002, following an approach by the Henty Community Health Care Committee the former Culcairn Shire Council applied for funding under the Australian Government's Regional Solutions Program to construct a four bedroom residence in Henty for a total of \$205,700.

The purpose of the residence was to provide rental accommodation for a general medical practitioner who was also able to provide Visiting Medical Officer services to the Henty Hospital.

This funding application was unsuccessful and Council was advised that a project of this nature would not be funded through the program. As a result in 2003 an alternative funding model was developed which is outlined on the next page.

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SUPPORT PROVIDED BY COUNCIL TO MEDICAL PRACTITIONERS IN THE SHIRE
[CONT'D]

Funding source	Amount	Comment
<u>Council</u> A Ward Amenities vote	\$50,000	The A Ward amenities vote was an amount of funding that each ward had for an informal community grants program.
Loan - Community Housing Reserve	\$50,000	Loan from Community Housing Reserve to be repaid over 5 years. Two repayments were made from the A Ward Amenities vote prior to the amalgamation of Culcairn Shire Council in May 2004.
Loan – Financial Institution	\$65,000	Majority of loan repayments were repaid from rental payments.
In kind	\$6,700	DA fees etc.
<u>Community</u> Cash	\$50,000	Included donation of land valued at \$12,000.
In kind	\$4,000	
Total	\$225,700	

Since 2003 the Lyne Street property has been rented to a medical practitioner providing general practice medical services to the Henty and district community. Rental income (net of expenses) has been reserved for maintenance and improvements at the property.

Contribution to the Henty Primary Health Care Centre – Owned by Murrumbidgee Local Health District

In the 2012/2013 financial year \$120,000 was contributed to the redevelopment of the Henty Primary Health Care Centre with the source of the funds being as follows:

- Proceeds of the sale of the Jindera Aged Care Hostel - \$60,000
- Proceeds of the sale of the Holbrook Aged Care Hostel - \$60,000

**ORDINARY MEETING OF GREATER HUME COUNCIL
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SUPPORT PROVIDED BY COUNCIL TO MEDICAL PRACTITIONERS IN THE SHIRE
[CONT'D]

Holbrook

In late 2013 and early 2014 the Holbrook community was experiencing similar issues to Culcairn; a disruption to the provision of general practice medical services and no visiting medical officer services at the Holbrook Hospital.

At the February 2014 meeting Council resolved the following:

That:

- 1. the Mayor and General Manager's actions in reaching agreement to purchase 65 Peel Street, Holbrook for an amount of \$195,000 be endorsed.*
- 2. the purchase and proposed renovations be funded from the Holbrook Village Hostel Reserve.*

The property was ultimately acquired in April 2014 and discussions were well advanced with Dr Lukumar to establish a temporary medical clinic at 65 Peel Street. Shortly thereafter Dr Lukumar was able to purchase the former Westpac Bank building in Albury Street and established the Hume Medical Centre at that location opening in late June 2014.

The Peel Street property has been rented since that time and in recent years to a general medical practitioner employed by the Hume Medical Centre. Rental income (net of expenses) has been reserved for maintenance and improvements at the property.

Jindera

Construction of Jindera Medical Centre

In late 2010 Council received a grant of \$413,650 (exc. GST) from the Australian Government's National Rural Remote Infrastructure Program to build a medical centre in Jindera.

The project was completed mid 2013 at a cost of \$639,554 (exc. GST) with \$225,904 being funded from the proceeds of the sale of the Jindera Aged Care Hostel.

Since construction the facility has been partially leased to a general medical practitioner for \$235.00 per week with other rooms at the Centre leased to Allied Health Service Providers. Income received has been reserved for maintenance and improvement of the Centre.

BUDGET IMPLICATION

None at this stage.

CONCLUSION

The report demonstrates that varying types of support have been provided to a number of communities within the Council area to ensure the retention of general practice medical and Visiting Medical Officer services on a case by case basis.

RECOMMENDATION

That the report be received and noted.

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2. GREATER HUME COUNCIL RESPONSE TO CORONAVIRUS (COVID-19)

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Councillors of the impact on Council's operations and other statistical information on the economic impact of the COVID-19 pandemic within Greater Hume Council.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

The following report is provided to advise Councillors of the impact on Council's operations and other statistical information on the economic impact of the COVID-19 pandemic.

Rate collection comparison

This comparison is being reported to Council on a monthly basis for information.

Table 1

	2020/2021 Rates outstanding \$	% outstanding	2019/2020 Rates outstanding \$	% outstanding
28 February	\$2,126,639	19.86%	\$2,386,796	22.39%

As demonstrated by the above Table 1 collections are tracking ahead of last year and is a very satisfactory result at this stage.

At this point in time there continues to be a low level of enquiry from ratepayers suffering financial hardship however this may increase as job keeper and job seeker payments are wound back at the end of March. The level of enquiry will continued to be monitored and reported periodically to Council.

Economic Indicators

Table 2 below outlines the number of businesses within the Council area in receipt of Jobkeeper.

Table 2

Post Code	Town	Number of businesses
2642	Jindera and others	101
2644	Holbrook	43
2658	Henty	33
2659	Walla Walla	26
2660	Culcairn	26

Note: The 2642 postcode would include all towns with the 2642 post code some of which are outside the Greater Hume Council area

The data is for all applications processed for the December 2020. In most towns the number organisations in receipt of Jobkeeper payments has halved in comparison with the September 2020 statistics.

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

The unemployment rate for Greater Hume as at 30 September 2020 was 2.8%.

NSW Small Business Grants

Detailed in Table 3 are the number of grants paid under various programs to businesses within the Shire.

Table 3

Grant	Applicants	Total Amount Paid
\$3k Covid	22	\$66,000
\$10k Covid	29	\$289,999
Southern Border	141	\$1,040,000
\$10k bushfire	21	\$210,000
\$50k bushfire	1	\$12,230
Total		\$1,618,229

Dine and Discover vouchers

Dine & Discover NSW is a new scheme to help NSW recover – by encouraging the community to get out and about and start spending at dining, arts and tourism businesses.

From March, NSW residents aged 18 and over will be eligible for 4 x \$25 vouchers, worth \$100 in total. Vouchers can be used at participating NSW businesses that are registered as [COVID Safe](#).

The Dine & Discover NSW Vouchers will be divided into two categories:

- 2 x \$25 vouchers to be used for eating in at restaurants, cafes, bars, wineries, pubs and clubs from Monday to Thursday (excluding public holidays)
- 2 x \$25 vouchers to be used for entertainment and recreation, including cultural institutions, live music, and arts venues, any day of the week (excluding public holidays).

The Dine and Discover vouchers need to be spent before 30 June 2021.

A representative from Service NSW has door knocked potentially eligible businesses, however currently there is only 12 businesses registered for Dine and Discover throughout the Council area. Further promotion will be undertaken by Service NSW and Council to increase awareness of the opportunity.

BUDGET IMPLICATIONS

No new initiatives are planned at this point.

CONCLUSION

Management will continue to monitor economic impacts within Greater Hume and if necessary recommend initiatives to be implemented.

RECOMMENDATION

That the report be received and noted

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

1. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 28 FEBRUARY 2021

Report prepared by Accounting Officer – Camilla Webb

REASON FOR REPORT

This report presents to Council details of all funds invested as at 28 February 2021 as required by the Local Government (General) Regulation 2005.

REFERENCE TO DELIVERY PLAN ACTION

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

DISCUSSION

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

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

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

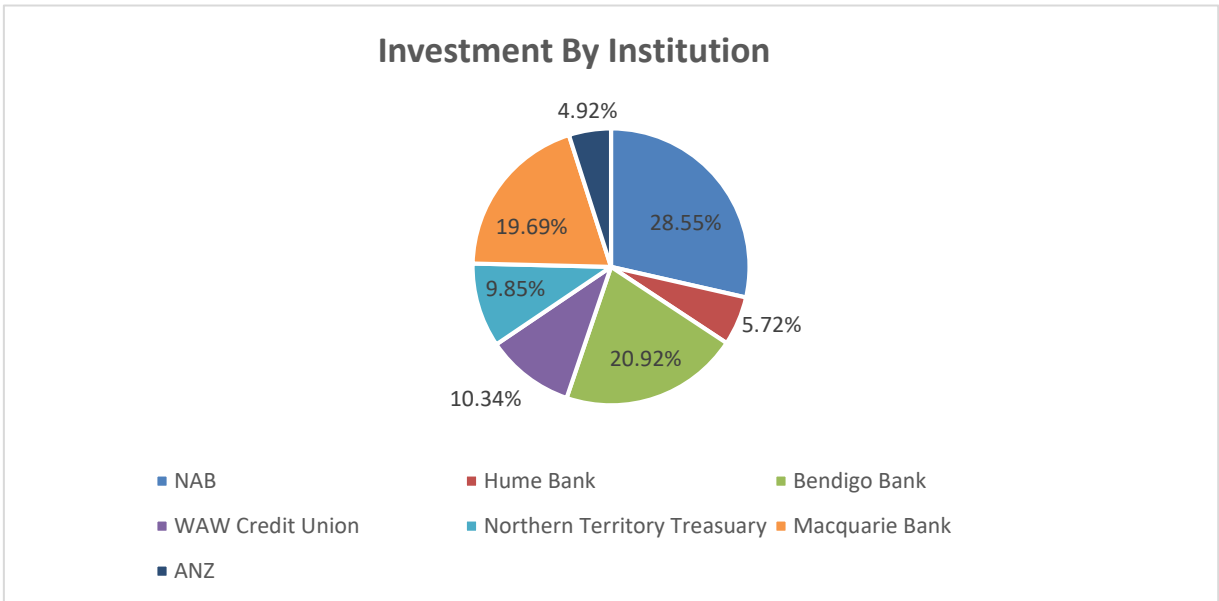
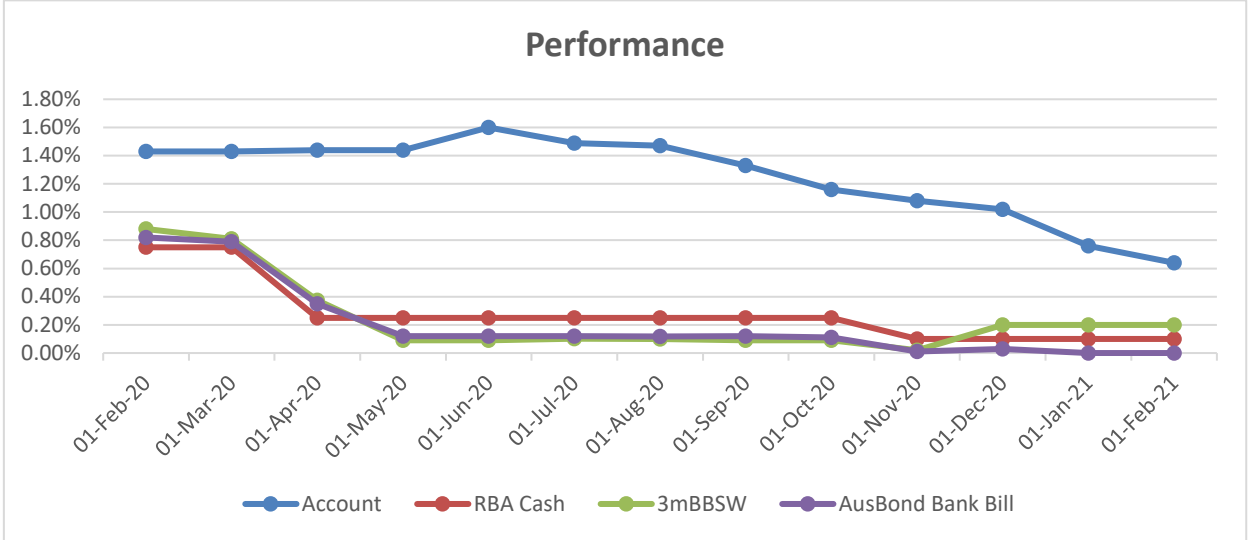
Greater Hume's overall investment portfolio

Total Portfolio Value	\$25,223,722
Weighted Average Term (days)	103
Weighted Average Yield	0.6 %
Total Monthly Accrued Interest	\$1,770.03
Total Interest Received this month	\$2,745.13
Interest Payments this month	9
Matured Investments this month	5
Total Funds Matured this month	\$2,500,000.00
New Investments this month	1
Total Funds Invested this month	\$1,500,000.00

**ORDINARY MEETING OF GREATER HUME COUNCIL
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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 28 FEBRUARY 2021 [CONT'D]

Note: The Reserve Bank of Australia maintained the cash rate to .01%.



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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 28 FEBRUARY 2021 [CONT'D]

Investment Register

ADI/Security Name	Maturity Date	Face Value	Long Term Rating	Term in Days	Total Accrued	Yield
Bendigo And Adelaide Bank	6/03/2021	\$250,000	BBB+	212	\$1,228.42	0.85%
Bendigo And Adelaide Bank	7/03/2021	\$500,000	BBB+	212	\$2,445.21	0.85%
NAB	15/03/2021	\$500,000	AA-	181	\$1,873.97	0.80%
ANZ	24/03/2021	\$500,000	AA-	99	\$164.38	0.15%
Bendigo And Adelaide Bank	7/04/2021	\$500,000	BBB+	243	\$2,157.53	0.75%
Bendigo And Adelaide Bank	7/04/2021	\$500,000	BBB+	212	\$1,961.64	0.80%
Bendigo And Adelaide Bank	10/04/2021	\$500,000	BBB+	212	\$1,928.77	0.80%
Bendigo And Adelaide Bank	15/04/2021	\$500,000	BBB+	212	\$1,756.85	0.75%
NAB	15/04/2021	\$500,000	AA-	182	\$1,062.33	0.55%
ANZ	21/04/2021	\$500,000	AA-	127	\$164.38	0.15%
Bendigo And Adelaide Bank	28/04/2021	\$500,000	BBB+	212	\$1,623.29	0.75%
Hume Bank	3/05/2021	\$46,751	NR	366	\$629.15	1.60%
Bendigo And Adelaide Bank	7/05/2021	\$500,000	BBB+	212	\$1,530.82	0.75%
Hume Bank	8/05/2021	\$500,000	NR	365	\$6,597.26	1.60%
WAW Credit Union	9/05/2021	\$500,000	NR	365	\$6,986.30	1.70%
Macquarie Bank	11/05/2021	\$500,000	A+	181	\$702.74	0.45%
Macquarie Bank	26/05/2021	\$500,000	A+	162	\$383.56	0.35%
Macquarie Bank	8/06/2021	\$500,000	A+	123	\$115.07	0.30%
NAB	14/06/2021	\$500,000	AA-	273	\$2,002.74	0.85%
NAB	15/06/2021	\$500,000	AA-	273	\$1,991.10	0.85%
Hume Bank	19/06/2021	\$500,000	NR	365	\$4,257.53	1.20%
WAW Credit Union	25/06/2021	\$600,000	NR	180	\$782.47	0.70%
Hume Bank	30/06/2021	\$49,345	NR	365	\$402.33	1.20%
WAW Credit Union	5/07/2021	\$500,000	NR	181	\$606.16	0.75%
Macquarie Bank	7/07/2021	\$500,000	A+	204	\$383.56	0.35%
NAB	15/07/2021	\$500,000	AA-	273	\$1,158.90	0.60%
NAB	21/07/2021	\$500,000	AA-	189	\$244.52	0.35%
Macquarie Bank	28/07/2021	\$500,000	A+	155	\$41.10	0.30%
Macquarie Bank	4/08/2021	\$500,000	A+	232	\$383.56	0.35%
NAB	18/08/2021	\$500,000	AA-	365	\$2,453.42	0.90%
NAB	27/08/2021	\$300,000	AA-	365	\$1,327.40	0.85%
NAB	15/09/2021	\$500,000	AA-	365	\$2,108.22	0.90%
Macquarie Bank	29/09/2021	\$500,000	A+	288	\$383.56	0.35%
Bendigo And Adelaide Bank	15/10/2021	\$500,000	BBB+	365	\$1,448.63	0.75%
Macquarie Bank	10/11/2021	\$500,000	A+	330	\$383.56	0.35%
NAB	6/12/2021	\$500,000	AA-	365	\$670.55	0.55%
WAW Credit Union	14/12/2021	\$500,000	NR	364	\$876.71	0.80%
NAB	14/12/2021	\$500,000	AA-	364	\$547.95	0.50%
Northern Territory Treasury Corp	15/12/2021	\$2,000,000	NR	385	\$2,191.78	0.40%
NAB	5/03/2021	\$5,477,626	AA-	1		1.45%

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 28 FEBRUARY 2021 [CONT'D]

Declaration

I, Camilla Webb, as the Responsible Accounting Officer of Greater Hume Shire Council, hereby certify the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2005 and Council's Investment Policy.

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

CONCLUSION

On 28 February 2021, the 2020/21 Financial Year investment return amounted to \$25,223,722.21.

RECOMMENDATION

That Council receives and notes the Investment Balances Report for the month of February 2021.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. WORKSHOP/BRIEFING SESSION SCHEDULE 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.

Workshop/Briefing Session date	Topic
Wednesday, 24 February 2021	Preliminary Roads Workshop
Wednesday, 10 March 2021	Preliminary Budget Workshop/Jindera Multi-Purpose Centre
Friday, 19 March 2021	Shire Works and Roads Tour
Wednesday, 31 March 2021	Final Roads Workshop
Wednesday, 7 April 2021	Final Budget Workshop
Wednesday, 5 May 2021	Jindera Multi-Purpose Hall
Wednesday, 2 June 2021	TBC

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

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

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

- 21-01 Transitioning back to In-Person Council and Committee Meetings and Consultation on Proposed Changes Allowing Remote Attendance at Meetings

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.

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4. TOURISM AND PROMOTIONS OFFICER'S REPORT

Report by Tourism and Promotions Officer – Kerrie Wise

REASON FOR REPORT

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

DISCUSSION

The report on projects being undertaken by the Tourism and Promotions Officer is attached at **ANNEXURE 3**.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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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. PEOPLE & CULTURE REPORT FOR MARCH 2021

REASON FOR REPORT

To advise Councillors on Human Resources functions such as the recruitment of new employees, resignations and employee 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

- Undertaking review of policies and procedures

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
- Riverina Joint Organisation Workforce Development meeting – next meeting 16 February 2021

RECRUITMENT

- Recruitment in progress:
 - Early Childhood Education Trainees – Holbrook, Henty and Walla Walla
 - Transfer Station Attendant – Jindera Transfer Station
- New employees commencing with Council:
 - Amanda Freund – Casual Early Childhood Teacher
 - Nicola Gledhill – Casual Pool Lifeguard
 - Shayla Morey – Casual Childcare Educator
 - Kiarni Jones – Casual Childcare Educator
- Position/role changes with existing Council employees:
 - Justin Dodds – Sportsground Maintenance Officer, 12 Months Fixed Term
 - Emily Jones – Tourism and Communications Officer
- Employees ceasing duties with Council:
 - Cynthia Verriere – Early Childhood Educator and Second-In-Charge – Walla Walla Children Services Centre
- Positions advertised:
 - Early Childhood Education Trainees – Holbrook, Henty and Walla Walla – close 19 February 2021
 - Transfer Station Attendant – Jindera Transfer Station – closes 12 March 2021
 - Internal Expression of Interest – Youth – Temporary for 6 weeks

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PEOPLE & CULTURE REPORT FOR MARCH 2021 [CONT'D]

WORKPLACE RELATIONS

- Participate with Outdoor Staff quarterly meetings – meeting held on 10 December; next meeting 11 March 2021
- Coordinate and administer Consultative Committee – meeting postponed until 11 March 2021
- Participate with Risk WHS Committee – meeting held on 10 December; next meeting 11 March 2021
- LGNSW HR Networking Meeting – virtual meeting held 2 December 2020; next meeting 2 June 2021

PROFESSIONAL DEVELOPMENT & LEARNING

- Human Resources and Industrial Relations Mentoring

PERFORMANCE MANAGEMENT

- Preparing to review Council's Performance Management system in April for 2021 appraisals. Employee feedback will be incorporated into the review to redesign questions and layout of the appraisal

HEALTH & WELLBEING

- Coordination of Phase 6 of Council's Early Intervention Health and Wellbeing Program with Align. Program consists of a Physiotherapist and Health and Wellness Consultant. Health and Wellness consults have now commenced on a weekly basis in Council's Children Services Centres and also at Council's Depots from 7am to engage the whole workforce compliment.

REVIEW & CONTINUOUS IMPROVEMENT

- Daily reviews with Director Corporate & Community Services
- Monthly reviews with MANEX

3. GREATER HUME LIBRARY SERVICES – REPORT FOR MARCH 21

Report prepared by Library & Youth Services Team Leader – Susan Kane

REASON FOR REPORT

To inform Council on membership and participation in each library and mobile service in Greater Hume Council.

REFERENCE TO DELIVERY PLAN ACTION

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

Outcome 2.5 Council provides learning and developmental opportunities for all

DISCUSSION

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

2021 NSW Women's Week grant program — Home Grown Business

This event will be an opportunity for rural women to participate in an information session provided by the Business Enterprise Centre. This will be followed by a Q&A panel of successful local small, home-based and online rural businesses set up by women.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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GREATER HUME LIBRARY SERVICES – REPORT FOR MARCH 21 [CONT'D]

Morning tea will be served with an opportunity to talk to local business women, share ideas, their success and view the range of products that they sell.

An information pack will be provided to each participants containing a small gift and promotional information on local businesses run by women.

The event will promote entrepreneurship and showcase a range of economic opportunities. The event will provide information and resources to those thinking of setting up a business or looking for an alternative source of income.

This event will be held across four venues within the shire supporting local business owned or managed by women in the Greater Hume Council.

2021 NSW Seniors Festival Grants Program — Celebrating the Festival of Seniors Week with endless possibilities

NSW Seniors Festival Week is dedicated to looking after our senior citizens all around Australia and will run 13 - 24 April 2021.

Greater Hume Council will celebrate NSW Seniors Festival Week in the community with a selection of intergenerational- educational, cultural and recreational activities held across the shire.

The programs will be engaging and interactive catering for both men and women including Western movies with popcorn and choc tops, Rock n Roll dancing, information sessions with the Department of Fair Trading, technology lessons, poetry recitals to Tai Chi and Yoga Classes. The project will create opportunities for people over 50 to remain active, healthy, engaged in the community.

The project will be a partnership between Council library staff, schools, Greater Hume Council Youth Committees, local businesses and community groups in Greater Hume Council.

Location	Project Description	Date
Culcairn Library	Movie – Water Diviner	Thursday 15 April
Culcairn Library	Intergeneral program with Bee Wax Wraps and 3D printer, storytime, a presentation on health and fitness	Wednesday 21 April
Jindera Museum	A day of activities with Chair Yoga, Flower displays, handcrafts and much more	Wednesday 14 April
Jindera Community Hub	Expo at the Library with an Intergenerational storytime, computer lessons, card making, bee wax candles, everything half price at the Op Shop and a lovely luncheon with tea and coffee and lots more to interest everyone	Tuesday 20 April

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GREATER HUME LIBRARY SERVICES – REPORT FOR MARCH 21 [CONT'D]

Location	Project Description	Date
Henty Library	Chair Yoga, Family History, 3D Printer workshop, bee wax wraps, a lovely lunch and much more	Monday 21 April
Holbrook Library	Rock n Roll with Johnny Rockers and supper	Thursday 15 April
Holbrook Library	Macramé Workshop, Luncheon, Chair Yoga & Thai Chai	Wednesday 21 April
Walla Walla Hall	Rock n Roll with Johnny Rockers with a scrumptious supper	Thursday 22 April

Successful Grant Submissions for February 21

In February 21 funding has been applied for to assist with additional programs and services in the Greater Hume Library and Youth Services

Grant	Project Description	Location	Grant Application Request	Successful Grant Application
NSW Seniors Festival Week	Intergenerational-educational, cultural and recreational activities held across the shire.	Culcairn, Henty, Walla Walla, Jindera, Holbrook	\$4,550	\$4,550
Women's Week	An information session provided by the Business Enterprise Centre.	Culcairn, Henty, Jindera, Holbrook	\$4,500	\$4,500
Murrumbidgee	Youth Week Festival both local high schools attending	Walla Walla	\$10,000	\$10,000
	TOTALS		\$19,500	\$19,500

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GREATER HUME LIBRARY SERVICES – REPORT FOR MARCH 21 [CONT'D]

Library Statistics – February 21

Loans in both the static and Mobile Library Services are still not back to pre COVID numbers however, there should be a steady increase now with the relaxation of restrictions in libraries across NSW

Library	Henty	Culcairn	Holbrook	Jindera
Issues	266	334	575	112

Statistics Mobile Library Service - February 21

Location	Brocklesby	Burrumbuttock	Gerogery	Jindera	Walbundrie	Walla	Woomargama
Loans	2	39	12	86	95	47	24

BUDGET IMPLICATION

Nil.

CONCLUSION

Women's Week 2021 will be held across the Greater Hume Council from 8 March 21 due to successful funding provided by NSW Government. Planning is also underway for a Shire wide Seniors Festival event which has been made possible due to successful grant funding from the NSW Government. All events will be held at the Council Libraries or as outreach programs and will be held in partnership with schools and organisations.

Youth Week funding and a successful Murrumbidgee grant will enable both high schools to attend an event to be held at the Walla Walla Recreational Grounds in April 21.

For Councillors' information.

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4. GREATER HUME CHILDREN SERVICES

Report prepared by Service Manager Greater Hume Children Services - Fiona Pattinson

REASON FOR REPORT

To provide an update on statistics and activities 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

Service Statistics as at 28 February 2021

Greater Hume Children Services Family Day Care (FDC)	Mon – Fri	
Educators	NSW – 44	Vic – 18
Educators working in the shire	7	
Families in Greater Hume	60	
Families registered	504	
New families since Jan	90	
Children registered for care	693	
Average EFT	234.29	

Henty	Mon - Fri 7.30am - 5.30pm	
Staff numbers	2FT 1PT 1 casual	
Families registered	27	
Children registered	33	
Average EFT (children per day)	10.46	

Walla Walla	Mon - Fri : 7.30am - 5.30pm	
Staff numbers	3 Part time 1 trainee 1 casual	
Families registered	24	
Children registered	32	
Average EFT(children per day)	9.80	

Holbrook	Mon – Fri 6.45am -5.45pm	
Staff numbers	3 FT 4 PT 2 casual ,	
Families registered	65	
Children registered	89	
Average EFT(children per day)	41.42	

Greater Hume Children Services family day care has had about six new enquiries to start Family day care at our service since the beginning of the year .This will increase our educator numbers in NSW and Victoria to sixty five.

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GREATER HUME CHILDREN SERVICES [CONT'D]

Family Day Care has also been accepted to participate in the ACECQA Quality Support Program, to gain further advice, support and knowledge in regard to National Quality Standards, and National Quality Framework.

Greater Hume Children Services Centres are continually recruiting for staff at our three centres and interviewed last week for trainees. Council will have four trainees, starting at Henty and Walla centres after the Easter break.

Council is working with local Registered Training Organisations and the community to recruit staff.

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ENGINEERING

1. FEBRUARY 2021 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).

Resealing on MR78, Segment 350 has been completed.

Henty Rail Realignment Project is progressing.

Heavy Patching on MR78 has commenced, with segments 140 & 150 being completed in February.

Regional Roads Block Grant:

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

Road rehabilitation for 2.5km on Kywong Howlong Road has commenced. This project includes contractors undertaking shoulder widening, gravel overlay and sealing to a width of 8m.

Local Roads

Sealed:

General maintenance on local roads is continuing.

Road construction for a distance of 1.7km on Grubben Road, Henty is complete.

Road construction for a distance of 4.3km has been completed of the remaining 6km of Cummings Road, Culcairn.

Unsealed:

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

- Anderson Road
- Bahrs Road
- Benambra Road
- Bloomfield Road
- Coppabella Road
- Cribbs Road
- Fischers Road
- Four Mile Lane
- Galena Hills Road
- Hamdorf Road
- Jennings Road
- Kendalls Road
- Lochiel Road
- Lubkes Road
- Mitchells Road
- Mullers Road
- River Road
- Rodgers Road East
- Rosemont Road
- Stony Park Road
- Thugga Road
- Walla Swamp Road
- Yenschs Road

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WORKS REPORT [CONT'D]

Urban Streets:

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

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	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Urban Roads Maintenance	\$520,200	\$346,800	\$351,045	-\$4,245	Monitor
Rural Roads Sealed	\$800,000	\$533,333	\$515,079	\$18,254	
Rural Roads Unsealed	\$1,231,656	\$821,104	\$1,034,944	-\$213,840	Maintenance of unsealed roads has been reduced to a minimum level and only safety issues are being addressed.
Street Tree Maintenance	\$247,387	\$164,925	\$155,162	\$9,763	

Regional Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Regional Roads Maintenance	\$795,220	\$530,147	\$472,556	\$57,591	
Regional Roads Capital	\$1,116,380	\$744,253	\$561,499	\$182,754	

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Sportsground Maintenance	\$171,050	\$114,033	\$77,381	\$36,652	
Parks & Gardens Maintenance	\$290,641	\$193,760	\$225,570	-\$31,809	Expenditure will be monitored for future months. Maintenance will be reduced where possible.
Public Toilets Maintenance	\$157,697	\$105,131	\$92,052	\$13,079	

NB : Sportsground Maintenance excludes annual GHC contribution payment

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2. WATER & SEWER REPORT – FEBRUARY 2021

Capital Works Program:

- Holbrook – sewer main relining – WIP
- Henty – sewer main relining – WIP

Operation & Maintenance:

- New water service connection – 118 Coogera Circuit, Jindera
- New water service connection – 137 Coogera Circuit, Jindera
- New water service connection – 20 Protea Crt, Jindera
- New water service connection – 55 Peck Ave, Jindera
- New water service connection – 42 Peck Ave, Jindera
- New water service connection – 27 Jarick Way, Jindera
- New water service connection – 251 Hueske Rd, Jindera
- New water service connection – 35 Elizabeth St, Gerogery West
- New water service connection – 6 Senna Crt, Jindera
- New water service connection – 1 Cade Crt, Jindera
- New water service connection – 9 Cade Crt, Jindera
- 3 x New water service connections – Gerogery Rd, Gerogery West
- Water main extension – Elizabeth St, Gerogery West

- Water main repair – 200mm AC – Walla - Jindera Rd, Jindera

- Sewer choke – 6 Welton St, Holbrook

Other:

- IWCM – WIP
- Jindera STW upgrade Business Case – WIP
- Culcairn Black St reservoir upgrade Business Case - WIP

Drinking Water Monitoring Program:

- 8 x Water samples for Microbial Water Analysis submitted in the month of February 2021 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 2020 – 28 February 2021	2018/2019	2019/2020	2020/2021
Culcairn Water Supply (ML)	127.1	122.4	102.6
Village Water Supply (ML)	330.6	358.9	318.1
Totals (ML)	457.7	481.3	420.7

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WATER & SEWER REPORT – FEBRUARY 2021 [CONT'D]

Filling Stations Transactions

- Filling station sites - 188 transactions during the February 2021 period
- **Yearly Total Transactions - 1019**

Filling Stations Usage

Station	February 2021 Total KL	2020-2021 Yearly Total
Culcairn	1321.75	4515.8
Jindera	114.3	1009.8
Brocklesby	7.7	502.3
Burrumbuttock	35.6	180.7
Gerogery	0	19.7
Totals (KL)	1479.35	6208.6

Filling Station Customer Usage

Customer	February 2021 Total KL	2020-2021 Yearly Total
Council – Road Construction, Maintenance & Tree Watering	1334.45	4202.43
Contractors – Water Carters, Households & Roadworks	128.2	1597.04
Residents	5.1	366.83
Fire Brigade (RFS)	11.6	42
Totals (KL)	1479.35	6208.6

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF FEBRUARY 2021

The schedule of development applications processed for the month of February 2021 is attached as **ANNEXURE 4**.

2. RANGER'S REPORT – FEBRUARY 2021

COMPANION ANIMALS

No. of Complaints Received 20		Including: 2 barking dogs, 12 roaming dogs, dealing with an aggressive dog, 3 nuisance dogs aggression, finish 3 menacing order processes from previous months dog attacks issued and dog compliance checks conducted	
No. of dog attacks:	3	Location: Culcairn	Dog attacked a child causing minor injury. Dog euthanased. Investigations continuing.
		Walla Walla	7 Sheep attacked. Dog not located.
		Culcairn	6 Children chased and bitten. Dog euthanased. Infringement issued.
Comments:			
		Dogs	Cats
In Council's Facility at Beginning of Month		1	
Captured & Returned to Owners		6	
Captured & Impounded		7	8
Released from Pound to Owners		6	
Surrendered by Owners			
Rehomed		2	5
Euthanased			2
Remaining in Council's Facility at End of Month			1

FERAL CATS

No. of Complaints:	2
No. Feral Cats caught:	6

LIVESTOCK

	Cattle	Sheep	Horse	Goats	Other Alpacas
No. of Reports of Stock on Roads	3	1	1		
Instances - Returned to owners	3	1	1		
Impounded					
Vehicle accidents involving stock					

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RANGER'S REPORT [CONT'D]

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

Lankeys Creek – sheep constantly on the road. Working with RSPCA and NSW Police Rural Crime Squad.

Gerogery – injured kangaroo euthanased.

ABANDONED VEHICLES

Holbrook – vehicle impounded.

Culcairn – trailer removed by owner.

Henty – removed by owner.

Bungowannah – burnt out vehicle. Removed by insurance.

6 vehicles remain impounded.

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Inspections being conducted
Pollution: Offensive smell	Jindera – Fuel fumes coming into businesses. Holbrook- rotting vegetation smell coming from old shed
Pollution: Waste	Jindera – Excessive storage of tyres. Investigations with the EPA underway. Prevention notice and Clean-up notice issued. Waste bags dumped – Council removed
Pollution: Noise	Holbrook – Oil spilt on Roadway Council cleaned up Jindera – 2 Roosters crowing, 1 Barking dog

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

Inspection Type	Total	Pass	Fail
OSMS Compliance Inspections	7	1	6
Pre-Purchase Inspections	2	1	1
OSMS Orders issued	7		
OSMS Orders Compliance Inspections	4	4	
Plumbers Site Inspections	3		
OSMS Upgrade Applications Received	1	1	
OSMS Approvals To Do Works Issued	1		
OSMS Approvals To Operate Issued	3		
AWTS Service Contract Renewal Letters			
Local Government Application Approvals			
Local Government Approval Inspections			
Local Government Approval Soil Report Assessments			
OSMS Rate charge enquires			
Septic Enquiry			
Solicitors letter	3		
Vacant Land checks			

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RANGER'S REPORT [CONT'D]

OTHER WORKS CONDUCTED

- RID online (Report Illegal Dumping online) updating with data entry.
- Holbrook, Culcairn and Jindera landfill site works, land fill water pump, refuelling conducted and camera checks. Truck fire waste buried and covered for 2 separate incidents.
- Pools - monitor ducks, do permit returns to NPWS Tumut
- Assist RSPCA with companion animal and stock welfare issues.
- Sound monitoring various locations.
- Security alarm responses to Holbrook Childcare.
- Pool visits speaking with trouble makers.
- Issue Ian Pertzelt NOI Order (court).

2. SENIOR WEEDS OFFICER'S REPORT – FEBRUARY 2021

Filming short videos of some of our weeds for an educational program that is being undertaken by Petauras Education Group.

Roadside Spraying on MR78 and MR284 has been completed.

Control work of Blackberry, Silverleaf Nightshade, Catheads and Khaki Weeds is ongoing throughout council area.

Spraying of waste centres is ongoing throughout council area.

Controlling and 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.

PART D

Attached, in **ANNEXURE 5** are minutes of the following meetings:

- Henty Community Development Committee Meeting held on 5 February 2021
- Softwoods Working Group Meeting held on 27 November 2020
- Holbrook Submarine Museum Committee Meeting held on 2 March 2021