



# Greater Hume Council

To: «Name»

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

Wednesday, 21 September 2022

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Council Chambers, 40 Balfour Street, Culcairn, commencing at 6.00pm. The meeting commences with a Public Forum.

Persons wishing to address Council in the forum must register by 5pm Monday, 19 September 2022. 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>

Evelyn Arnold  
**GENERAL MANAGER**

ORDER OF BUSINESS TO BE CONSIDERED  
REFER OVERLEAF

## Ordinary Meeting of Greater Hume Council

Wednesday, 21 September 2022

*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 August 2022

**6. ACTION REPORT FROM THE MINUTES**

**7. DISCLOSURES OF INTERESTS**

**8. MAYORAL MINUTE(S)**

**9. NOTICES OF MOTIONS**

**10. REPORTS FROM OFFICERS**

**PART A For Determination**

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

**ITEM REFERRED TO CLOSED COUNCIL**

- Governance

**PART B To Be Received and Noted**

- Engineering
- Corporate and Community Services

**PART C Items For Information**

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

**PART D Items for Information**

**11. MATTERS OF URGENCY**

**12. COMMITTEE OF THE WHOLE – CONFIDENTIAL CLOSED COUNCIL REPORT**

**13. CONCLUSION OF THE MEETING**

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**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
CULCAIRN COUNCIL CHAMBERS – 40 BALFOUR STREET, CULCAIRN  
ON WEDNESDAY 21 SEPTEMBER 2022**

**MAYORAL MINUTE**

Nil.

**NOTICE OF MOTIONS**

NIL

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

### **ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATION 10.2022.140.1 – MODIFY CONDITION 16 OF DA99/198AM1 TO ESTABLISH A TWENTY-FIVE (25) HECTARE IRRIGATION AREA TO ASSIST WITH THE MANAGEMENT OF EFFLUENT FROM THE PREMISES FOR TWENTY FOUR (24) MONTHS – LOT 280 DP753727, LOT 1 & 2 DP550162 AT 3066 RIVERINA HIGHWAY BUNGOWANNAH NSW 2640**

Report prepared by Town Planner - Gayan Wickramasinghe

#### **REASON FOR REPORT**

The purpose of this report is to provide an assessment and recommendation for the above modified Development Application for establishment of a twenty-five (25)ha irrigation area to assist with the management of effluent to alleviate the potential risk of overtopping and damaging of the earthen evaporation ponds from the premises (known as the Rivalea Bungowannah Piggery) at 3066 Riverina Highway Bungowannah NSW 2640 on Lot: 2 DP550162.

Following public exhibition of the modified Development Application from 21 July 2022 to 9 August 2022, Council received a total of six (6) submissions. Accordingly, this matter is reported to Council for determination as per the Council adopted assessment of Development Applications policy.

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

None relevant.

#### **DISCUSSION**

The Applicant has now requested that Council consider a modification to the Development DA99/198/2 in accordance Section 4.55(2) of the *Environmental Planning and Assessment Act 1979 (EPA Act)*. As per Council's records, Council granted a deferred commencement consent for DA99/198/2 on 26 July 1999 for conversion of the existing piggery from a continuous flow unit to a breeder unit. As the deferred commencement condition has been met, Council has issued the operational consent for the modified Development Application on 25 July 2006.

Now the Applicant (Rivalea (Australia) Pty Ltd) is seeking approval to modify Condition No 16 of the approved Development Application No 99/198/2 to allow the Applicant to irrigate treated and matured agricultural wastewater on a 25ha paddock area to alleviate the potential risk of overtopping and damaging of the earthen evaporation ponds for a twenty-four (24) month period.

In the Applicant's Statement of Environmental Effects (SEE) the Applicant maintained that irrigation of high nutrient agricultural wastewater is standard practice throughout the Australian piggery industry and is conducted successfully at the Applicant's other licensed piggeries in New South Wales and Victoria.

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Condition 16 currently reads:

**Condition No 16:**

*No liquid effluent shall be deposited or buried on the subject property*

The Applicant also noted that they wish to use low flow dispersion irrigators for this purpose and the activity will be undertaken between 7.00am and 4.00pm, Monday to Saturday with onsite attendance and monitoring.

It is noted that the original application was classed as Designated Development under Schedule 3 of the *Environmental planning and Assessment Regulation (EP&A Reg) 1994*, whilst it was also classed as Integrated Development under the *Protection of the Environmental Operations Act 1997*.

Of note Council staff have also considered [Section 48, Part 3, Schedule 3 of the Environmental Planning and Assessment Regulation \(EP&A Reg\) 2021](#) and are satisfied that the proposed modification to the existing development does not meet the relevant criteria as outlined in this section to be considered as a Designated Development. It is noted however as the original Development Application and the subsequent modified Development Application was classed as Integrated Development, as per [Section 109 of the EP&A Reg 2021](#), Council notified the modified Development Application to the NSW Environmental Protection Authority (EPA). Please refer to the detailed assessment below against **Section 4.15(1)(d)** within the body of this report for further information.

As noted previously, the modified Development Application was advertised on the NSW Planning Portal whilst it was also notified to adjoining owners in accordance with the Greater Hume Council Community Participation Plan from 21 July 2022 to 9 August 2022. Council received a total of six (6) submissions. The submissions were formed around the potential odour problems and the risk of salinity to the soil, groundwater and watercourses of the area including the Murray River and inaccurate information contained within the SEE. Further discussion of these submissions is found in **Section 4.15(1)(d)** of this report.

The Applicant has also provided the following information to support the modified Development Application.

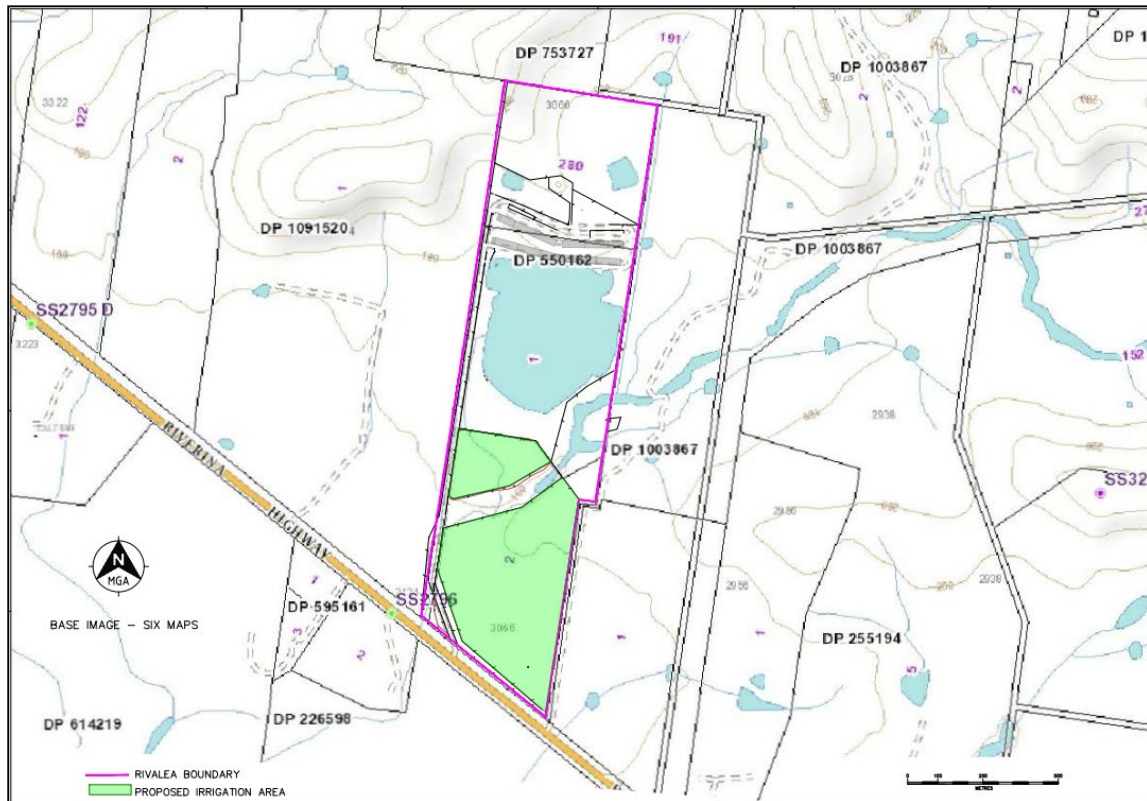
1. A Statement of Environmental Effects, completed Development Application form;
2. A proposed site plan.

The Applicant noted that the cost of the development is approximately \$ 10,000.

The following image indicates the nature of the proposed development.

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**Figure 1**– Proposed site plan by the Applicant. Please refer to **ANNEXURE 1** for the enlarged version.

The modified Development Application has been assessed against relevant sections within the *EP&A Act 1979*, *EP&A Reg 2021*, and relevant environmental planning instruments. The outcome of this assessment is detailed further in this report. Specifically, the *GHLEP 2012*, *Greater Hume Council Right to Farm Policy* broadly supports development in this location, which encourages diversity in primary industry enterprises and systems appropriate for the area.

Taking into account the full range of matters for consideration under Section 4.15 (1),(a),(b),(c), (d) and (e) of the *EPA Act 1979*, no evidence was found to suggest that the proposal is not consistent with the public interest. For the above reasons the proposal is seen to be acceptable and is recommended for conditional approval.

## **ASSESSMENT**

### **1.1 Subject Site**

The existing development site comprises a sixteen thousand seven hundred (16,700) standard piggery unit including all associated infrastructure.



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The subject land is situated at 3066 Riverina Highway Bungowannah NSW 2640 and comprises three (3) separate allotments identified as being Lot 1 & 2 DP550162 and Lot 280 DP753727. The subject land is an irregularly shaped holding with a total area of 94.63ha with road access from the classified Riverina Highway.

The development site is zoned RU1 – Primary Production pursuant to the *Greater Hume Local Environmental Plan (GHLEP) 2012* and it is also mapped as the bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). It is further noted that the site is not mapped as flood prone land whilst it has been identified as a Terrestrial Biodiversity (Native Vegetation), under the *GHLEP 2012*. It is further noted that the site does not contain any known items of environmental heritage significance as outlined in Schedule 5 of the *GHLEP 2012*.

The properties within the immediate vicinity of the subject site are situated in Zone RU1 Primary Production and comprise predominantly larger sized rural/ agricultural allotments with low density residences.

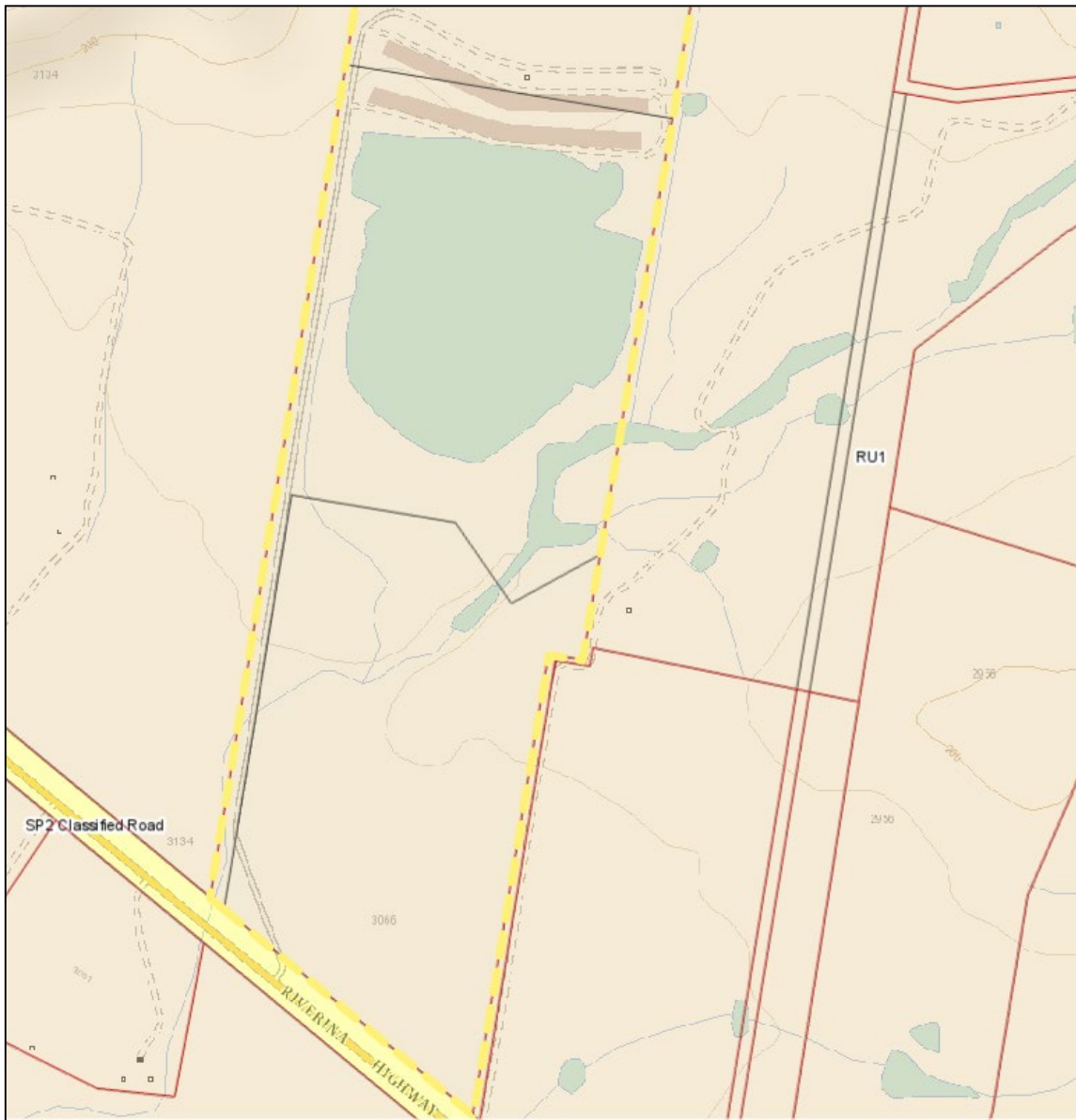
The site and surrounds are not serviced by reticulated water or sewerage system. Figures 1 and 2 outline the existing conditions and applicable planning controls for the subject site.



**Figure 2– Locality; Source: ePlanning Spatial Viewer**

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**Figure 3 – Applicable zoning controls; Source: ePlanning Spatial**

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**4.55 Modification of consents—generally**

**(2) Other modifications A consent authority may, on application being made by the Applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—**

<b>Consideration</b>	<b>Comment</b>
(a) <i>it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and</i>	The existing development site comprises with a sixteen thousand seven hundred (16,700) standard piggery unit and associated infrastructure to support the operation of the piggery. The proposed modified development is considered to be ancillary to the main use. It is noted that based on the nature of the development and respective external responses received for the application Council staff are satisfied that the development as modified is substantially the same development as it was originally approved under DA99/198/2. Therefore the proposed modification is consistent with this section of the act.
(b) <i>it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and</i>	As noted previously, the proposed modified Development Application was notified to a number of Government Agencies in accordance with this section and Section 109 of the <i>EP&amp;A Reg 2021</i> . Please refer to <b>Section 4.15(1)(d)</b> for additional comment.
(c) <i>it has notified the application in accordance with—</i> (i) <i>the regulations, if the regulations so require, or</i> (ii) <i>a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and</i>	The modified development was notified to adjoining property owners whilst it was also advertised on Council website and the NSW Planning Portal from 21 July 2022 to 9 August 2022. Council received a total of six (6) submissions. Please refer to <b>Section 4.15(1)(d)</b> for additional comment.
(d) <i>it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.</i> <i>Subsections 1,2 and 5 do not apply to such a modification.</i>	Consideration of the submission is provided later in this report.

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

As per NSW ePlanning Spatial Viewer, the subject development site is mapped as a bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). It is noted however as per Section 8.3.2 of the *Planning for Bush fire Protection (PBP) 2019*, no consultation is required for proposed development. Therefore, no further assessment is required.

**Section 4.46 - What is “integrated development”?**

Comment: The application is classed as Integrated Development with NSW EPA under Section 22 of the *Protection of the Environment Operations Act 1997*. As per the referral response received, NSW EPA has provided in-principal support for the modified development.

**Notification of Application**

The proposal was notified in accordance with Greater Hume Council Development Application notification requirements from 21 July 2022 to 9 August 2022. Council received a total of six (6) submissions. Please refer to **Section 4.15(1)(d)** for additional comment.

**Internal Referrals**

The application has been reviewed by Council's Environmental Health staff. It is noted however as the proposal is regulated by the Environment Protection Authority NSW, in this instance no additional comments are required.

**External Referrals**

1. NSW Department of Primary Industry – Agriculture.
2. Department of Planning Industry and Environment.
3. NSW Environment Protection Authority (NSW EPA).
4. Department of Planning and Environment-Water.

**4.15 Evaluation**

**(1) Matters for consideration-general**

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*

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- (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (iv) *(Repealed)*

*that apply to the land to which the development application relates,*

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

**Section 4.15(1)(a)(i) - the provisions of any environmental planning instrument**

The subject land is zoned RU1 Primary Production under the *GHLEP 2012*. The relevant matters of the LEP are addressed as follows.

**Greater Hume Local Environmental Plan (GHLEP) 2012**

**Zone RU1 RU1 Primary Production**

**Objectives of 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 site subject of this application comprises with a sixteen thousand seven hundred (16,700) standard piggery unit including all associated infrastructure. As per the modified Development Application, Council consent has been sought to irrigate treated and matured agricultural wastewater on up to a 25ha paddock area. The existing development on site is identified as a pig farm and is permissible form of development within the RU1– Primary Production zone via intensive livestock agriculture as set out below.

*The GHLEP 2012's Dictionary provides the following definition for intensive livestock agriculture and pig farm that are relevant to the application:*

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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.*

*Pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.*

The proposed development is considered to be generally consistent with the above objectives as it is a diversified primary industry for the area that will not impact detrimentally on agricultural land whilst not impacting on the rural landscape. It is further noted that as per [Planning Circular PS 21-008](#) Council staff are also satisfied that the proposed activity is ancillary to the main use of the land.

#### **Clause 5.10 Heritage conservation**

The site does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the *GHLEP 2012*. In the event if is consent granted for the subject Application, a standard condition related to protection of Aboriginal Heritage will be recommended.

State Environmental Planning Policies applicable for the proposal:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*

#### **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

##### **Chapter 3 Koala habitat protection 2020**

The subject land is not considered to be core koala habitat or potential core koala habitat.

##### **Chapter 4 Koala habitat protection 2021**

Section 4.9 of this policy is expressively applicable for the proposed development. As per Council records, the following is noted;

- (a) the land does not have an approved koala plan of management applying to the land and,
- (b) the Council is satisfied that the land is not core koala habitat.

Therefore, Council as consent authority is satisfied that the proposed development can proceed without an additional assessment.

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***State Environmental Planning Policy (Resilience and Hazards) 2021  
Chapter 4 Remediation of land***

The existing development site comprises a sixteen thousand seven hundred (16,700) standard piggery unit and associated infrastructure to support the operation of the piggery. As a result of the current and past land use practises on the site, the subject development site has been identified as a potentially contaminated site on Council's contaminated land register.

It is noted as per *Section 4.6(1)(b)* of this policy, Council as consent authority is satisfied that the land is still suitable in its contaminated state for the purpose for which the development is proposed to be carried out. Therefore, no additional investigation is required.

***Section 4.15(1)(a)(ii) - any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved);***

As discussed previously, the proposed draft instrument will not change the outcome of this assessment.

***Section 4.15(1)(a)(iii) - any development control plan;***

The Greater Hume Development Control Plan (GHDCP) 2013 applies to the proposal.

It is noted the *GHDCP 2013* does not contain any specific design criteria for the proposed modified development. It is noted however as outlined above, the proposed modified development is permitted with consent whilst Council staff are satisfied that the proposal is ancillary to the main use of the land.

*Of note* as per Chapter 10 of the *GHDCP 2013*, the notification of the application was undertaken from 21 July 2022 to 9 August 2022. A total of six (6) submissions were received in response to the notification of the application. Matters raised within submissions are discussed later in this report.

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

No related planning agreement has been entered into under section 7.4 of the *EP&A Act 1979*.

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

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

- Division 2, Subdivision 1 Development in general – Section 69-74 & Section 81 within Subdivision 2.

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It is noted, the Prescribed Conditions as outlined in Subdivision 1 and 2 of Division 2 are recommended to include on any consent granted, in the event if Council approves this application.

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

ISSUE	ACCEPTABLE	COMMENT
Context & setting	✓	<p>The development site is located within land which is zoned RU1 Primary Production as per <i>GHLEP 2012</i>. As noted previously, the development site already comprises a sixteen thousand seven hundred (16,700) standard piggery unit including all associated infrastructure and the Applicant is now seeking to irrigate treated and matured agricultural wastewater to a 25ha paddock area.</p> <p>The location of the proposed feedlot is predominantly within a rural setting, and the site is relatively remote from any sizeable population centres located on the neighbouring farming properties. In addition, the surrounding land is similarly zoned and used for either cropping grazing operations with a single storey dwelling on a large allotments or are being identified as vacant lands. The NSW EPA referral response indicates that the proposal can be supported subject to imposition of conditions on any consent granted. Therefore it is considered that the likelihood of conflict with neighbours over the development is minimal and manageable.</p> <p>The development site is not affected by flooding whilst it is considered that the potential impacts on threatened species, communities or ecologies are minimal. The proposed site is also unaffected by local, or state listed Aboriginal or non-Aboriginal heritage or cultural significance. Therefore, it is considered that the proposed development is suitably located within the locality.</p>
Access & parking	✓	<p>The development will not unreasonably increase the vehicle movements beyond the capacity of the local road network.</p> <p>The development site has access to classified Riverina Highway on the southern boundary. No upgrades to the existing separate points of ingress/egress are required.</p>



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ISSUE	ACCEPTABLE	COMMENT
Roads & traffic	✓	As above no issues identified.
Noise	✓	No detrimental noise impact is be expected given the generous buffer between the facility and nearest sensitive receiver (i.e. residence) during the operation of low flow dispersion irrigators to irrigate treated and matured agricultural wastewater.
Air quality	✓	<p>The Applicant has provided a brief assessment against potential odour during the operation of the development. The SEE states that in regard to air quality:</p> <p><i>A 2018 Odour Study (Environmental Resources Limited, Cowan, Iain, 2018) found the source concentration of the stored water in evaporation pond 4 (lowest pond available at sampling time) of 3 odour units/m<sup>2</sup>/min. In comparison, the odour flux rate for open effluent pits at the piggery shed is 1500 odour units/m<sup>2</sup>/min.....</i></p> <p><i>Odour reduction between source effluent and post treatment irrigation water is 99.8% with further reduction in odour emissions provided by the small area irrigated on any given day and the low flow irrigation methods deployed. Any volatile solids dispersed with irrigation water will rapidly decompose on contact with soil and surface plant material. The risk of odour from effluent irrigation is therefore considered to be negligible, however odour emissions will be closely monitored and irrigation only implemented in favourable weather.</i></p> <p>The submitted documentation was referred to NSW EPA and DPI Agriculture. As per the referral response received from NSW EPA on 11 August 2022, the following noted:</p> <p><b>“L2 Potentially offensive odour</b> L2.1 the licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.”</p>

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ISSUE	ACCEPTABLE	COMMENT
Air Quality		<p>Should this Application be approved, a condition will be recommended to comply with NSW EPA conditions of consent.</p> <p>Consequently, the environmental impact of the development on air quality and the means of mitigating any detrimental impacts, are considered satisfied by the modified Application</p>
Heritage	✓	<p>The subject sites not have been identified as heritage conservation areas in accordance with the Greater Hume Shire Community Based Heritage Study 2010.</p> <p>As discussed above, the proposal is also not inconsistent with Section 5.10 of the <i>GHLEP 2012</i> subject to imposition of suitable conditions on any consent granted related to protection of Aboriginal Heritage.</p>
Stormwater	✓	<p>No Additional storm water to be generated as a result of the modified development.</p>
Soils & erosion	✓	<p>No ground disturbance will be required to enable the proposed development.</p> <p>It is noted the submitted SEE states the following in relation to soil monitoring:</p> <p><i>“Soil sampling across a transverse section of the irrigated paddock will be conducted prior to any irrigation commencing and annually after harvesting of crops, in any year where effluent has been applied to the irrigation area. Where perennial fodder crops are established, soil sampling will be undertaken in winter months prior to the EPA reporting period for the site.</i></p> <p><i>The company retains an independent agronomist contractor who samples, analyses and advise the site management on the cropping plan and any adverse risks to the soil profile.”</i></p> <p>As per NSW EPA referral response, they have recommended a condition on any consent granted that soil quality is monitored on an ongoing basis.</p>
		<p>In the event if Council approves the modified Development Application, a condition will be recommended to ensure that the proposal complies with the EPA referral response. As a result, the environmental impact of the proposal on soils and soil profile are considered satisfied by the application.</p>

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ISSUE	ACCEPTABLE	COMMENT
Flora & fauna	✓	No vegetation is proposed to be removed as part of the process. It is also noted a BOSET Map has also been completed and the outcome was that the proposal will not trigger the minimum threshold.
Bushfire	✓	Please refer to Section 4.14 within this report for comment.
Groundwater	✓	<p>The proposal may have potential to pollute groundwater. It is noted the Applicant has noted the following in relation to this matter;</p> <p><i>“Upstream and downstream ground water monitoring is conducted quarterly as required by the sites Environment Protection Licence. Ground water monitoring will continue to be sampled at this frequency and reported in the annual EPL return and the AEMR.</i></p> <p><i>The Applicant draws ground water from bores located within the proposed irrigation area and monitors the quality after each sample is analysed.</i></p> <p><i>Irrigation patterns will be moderated to maintain nutrients in upper root zone available to crops to ensure minimal groundwater infiltration.”</i></p> <p>It is noted however, it is a requirement of the EPA’s license (as per EPA correspondence dated 11/08/2022) that Groundwater Quality Monitoring Systems are to be installed for the proposed development to the satisfaction of EPA and record relevant statistics</p> <p>Consequently, the environmental impact on groundwater and the means of mitigating any detrimental impacts, are considered satisfied by the modified Development Application.</p>
Landscaping	✓	No additional Landscaping is required in this instance.

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

The above assessment against the *GHLEP 2012* and relevant SEPPs together with the external referral response concluded that the proposal is suitable for the locality for the following reasons:

- a) There are no constraints from surrounding land uses that would make this development prohibitive subject to adopting relevant measures outlined in the conditions recommended;
- b) The development will not impact upon critical habitats and threatened species, populations, ecological communities and habitats;
- c) The proposal is generally consistent with what was expected as part of the *GHLEP 2012*, *Greater Hume Council Right to Farm Policy* and is also considered to be ancillary to the main use of the land. (Please refer to **ANNEXURE 2** for *Greater Hume Council Right to Farm Policy*).

Importantly, the proposed development is substantially the same development for which consent was originally granted and considered that subject to appropriate conditions on any consent granted the subject site is suitable for the proposed modified development.

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

**Government Agencies**

<b>Agency</b>	<b>Response</b>
Department Of Planning Industry and Environment	The department rejected the referral request made via the NSW Planning Portal.
NSW EPA	<p>The application was nominated as Integrated development as per <a href="#">Section 109 of the EP&amp;A Reg.</a> and <a href="#">Schedule 1 of the Protection of the Environment Operations Act 1997.</a></p> <p>NSW EPA in their response dated 11 August 2022 consented for the proposed modified development subject to imposition of recommended conditions on any consent granted as listed in <b>ANNEXURE 3</b>. The EPA has further advised that;</p> <p><i>“As you are aware, the facility is scheduled under the Protection of the Environment Operations Act 1997 and is regulated by the EPA through Environment Protection Licence (EPL) No 11393. Where project approval is granted by Council, an application to vary the EPL will be required to be submitted to the EPA by the proponent prior to any activities associated with the approval occurring.”</i></p> <p>Therefore the recommended conditions within <b>ANNEXURE 3</b> are to be included as conditions of any consent granted.</p>

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<p>Department of Primary Industry - Agriculture</p>	<p>In their letter dated 8 August 2022, the department requested the Applicant to provide the below additional information;</p> <ul style="list-style-type: none"> <li>• <i>Assessment of risks and scoping of effective short-term mitigation options for potential pond overtopping is required by NSW EPA and Council.</i></li> <li>• <i>Further information is required to demonstrate that the proposed development will conform with the national environmental guidelines for indoor piggeries (Tucker 2018).</i></li> <li>• <i>A more detailed list of further information requirements should be developed with reference to the DECCW (2004) environmental guidelines for effluent irrigation, along with input from a specialist environmental engineer or similar.</i></li> </ul> <p>Following up the above response, Council staff have contacted the department and sought further clarification whether the above additional information request has already been covered under the EPA response. In response on 31/08/2022, Lilian Parker from the Department of Primary Industries acknowledged that their additional information request has already been addressed by the EPA and is therefore no additional information required.</p>
<p>Department of Planning and Environment-Water</p>	<p>No referral response was received.</p>

**Public Submissions**

The Application was notified to adjoining neighboring properties and it was also advertised on Council's website and the NSW Planning Portal from 21 July 2022 to 9 August 2022. All submissions received were forwarded on to the Applicant on 12 August 2022 and also uploaded via the NSW Planning Portal.

The Applicant has also provided a further response to the issues raised within the submissions on 02 September 2022. Please refer to **ANNEXURE 4** for response to public submissions from the Applicant.

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The main points raised in the objections and response from the assessing officer summarised as follows:

<b>Submission</b>	<b>Response from the assessing officer</b>
1. Detrimental odour impact on neighbours.	<p>Submission makers comment noted.</p> <p>As discussed within the report, the modified Development Application was referred to NSW EPA for their respective comments since the proposal is regulated by the EPA through an Environment Protection Licence.</p> <p>It is noted NSW EPA has granted consent for the proposal subject to imposition of conditions on any consent granted.</p> <p>As the activity is regulated through the EPA, in this instance Council staff are satisfied that anticipated odour impact on neighbours can be addressed by imposition of a condition as recommended by the EPA.</p>
2. Poor reputation due to its past practices.	<p>Submission makers comments noted.</p> <p>As noted previously, the modified Development Application has been assessed against the matters outlined in Section 4.15 of the <i>EP&amp;A Act 1979</i> and is considered to be satisfactory in this instance.</p>
3. Contamination of ground water table and, natural watercourses (i.e. nearby creeks, Murray River etc..) and land from the piggery due to salinity of the effluent and pharmaceuticals residues	<p>Submission makers comments noted.</p> <p>As discussed within the body of the report, the modified Development Application was referred to NSW EPA for their respective comments since the proposal is regulated by the EPA through an Environment Protection Licence.</p> <p>It is noted NSW EPA has granted consent for the proposal subject to imposition of conditions on any consent granted.</p> <p>As the activity is regulated through the EPA, in this instance Council staff are satisfied that potential groundwater contamination and pollution of natural waterbodies can be addressed by imposition of a condition as recommended by the EPA.</p>

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Submission	Response from the assessing officer
<p>4. Some information in the EIS is inaccurate (i.e. an earthen bund wall around the site subject of this application has been built. But no such structure exists)</p>	<p>Submission makers comments noted.</p> <p>This matter was raised with the Applicant and in response the Applicant has provided a further clarification in their revised SEE. The Applicant now stating that they are in the process of reinstating the earthen bund. The revised SEE has been amended as <b>ANNEXURE 5</b></p>

In summary, the assessment officer of this Application is satisfied that Applicant's detailed response, the responses from the EPA and the assessment of the Application against the provisions of section 4.15 of the *EP&A Act*, satisfactorily address those issues relevant to the modified Development Application.

Please refer to **ANNEXURE 6** for all submissions received.

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

The public interest is served through the detailed assessment of this application under the *EP&A Act 1979*, the *EP&A Reg 2021*, Environmental Planning Instruments, Development Control Plan and policies.

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

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

It is considered that the request modification to original development consent (DA99/198/2) is for essentially the same development. The report has illustrated that the issues raised in submissions have been appropriately addressed. With suitable conditions of consent as outlined below, the proposal can proceed with minimal impact.

**RECOMMENDATION**

In accordance with Section 4.55 of the *EP&A Act 1979* Council consent to the modified Development Application 10.2022.140.1 on Lot 280 DP753727, Lot 1 & 2 DP550162 at 3066 Riverina Highway Bungowannah NSW 2640 to establish a twenty-five (25) hectare irrigation area to assist with the management of effluent from the premises.

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**PRESCRIBED CONDITIONS OF CONSENT**

**The following conditions are known as “Prescribed Conditions” and are required by the *Environmental Planning and Assessment Regulation 2021*, to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent.**

Section 69: Compliance with *Building Code of Australia* and insurance requirements under the Home Building Act 1989  
Section 70: Erection of signs  
Section 71: Notification of *Home Building Act 1989* requirements  
Section 72: Entertainment venues  
Section 73: Maximum capacity signage  
Section 74: Shoring and adequacy of adjoining property  
Section 81: Build-to-rent housing

Please refer to the NSW State legislation for full text of the above Sections under Part 4 Division 2 of the *Environmental Planning and Assessment Regulation 2021*.

**DEFERRED COMMENCEMENT**

D1. The applicant is required within a period of six (6) months from the date of this consent to investigate and provide a comprehensive report to Council and the Environment Protection Authority on the options for an Odour Management Plan. Such plan is to consider appropriate ameliorative measures for odours emanating from all effluent treatment ponds (anaerobic, aerobic, settler, polisher, sludge drying and maturation), all sheds, and all flushing pits and drains.

Such plan is to establish an implementation plan which is acceptable to Council and the Environment Protection Authority. Any strategy resulting from this process should address the requirement that noise, dust and odours from the piggery and general area shall be maintained within acceptable limits on the subject property and so as not to be a nuisance to adjacent properties in accordance with the provisions of the Protection of the Environment Operations Act (1998).

**NOTE: As per Council's records this condition has been met on 25/07/2006.**

**CONDITIONS ATTACHED TO CONSENT NO 99198AM1**

2. Development being carried out generally in accordance with particulars and statements in the submitted Development Application received on 23 April 1999, the Statement of Environmental Effects dated 11 July 2022; and the proposed Site Plan (Bungowannah–Irrigation Proposal); dated July 2022; Sheet No. 1 of 1 by Rivalea Australia and subject to the following conditions.
  - 2.A. There must be no clearing of any vegetation (including within Council's road reserve).



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- 2.B. No Aboriginal objects may be harmed without an approval from Heritage NSW under the *National Parks and Wildlife Act 1974*.
- If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:
    - o Not further harm the object(s);
    - o Immediately cease all work at the particular location;
    - o Secure the area to avoid further harm to the Aboriginal object(s);
    - o Notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au), providing any details of the Aboriginal object(s) and its location;
    - o Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
  - If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.
  - If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the [\*Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales\*](#). All reasonable precautions must be taken to prevent damage to Aboriginal objects.

3. As from the date the work approved under this consent is completed, no more than a total of 16,700 pigs shall be kept on the subject property at any time.
4. All pigs kept on the subject property shall be confined to the existing pig accommodation buildings/pens.
5. The pig accommodation buildings/pens which require onversion to farrowing sheds are to be converted by a change of internal fittings only.
6. Heating and Cooling of the pig accommodation buildings/pens is to be by a combination of electricity and gas only.
7. Sufficient floor space shall be provided that all pigs housed can lie on and eat off a dry floor.
8. Feeding shall be confined to dry food only.
9. Food storage shall be vermin and fly proof and so designed, sited and maintained so as to avoid contamination in storage and cross-infection from supply vehicles.

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10. The applicant shall ensure that effluent and contaminated stormwater are kept separate from uncontaminated stormwater at all times.
11. The applicant is to prepare and implement a Fly Suppression Program. This plan shall be submitted to Council within six (6) months of the granting of this consent and be implemented thereafter.
12. Concrete or other approved storage tanks of adequate capacity to supply water for drinking, flushing and cleaning shall be provided. Water shall be pressure reticulated to all necessary parts of the pig accommodation buildings/pens.
13. The applicant shall install a flushing system in all parts of the piggery. All waste and effluent in the piggery shall be flushed daily through under drains to the anaerobic ponds.
14. The effluent treatment ponds shall be maintained by a person suitably qualified. Full details of the testing/monitoring regime are to be submitted to Council, the Environment Protection Authority, and the Department of Lands and Water Conservation for approval within nine (9) months of the date of this consent. The results of the testing/monitoring regime are to be submitted to the three authorities on an annual basis.
15. A system of monitoring bores is to be installed both under and around the effluent treatment ponds so as to monitor ground water. Such bores are to be installed at an angle (say 30 deg.) under the ponds so as to allow direct interception of any effluent leakage. Full details of the testing/monitoring regime are to be submitted to Council, the Environment Protection Authority, and the Department of Land and Water Conservation for approval within nine (9) months of the date of this consent. The results of the testing/monitoring regime are to be submitted to the three authorities on an annual basis.
16. Liquid effluent shall be deposited or buried only on Lot 2 of 550162 in accordance with the EPA correspondence dated 11 August 2022, attached to this development consent as **ANNEXURE 3**. A copy of the amended Environmental Protection License (EPL) must also be sent to Council once granted by the EPA.
17. No solid effluent shall be deposited or buried on the subject property.
18. The applicant shall reduce the area of the bays used to dry sludge by 50% within six (6) months of the completion of the works approved under this consent.

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19. A record system is to be established for the purpose of keeping details of the removal of solid waste from the site. Full details of such record system are to be submitted to Council, the Environment Protection Authority, and the Department of Land and Water Conservation for approval within nine (9) months of the date of this consent. Such records are to include advice as to the composition of the solids (sludges), who removes solids, the volumes removed, the date solids removed, and the fate of those solids. Such records are to be submitted to the three authorities on an annual basis.
20. The locations of and configuration of the effluent treatment ponds are to be maintained at all times in accordance with the approved drawings included in the Statement of Environmental Effects submitted with the application unless otherwise approved in writing by the Council and the EPA.
21. The applicant shall develop a Management Plan for the stabilisation of the land surrounding the part of the Long Flat Creek that passes through the property of the piggery. The Management Plan shall be developed in consultation with and to the satisfaction of Land Care and the DLWC. A copy of the plan shall be forwarded to the Council for information.
22. Roads and drives shall be formed and graded to provide all- weather access at all times to the existing piggery accommodation buildings/pens, staff office and amenities buildings, and effluent treatment ponds. The generation of dust from vehicular traffic is to be monitored and suppressed when necessary to prevent it from becoming a nuisance to adjoining land-owners/occupiers.
23. The access road is to be sealed from the edge of seal of the Howlong Road (Riverina Highway) to the property boundary.
24. The applicant shall enter into contractual agreements where possible with the operators of commercial vehicles servicing the site to ensure the operators do not enter the piggery property before 8.00 am or after 7.00 pm. An exception to this will be made for the purpose of the movement of livestock in hot weather.
25. Dead pigs, immediately upon discovery, shall be removed from the proximity of other pigs. Where it is impracticable to remove the carcasses from the subject property forthwith, these shall be temporarily held in an appropriately designed and operated refrigerated facility.
26. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

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DEVELOPMENT APPLICATION 10.2022.140.1 – MODIFY CONDITION 16 OF DA99/198AM1 TO ESTABLISH A TWENTY-FIVE (25) HECTARE IRRIGATION AREA TO ASSIST WITH THE MANAGEMENT OF EFFLUENT FROM THE PREMISES FOR TWENTY FOUR (24) MONTHS – LOT 280 DP753727, LOT 1 & 2 DP550162 AT 3066 RIVERINA HIGHWAY BUNGOWANNAH NSW 2640 [CONT'D]

27. Noise, dust and odours from the piggery and general area shall be maintained within acceptable limits on the subject property and so as not to be a nuisance to adjacent properties in accordance with the provisions of the Protection of the Environment Operations Act (1998).
28. An application for the existing on-site system of sewerage management to be lodged in accordance with the Local Government (Approvals) Amendment (Sewerage Management) Regulation.
29. There shall be at all times during the operation of the permit be a responsible employee of the operator in residence on the subject property for the purpose inter alia of better insuring monitoring and observance of conditions.
30. All environmental monitoring arising as a result of the imposition of the above conditions of consent (including interpretation of the monitoring results by a suitably qualified independent person acceptable to the Council) shall be included in an annual Environmental Monitoring Report and be submitted to the Council, EPA, DLWC and NSW Agriculture commencing twelve (12) months from the date of this consent.
31. The applicant shall maintain a complaints and inquiry register which shall be used to record details of all complaints or inquiries received from members of the public and actions taken by the applicant in response to complaints or inquiries. A summary of the complaints and action recorded in the register shall be included in the EMR. The applicant shall provide the Council and the EPA with a copy of the complaints. The register is to be kept in a format acceptable to the Council. The applicant shall liaise with the Council and local residents on an annual basis and each twelve months report on the results of the monitoring and the effectiveness of the environmental controls to the community. A copy of this report is to be included in the Environmental Monitoring Report.

**The reason for the imposition of the above consent conditions is as follows:**

1. To ensure the compliance with the terms of the Environmental Planning Instruments.
2. Having regard to Council's duties of consideration under Section 79C of the Environmental Planning and Assessment Act 1979 (as amended), as well as Section 80A (as amended), which authorises the imposing of consent conditions.
3. Having regard to the comments made by referral authorities and submissions received from the public.
4. Having regard to the circumstances of the case and the public interest.

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**Additional Advice to Applicant**

1. The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the Applicant and owner/builder to ensure private covenants are adhered to. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
2. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.
3. Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

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**2. DEVELOPMENT APPLICATION 10.2022.53.1 – NEW DWELLING – LOT 163 DP753342 - 84 GRANITE HILL ROAD JINDERA**

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

**REASON FOR REPORT**

To provide Council with comments received through Kell Moore Lawyers regarding the interpretation of referral response received by the Department of Planning and Environment dated 4 August 2022 for construction of a dwelling at 84 Granite Hill Road Jindera on Lot 163 DP753342 at 84 Granite Hill Road, Jindera and zoned RU1 Primary Production pursuant to the *Greater Hume Local Environmental Plan 2012*.

**REFERENCE TO DELIVERY PLAN**

None relevant.

**DISCUSSION**

The Development Application was determined by Council in 22 June 2022 and Councillors have previously considered and resolved that:

1. *“Subject to obtaining the concurrence of the Secretary of the Department of Planning and Environment, pursuant to Clause 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979 Council approve a dwelling entitlement with appropriate conditions of consent a dwelling at Lot 163 DP753342 84 Granite Hill Road Jindera.*
2. *Following the receipt of advice from the Department of Planning and Environment, a further report be presented to Council to consider conditions of consent.”*

Following the receipt of the Department of Planning and Environment respective referral response (objection to grant concurrence), another report was presented to Council August meeting held on 17 August 2022 reiterating that the subject Development Application is required to be refused since the Application failed to obtain concurrence.

The draft recommendation was then presented to Council on 17 August 2022, where Council resolved that:

*“the matter lay on the table pending receipt of a legal opinion and further consideration of the application at the September 2022 Council Meeting.”*

As resolved by Council at its meeting on 17 August 2022, Council staff have sought legal interpretation regarding the referral response received from the Department of Planning and Environment. As per the legal advice from Kell Moore Lawyers, Council cannot consent for the subject Development Application. It is also noted that there are three (3) additional suggestions provided within the same legal advice for the Applicant should they wish to pursue a dwelling on that allotment. A copy of the legal advice received has been attached to this report as **ANNEXURE 7**.

**BUDGET IMPLICATIONS**

Nil.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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**AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111 AND 167 FUNK ROAD JINDERA**

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

**REASON FOR REPORT**

The purpose of the report is for Council to resolve to seek from the Department of Planning and Environment (DPE) a Gateway Determination relating to a planning proposal looking to make a change to the Greater Hume Local Environmental Plan 2012 (“the LEP”) for the zoning and minimum lot size (MLS) to facilitate Large Lot Residential land at 344, 375 and 387 Molkentin Road and 111 and 167 Funk Road Jindera

**DISCUSSION**

Council has received a planning proposal from Bioplan on behalf of separate landholders of adjacent land seeking to amend the land zoning map of the LEP from RU4 Primary Production Small Lots to R5 Large Lot Residential. The planning proposal also seeks to change the minimum lot size map applicable to the land by reducing the minimum lot size from 8 hectares to 2 hectares.

The planning proposal (**ANNEXURE 8**) is made as a direct response to the Jindera Residential Land Use Strategy (The JRLUS) which was adopted by Council on the 1 December 2021. The JRLUS provided a strategic framework and vision to guide the future residential growth of Jindera by identifying a number of areas to be rezoned from agricultural land to various forms of residential land.

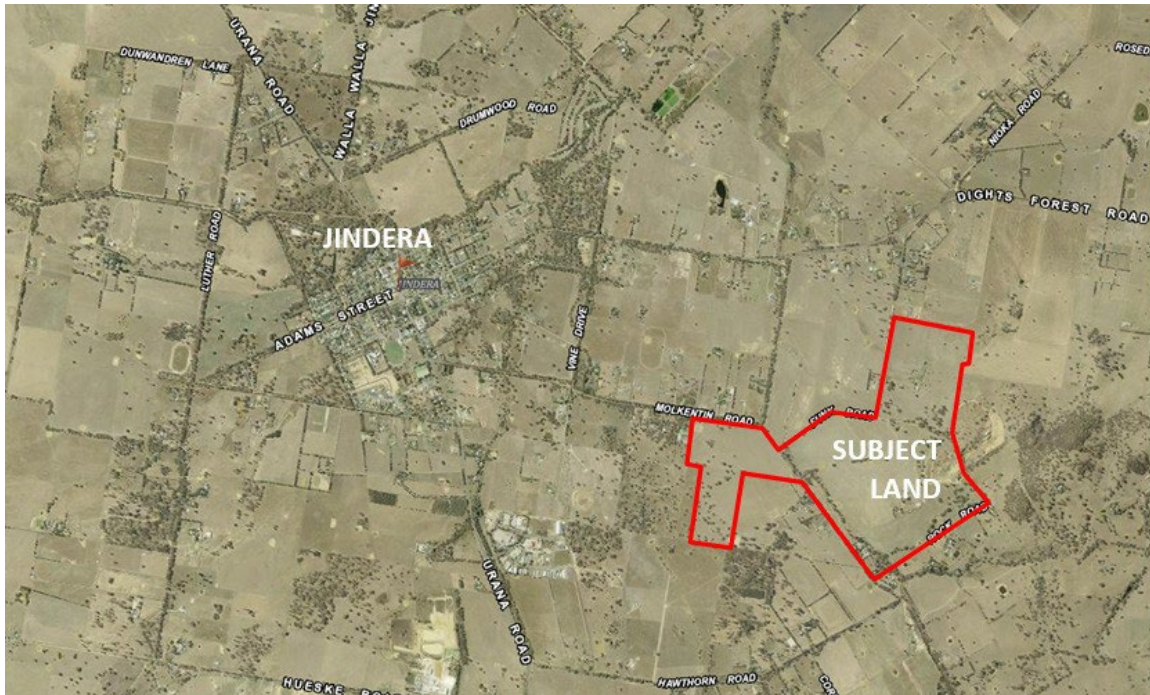
The following extract from the planning proposal describes the subject land.

1.2 Subject Land

The subject land comprises five (5) properties situated approximately 3.5km to the east and south east of the Jindera Post Office (Figure 1). The land is currently zoned RU4 - Primary Production Small Lots under the provisions of the GHLEP. The minimum lot size for subdivision across the subject land is currently 8ha. Figure 1 –Subject land situated to east of Jindera Town Centre.

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111 AND 167 FUNK ROAD JINDERA [CONT'D]



These properties are identified as follows:

- No.344 Molkentin Rd, Jindera – described as Lot 5 DP260275 (40.47ha)
- No.375 Molkentin Road – described as Lot 21 DP635058 (1.603ha)
- No.387 Molkentin Road – described as Lot 1 DP917118 (3.61ha)
- No.111 Funk Rd Jindera – described as Lot 1 DP 785168 (44 ha)
- No.167 Funk Rd, Jindera comprising:
  - o Lot 22 DP 635058 (19.02ha)
  - o Lot 121 DP753345 (16.15ha)
  - o Lot 122 DP753345 (24.32ha)
  - o Lot 153 DP753345 (43.15ha)

Apart from Nos. 375 & 387 Molkentin Road which are both existing rural residential lots, the subject land comprises largely cleared rural land used predominantly for grazing purposes. There are a number of scattered paddock trees across the area. The land to the south of Molkentin Road (Lot 5 DP260275) and to the north of Red Hill Road (Lot 1 DP785168) is relatively flat while the central area rises gently from the Molkentin Road frontage towards the north (Red Hill Road) and north east (Rock Road). An unnamed waterway drains north easterly through property running roughly parallel with Molkentin Road.

As noted at Figure 1 the subject land is well placed with respect to the context of the Jindera urban area providing convenient opportunity for greater large lot residential market choice within reasonable proximity of the town centre. It is also evident that the subject land potentially offers an attractive precinct situated between Jindera and Table Top that is situated in close proximity to local services within Jindera and regional services in nearby Albury/Wodonga (Figure 2).



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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111 AND 167 FUNK ROAD JINDERA [CONT'D]

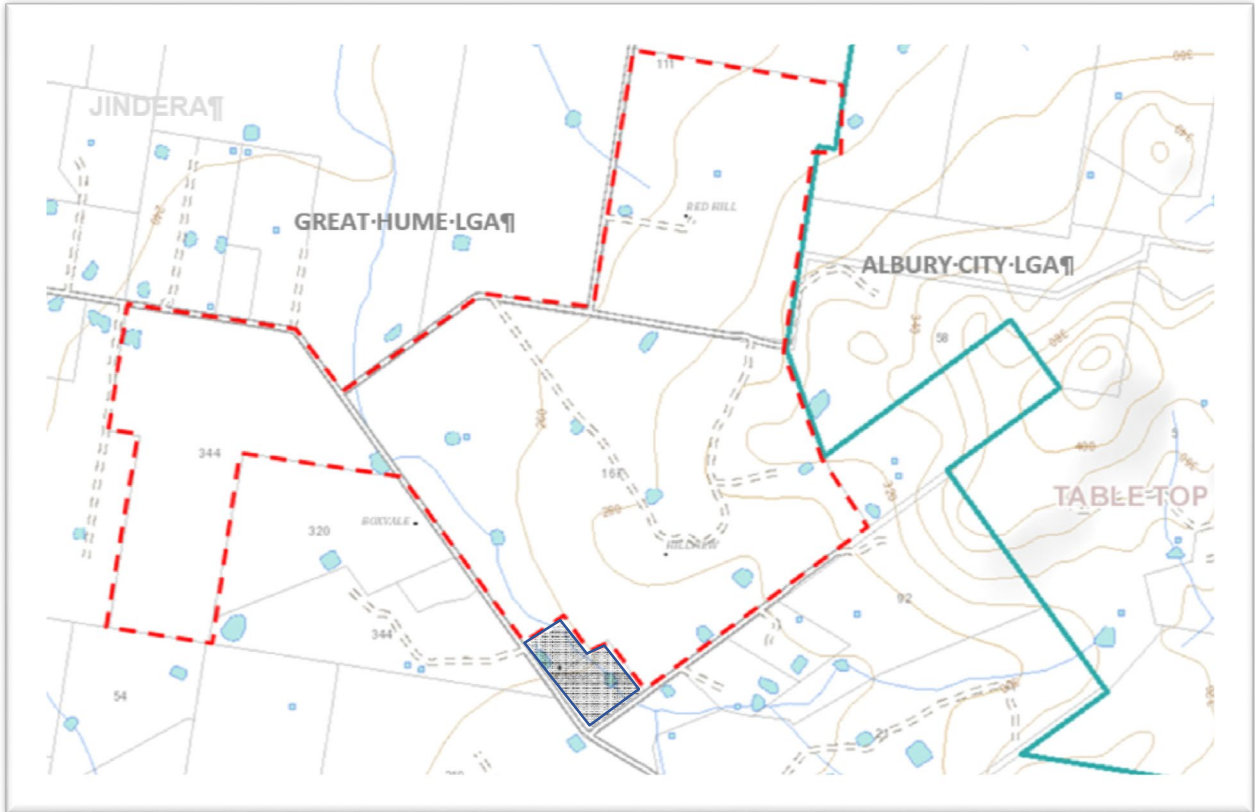


Figure 2. Nos 375 and 387 MolKentin Road hatched blue. Developable area of subject land outlined in red.

The Planning Proposal indicates that the land should be considered for the change of zoning to R5 Large Lot Residential and change the minimum lot size to 2 hectares for the following reasons:

- is land held by three land owners only, all of whom are all interested in development in the short term;
- has a total area of 187ha with a realistic lot yield in the order of 60 – 80 lots equating to approximately 7 - 9 years' worth of R5 residential land supply;
- has only one existing dwelling across this section of the subject land;
- is capable of being supplied with a reticulated water service;
- is not agricultural land of local or regional strategic importance as evidenced by the existing RU4 zone of the land; and
- has convenient access to higher order roads.

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111 AND 167 FUNK ROAD JINDERA [CONT'D]

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

Most of the land that is subject to this planning proposal is not mapped as bushfire prone land however Lot 5 DP260275 which is located in the south western portion of the development area is mapped as bushfire prone land. This land is relatively flat and is characterised as being highly modified remnant grassy woodland. The proponent has addressed Ministerial Direction 4.3 Planning for Bushfire Protection and has found that the property is assessed as representing a relatively low risk location. The planning proposal includes an indicative lot layout which will show that an APZ can be met on the development area and that the road network can support evacuation demand numbers. Following receipt of the gateway determination the planning proposal will need to be referred to the Commissioner of the NSW Rural Fire Service.

A preliminary biodiversity assessment accompanied the planning proposal and it indicates that the development area contains the following features relevant to biodiversity:

- Remnant native vegetation.
- Scattered native trees.
- Planted native trees.
- Planted exotic trees.
- Hollow-bearing trees.
- A threatened vegetation community.
- Threatened species habitat.
- Aquatic habitat including:
  - Dams.
  - Watercourses and drainage lines.
  - Depressions/fringing floodplain.
- Rock outcrops and rocky habitat.

The assessment has found that the development area contains five Plant Community Types and two of these (PCT) 277 and 266 formed part of a Box-Gum Woodland Threatened Ecological Community. Thirty five hectares of Box-Gum Woodland met the criteria for listing under the NSW Biodiversity Conservation Act as Critically Endangered and another 2 hectares met the criteria of the Commonwealth EPBC Act as Critically Endangered. One threatened species the Brown Treecreeper was identified during the site assessment. Also the assessment noticed horizontal chew marks on a number of eucalyptus trees which is an indication of the presence of the threatened species Squirrel Glider.

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It is indicated in the report that Box-Gum woodland is a serious and irreversible impact (SAll) entity and if this area of clearing of this plant community exceeds the threshold then a Biodiversity Development Assessment Report (BDAR) would be required which will include a SAll. Should the planning proposal proceed to rezone the land it is likely that at the Development Application stage for subdivision that a proponent will need to outline measures to avoid, minimise and mitigate impact to the Box-Gum Woodland SAll entity. Following receipt of the Gateway Determination the planning proposal will need to be referred to Biodiversity and Conservation branch of the Department of Planning and Environment.

An assessment on aquatic habitat accompanied the preliminary biodiversity assessment. It notes that 4 watercourses are mapped within the development area. Three of these watercourses are 1<sup>st</sup> order streams feeding into a larger 3<sup>rd</sup> order watercourse. The 1<sup>st</sup> order streams contain dams and as a result of cropping and grazing there is little definition of bed and banks. The 3<sup>rd</sup> order watercourse runs parallel to Molkentin Road and is well defined. The aquatic environment of this watercourse at the time of the assessment was as follows:

- Defined bed and banks up to 4 metres wide and 3 metres deep.
- Strong erosion present.
- Minimal in stream snags or watercourse roughness.
- Some native aquatic vegetation present in the waterway.
- Ground cover on banks dominated by grazed exotic species.
- Native woodland PCTs present in the form of Eucalyptus.
- Some pooled water but no flow present, evidence of high seasonal flow based on height and width of banks.
- Mixture of grey silty clays and sandy gravels < 3 cm in diameter.

The location of the 3<sup>rd</sup> order stream running parallel with Molkentin Road would mean that crossing of the watercourse would be necessary for each of the allotments with a frontage to Molkentin Rd. It is likely that this issue could be addressed at the Development Application stage through an amended road design and restrictive covenants that will prevent development in the area of the watercourse. Following receipt of the Gateway Determination the planning proposal will need to be referred to the Department of Planning and Environment -Water.

Most of the land in the development area is within the area studied for the Jindera Flood Study. The portion of land not within the study area is to East and is quite elevated. From the Flood Study it is observed that the development area is not unduly impacted upon by either the 100 or 200 year ARI Flood Event. The PMF flood event only impacts upon a small portion of the development area.

The development area is not shown as being potentially contaminated land within the Council register. It is highly likely that any Gateway Determination will be conditional upon the proponent undertaking a preliminary investigation for contaminated land.

Council engineering staff have indicated that the development area can be provided with water from the Jindera water scheme. The land will not be able to be connected to reticulated sewerage and so dwellings erected upon the land will need to be catered for by onsite sewerage management systems.

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111 AND 167 FUNK ROAD JINDERA [CONT'D]

Consideration of the impacts of the potential development upon the local road network has been made. It is considered that the position of the development area will mean that traffic from the development will likely use Molkentin, Hawthorn Roads and then Urana Road, Funks Road and then Jindera Table Top Road and Molkentin Road to Urana Street.

An Aboriginal Heritage Due Diligence Assessment report was provided with the planning proposal. This Assessment report included both a desktop assessment and field results from a targeted pedestrian survey of the development area which both showed that there exists multiple landforms considered highly likely to contain aboriginal objects. The field result detected five sites containing stone artefacts. The Assessment report recommends that:

- Further investigation and assessment including subsurface testing is necessary
- An Aboriginal Heritage Impact Permit would be required if it is not possible to avoid impacting Aboriginal Sites within the project area
- There is areas within the development area which could be developed without further assessment.

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

Part 5 of the planning proposal outlines the community consultation that is proposed to be undertaken as the public exhibition process. The consultation will include providing written notification to landowners directly affected by proposed land use zone and minimum lot size changes.

#### **BUDGET IMPLICATION**

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

#### **CONCLUSION**

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

The above assessment has discussed that there is constraints affecting the development area within the planning proposal, which is to be expected given the size of the development area is 187 hectares. It should be noted that there is large portions of this land area that is relatively unconstrained. The author considers that required consultation arising from the Gateway Determination and then the development assessment process will likely further address constraints upon some of the land. Consequently it will be recommended that Council seek a Gateway Determination for the Planning Proposal.

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AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING &  
MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND NO 111  
AND 167 FUNK ROAD JINDERA [CONT'D]

**RECOMMENDATION**

That:

1. In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning, & Environment the planning proposal for changes to the zoning and minimum lot size to 344, 375 and 387 Molkentin Road and 111 and 167 Funk Road Jindera and seek a conditional Gateway Determination.
2. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.

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DEVELOPMENT APPLICATION 10.2022.53.1 – NEW DWELLING – LOT 163 DP753342 -  
84 GRANITE HILL ROAD JINDERA [CONT'D]

**CONCLUSION**

The Development Application (DA10.2022.53.1) had been assessed in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2021*, *Greater Hume Local Environmental Plan 2012*, and the *Greater Hume Development Control Plan 2013*. It is considered that in this instance the application fails to obtain concurrence from the Planning Secretary or the delegate of the Secretary of the Department of Planning and Environment. As per Council resolution dated 17 August 2022, Council staff have sought legal opinion whether there are any options that can be utilised by the Applicant to enable the dwelling to be approved. In response Kell Moore Lawyers have indicated that as the Department has not provided their concurrence, the Development Application is required to be refused. It is therefore recommended the application be refused.

**RECOMMENDATION**

Pursuant to Clause 4.16 of the *Environmental Planning and Assessment Act 1979* (hereafter *EP&A Act 1979*) Council resolve to refuse the erection of a dwelling on Lot 163 DP753342 at 84 Granite Hill Road Jindera for the following reasons:

1. Under Section 4.15(1)(a)(i) of the *EP&A Act 1979* the proposal was not granted concurrence by the Planning Secretary as required clause 4.6(4)(b) of the *Greater Hume Local Environment Plan* for the following reasons:
  - i) *“Council states it has no precedent of allowing dwelling houses to be erected contrary to the provisions of Clause 4.2A of GHLEP 2012. Approval of the variation would likely create a precedent for additional unplanned rural residential development in an area that is largely used for primary and agricultural production.*
  - ii) *The Riverina Murray Regional Plan 2036 (RMRP) guides land use planning decisions across the Riverina Murray region. The development’s inconsistencies with the Directions in the RMRP are not justified through a strategic land use plan or study and are not of minor significance. Supporting development inconsistent with the RMRP, without justification, undermines the RMRP and creates a precedent across the region.*
  - iii) *The proposal is in direct conflict with the objectives of the RU1 Primary Production zone in the GHLEP 2012, which aim to minimise the alienation of resource lands and conflict between land uses within the zone.*

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**3. REMOTELY SUPERVISED ACCESS TO CULCAIRN WASTE FACILITY POLICY WITH ASSOCIATED CHARGING AND ADDITIONAL ONSITE WORKS**

**Report prepared by Manager Waste and Facilities – James Waite**

**REASON FOR REPORT**

Council has installed an electric gate entry system and weighbridge at the Culcairn Waste Facility (the Facility). This system has been installed to permit out of hours remotely supervised access to the Facility. This report will provide for Council's consideration the draft Remotely Supervised Access to Culcairn Waste Facility Policy for the out of hour use of the Facility and set per tonne charges for disposal of waste at these times only.

This report will also explain that there is a need to undertake some roadworks in order to ensure that electric access gates and the new weighbridge can work effectively by preventing material being carried into the systems and causing damage.

**REFERENCE TO DELIVERY PLAN ACTION**

N1.4. Encourage and provide local reuse and recycling infrastructure.

**DISCUSSION**

Council has installed an electronic gate access system and weighbridge at the Culcairn landfill site to permit out of hours and remotely supervised access to the Culcairn waste facility. This initiative is aimed at providing support to local businesses that would benefit from increased access to the facility.

Remotely supervised out of hours access to the Culcairn waste facility requires the development of a policy and procedure to ensure the orderly access to the facility and compliance with environmental legislation. The new Policy titled Remotely Supervised Access to Culcairn Waste Facility Policy stipulates the user terms which must be adhered to in order to utilise the facility when it is unmanned.

A copy of the draft policy is attached as **ANNEXURE 9**.

The new Policy applies only when the facility is physically unmanned and it is proposed to set new fees and charges that will apply during these times. At all other times the normal fees and charges contained in the Greater Hume Council Fees and Charges applies. The reason for the differential charging is that other waste facilities do not have a weighbridge and charging is calculated by cubic metre.

The following per tonne fees and charges are proposed for the out of hours remotely supervised access to the Culcairn Landfill:

- Commercial waste \$130.
- General waste \$100.
- Green waste \$30.
- Concrete \$60.

In accordance with Section 160 and 610F of the Local Government Act 1993 both the policy and changes to the annual charges need to be advertised in accordance with Section 705. The time period for the public exhibition is 28 days and the submission can be made up to 42 days after the date of the public exhibition.

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REMOTELY SUPERVISED ACCESS TO CULCAIRN WASTE FACILITY POLICY WITH ASSOCIATED CHARGING AND ADDITIONAL ONSITE WORKS [CONT;D]

In order for the systems to work that will support remote supervision of the landfill there needs to be a sealed road constructed from Schnaars Road to the weighbridge and off the other side of the weighbridge towards the waste drop-off area. The sealing is necessary to prevent dirt being carried across the gate tracks and onto the weighbridge a map of the proposed road is attached in **ANNEXURE 10**.

**BUDGET IMPLICATION**

The proposed cost of the sealed road is \$130,000.00. This money will be required to be released from the reserve fund.

The setting of tonnage fees will allow for a more streamlined income as access for delivery can be all-hours.

**CONCLUSION**

Due to the increase in demand for out of hours access to the Culcairn Waste facility the adaption of the facility has occurred to provide remote supervision. The remote supervision needs to be supported with a policy and procedure to control the use of the facility during out of hours periods.

**RECOMMENDATION**

That:

1. Council releases the funds from the reserve for the development for the new road at the Culcairn Waste facility.
2. Council adopts the set fees for tonnage.
3. The proposed fees for tonnage when the Remotely Supervised Access to Culcairn Waste Facility Policy applies be placed on public exhibition for a period of 28 days in accordance with Section 610F of the Local Government Act 1993 No 30.
4. The draft Remotely Supervised Access to Culcairn Waste Facility Policy be placed on public exhibition for a period of 28 days in accordance with Clause 160 of the Local Government Act 1993 No 30.
5. The public notice must also specify a period of not less than 42 days after the date on which the draft local policy is placed on public exhibition during which submissions may be made to the Council.
6. A further report will be submitted to consider any submissions received on the draft Remotely Supervised Access to Culcairn Waste Facility Policy and fees for tonnage.



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## **GOVERNANCE**

### **1. POLICY DEVELOPMENT**

**Report prepared by General Manager – Evelyn Arnold**

#### **REASON FOR REPORT**

For Council to consider the readoption of the Councillor Access to Information and Staff Interaction Policy.

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

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

#### **DISCUSSION**

Following the release of the Model Code of Conduct by the Office of Local Government the Access to Information and Staff Policy was reviewed. This policy is now due for review again as part of Councils commitment to continuous improvement. The reviewed policy is attached as **ANNEXURE 11**. There has been a minor change to ensure the policy is clear and consistent with the code of conduct and the relevant legislation. The amendment is highlighted on page 3.

#### **BUDGET IMPLICATIONS**

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

#### **CONCLUSION**

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

#### **RECOMMENDATION**

That the Greater Hume Council Policy relating to Councillor Access to Information and Staff Interaction Policy be adopted.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
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ON WEDNESDAY 21 SEPTEMBER 2022**

**2. REGIONAL ADVOCACY PARTICIPATION OPTIONS**

**Report prepared by Evelyn Arnold – General Manager**

**REASON FOR REPORT**

To the options available for the future participation of Greater Hume Council in the Riverina Joint Organisations (RivJO) and the Riverina Eastern Regional Organisation of Council (REROC) of Councils preference of structure for future.

**REFERENCE TO DELIVERY PLAN ACTIONS**

Objective	Our leadership and communication cultivate confidence in our future direction
Outcome L2.2	Collaborate with partners to deliver positive outcomes for the community, economy and environment L2.2.2. Actively participate in regional strategic planning and collaborative initiatives through REROC / RivJO, Riverina Regional Library and government agencies

**BACKGROUND**

REROC was established in 1994 by the member councils, generating savings in excess of \$45million for its member councils. REROC's activities have encompassed advocacy and lobbying, strategic regional planning, aggregated procurements, conferences and workshops. The RivJO was created in May 2018 as a legal entity created under the NSW Local Government Act. The structure and function of joint organisations (JOs) is intended to lift collaboration between councils and between local government and the state to new levels. The Act specifies core functions of a JO. The NSW Government is clear it's preferred method of regional partnering, planning, collaboration and funding with councils is through JOs.

In October 2018, the then REROC Member Councils, with the exception of Wagga Wagga, agreed to form the Riverina Joint Organisation. Wagga Wagga subsequently joined the JO in December 2019. At the 2018 meeting the Members resolved that REROC would continue to deliver resource sharing activities that focused on operational activities and that the JO would focus on the three core activities prescribed by legislation: advocacy and lobbying, regional planning and intergovernmental relations. The two organisations were to operate side-by-side supporting each other for the benefit of the Members, without extra costs being incurred by Members. It was agreed that the dual model would operate for a period of 18 months after which time a review would be held to decide on the model the Members wished to retain.

The Joint Organisation is formed under the *NSW Local Government Act* and via a proclamation from the NSW Governor. It is a public sector organisation and as such subject to the same accountabilities and controls as any other public sector organisation in NSW. The JO is also subject to the same compliance regime as councils and county councils including financial audits carried out by the Auditor-General and the ARIC regime.

REROC is incorporated under the *NSW Incorporations Act* and as such is a membership-based organisation. REROC's accountabilities are in the hands of its members, with reporting obligations to NSW Fair Trading which includes the requirement for an external audit.

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REGIONAL ADVOCACY PARTICIPATION OPTIONS [CONT'D]

**DISCUSSION**

Member councils are now being asked to nominate their preferences for the option that would best suit their current and future needs. Our discussions to date have shown that some Members may wish to continue with the dual model in some form, consequently the options that have been developed for consideration recognise this.

There are four options presented for your consideration:

**1. REROC as a stand-alone organisation, the JO folds**

**2. JO as stand-alone organisation, REROC does not fold but goes into hiatus** – the reasoning for REROC going into hiatus is that the boards of both organisations agree that the likelihood of councils gaining permission from a Local Government Minister to establish a separately incorporated organisation like REROC is slim. Consequently, it would not be in the best interests of Members for REROC to wind-up.

**3. REROC as a stand-alone organisation, the JO is operated by Wagga Wagga City Council** – Wagga Wagga City Council has offered to operate the JO separately from REROC for a period of 2 years, free of charge. The JO's activities would be restricted to the three core activities. After the initial 2 years Members would decide on the future arrangements. The details of the Wagga Wagga offer are contained in the attachments to this letter.

**4. REROC as a stand-alone organisation, the JO goes into hiatus** – this option would basically put the JO in hibernation, with the ability for Members to awaken it if it was in the interest of Members to do so.

At recent meetings held by the REROC Executive with the Shadow Minister for Local Government, Mr Greg Warren MP and the Shadow Minister for Regional NSW, Hon Mick Veitch both have indicated that they would be open to supporting a proposal that councils should be free to choose whatever vehicle they prefer, and are prepared to pay for, with regard to regional collaboration and resource sharing.

The JO and REROC Boards are requesting that Member Councils provide us with direction as to their council's first and second preferences with regard to the One Organisation options.

**BUDGET IMPLICATIONS**

The current arrangement is that the two organisations were to operate side-by-side supporting each other for the benefit of the Members, without extra costs being incurred by Members. The Office of Local Government has recently advised that it has no funding that can be provided to support the operation of JOs. However, with the requirement that the JO now require an Audit, Risk and Improvement Committee the expectations are that future costs will be incurred.

**CONCLUSION**

The choice of advocacy structure for the region is an important one. It can determine the success of advocacy priorities for the future.

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REGIONAL ADVOCACY PARTICIPATION OPTIONS [CONT'D]

**RECOMMENDATION**

That Council:

1. Endorse the following preferences for the structure for regional collaboration;

Preference 1: Option 4

**REROC as a stand-alone organisation, the JO goes into hiatus.**

Preference 2: Option 3

**REROC as a stand-alone organisation, the JO is operated by Wagga Wagga City Council** – Greater Hume Council remains a member of both.

2. Authorise the Mayor and the General Manager to communicate this resolution at the next board meeting of both the Riverina Joint Organisations (RivJO) and the Riverina Eastern Regional Organisation of Council (REROC) of Councils.

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## **CORPORATE AND COMMUNITY SERVICES**

**1. 2021/2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL**

**Report prepared by Chief Financial Officer – Dean Hart**

### **REASON FOR REPORT**

To present to Council the Draft General Purpose and Special Purpose Financial Statements for year ending 30 June 2022, which require certification and referral to Council's external auditors.

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

Nil

### **DISCUSSION**

The Local Government Act 1993 ("the Act") relating to the preparation of Council's annual financial reports requires that:

1. Section 413 – A council must prepare financial reports for each year, and must refer them for audit as soon as practicable after the end of that year.
2. Section 413(2) – A council's financial reports must include:
  - a. A general purpose financial report
  - b. Any other matter prescribed by the regulations
  - c. A statement in the approved form by the council as to the opinion of the general purpose financial report.

The Local Government Code of Accounting Practice and Financial Reporting requires Council to complete a Special Purpose Financial Report for all business activities declared by Council and that Council complete a Statement on its Special Purpose Financial Report. A copy of the required Statements are included as **ANNEXURE 12**.

3. Section 413(3) – The general purpose financial report must be prepared in accordance with the Act and the regulations and the requirements of:
  - a. The publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
  - b. Such other standards as may be prescribed by the regulations.
4. Section 416 – A council's financial reports for a year must be prepared and audited within 4 months after the end of the year concerned.
5. Section 418 – Upon receiving the Auditor's Report, the Act requires the council to give at least 7 days public notice of the meeting at which it proposes to present its audited financial reports, together with the Auditor's Report, to the public. The public notice must include a statement that the business of the meeting will include presentation of the audited financial reports, the Auditor's Report, and a summary of the financial reports.

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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]

6. Section 420 – Any person may make submissions in respect of the Council’s audited financial reports or the Auditor’s Report. Such submissions must be in writing and lodged with Council within 7 days after the public meeting at which these reports are presented. Copies of all submissions received must be referred to Council’s Auditor. The Council must take such action as it considers appropriate in respect to any submissions received, including giving notice to the Office of Local Government of any matter that appears to require amendment of the Council’s Financial Statements. In order to facilitate the public notice, meeting and submission process, it is considered appropriate that Council delegate to the General Manager authority, upon receipt of the Auditor’s Report by Council to:
  - a. Arrange for the public notice of this meeting, in the required format, to be placed in the Border Mail newspaper, advising of the meeting at which the Auditor’s Report will be presented.
  - b. Arrange for the Council’s audited financial reports and a copy of the Auditor’s Report to be made available for public inspection on Council’s website and at the Council’s offices and libraries.
  - c. List the audited financial reports and Auditor’s Report on the Agenda for the October 2018 Council Meeting.
7. Section 428 – The audited financial reports must be included in the Council’s annual report.
8. Clause 215 of the Local Government (General) Regulation 2005, requires that the Statement under Section 413(2)(c) on the annual financial report must be made by resolution of the Council and signed by the:
  - a. Mayor
  - b. At least one (1) other Councillor
  - c. General Manager
  - d. Responsible Accounting Officer

Annual financial reports have now been completed for Greater Hume Shire Council, Greater Hume Shire Council Water Fund and Greater Hume Shire Council Sewer Fund.

Council is responsible for the preparation of the financial reports and adequate disclosures. This includes the maintenance of adequate accounting records and internal controls, selection and application of accounting policies, and the safeguarding of the assets of Council.

The General Manager reports that the Annual Financial Statements have been drawn up in accordance with:-

- The Local Government Act 1993 (as amended) and the regulations made thereafter
- The Australian Accounting Standards and professional pronouncements
- The Local Government Code of Accounting Practice and Financial Reporting
- The Local Government Asset Accounting Manual

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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]

Further it is advised that they will:

- Present fairly the financial position and operating result for the year; and
- Accord with Council's accounting and other records.

The General Manager is not aware of any issue that would make the reports false or misleading in any way.

In relation to the Special Purpose Financial Statements, it is advised that the Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting and the:-

- NSW Government Policy Statement "Application of National Competition Policy to Local Government"
- Department of Energy, Utilities and Sustainability "Best Practice Management and Water Supply and Sewerage" Guidelines.

It is further advised that these reports:

- Present fairly the financial position and operating result for each of Council's declared Business Units for the year; and
- Accord with Council's accounting and other records.

Detailed below is a snapshot of Council's financial position as at 30 June 2022 (subject to Audit)

**Income Statement**

	<b>2021/2022 \$,000</b>	<b>2020/2021 \$,000</b>
Operating Income	35,125	37,521
Capital Grants and Contributions	10,506	14,213
Net Gain on Disposal of Assets	1,215	293
Total Income from Continuing Operations	46,846	52,027
Operating Expenditure	35,344	37,553
Net Loss on Disposal of Assets	Nil	Nil
<b>Net Operating Result for the year</b>	<b>11,502</b>	<b>14,474</b>
<b>Net operating result for the year before capital grants and contributions provided for capital purposes</b>	<b>996</b>	<b>261</b>

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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D

**Statement of Financial Position**

Total Current Assets	34,302	32,567
Total Current Liabilities	11,721	10,423
Total Non-Current Assets	727,626	647,390
Total Non-Current Liabilities	10,891	9,582
<b>Total Equity</b>	<b>739,316</b>	<b>659,952</b>

1

**Net Operating Result for the year**

The 2021/2022 results reflect a strong net operating result from continuing operations of \$11.502m. This is a decrease of \$2.972m on the previous year which was predominately due to a decrease in Grants and contributions received for capital purposes of \$3.707m offset partially by an increase in net gains on the disposal of assets of \$922k.

Net operating Result before grants and contributions for capital purposes improved by \$735k from \$261k to \$996k. However this result takes into account an additional one quarter payment of Council's Financial Assistance Grant, a significant reduction in operating grants and an increase in gain on asset sales.

**Income from Continuing Operations**

Total Income received for the year was \$46.846m down from \$52.027m in the previous year. This was mainly due to the decrease in operating and capital grants and contributions which has decreased by \$5.829m.

**External/Internal Restrictions (Reserves)**

Council has maintained strong externally restricted reserves of \$12.8m (includes \$207k held in Trust) and internal restrictions of \$13.4m.

External Restrictions are generally unexpended grants, water and sewerage funds and can only be used for the purposes for which they were raised. Council has more flexibility with internal restrictions whereby Council can, by resolution, vary the purpose of restriction or remove it all together.

An amount of \$4.1m has been restricted for uncompleted works across the Shire.

**Statement of Performance Measures**

Detailed performance measures have been prepared as part of the financial statements. The performance measures assess Council's financial position across a number of measures and industry benchmarks. Details of the performance measures for the General Purpose Financial Statements and Special Purpose Financial Statements are as follows (subject to Audit)

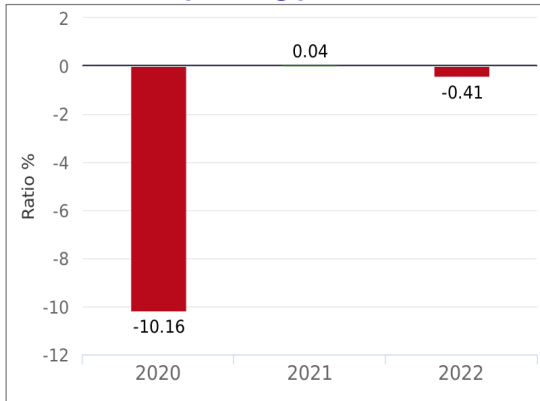


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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]

Statement Of Performance Measures- Consolidated Results (Graphs)

**1 Operating performance ratio**



**Purpose of operating performance ratio**

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

**Commentary on 2021/22 result**

2021/22 ratio (0.41)%

Council's operating performance ratio resulted in a small negative result. The operating result for the year before capital grants and contributions was \$1.014m however this included gains on disposal of assets of \$1.215m. It should also be noted that the result includes an increase in the prepayment of Financial Assistance Grant (FAG) from 25% to 50% of the annual grant amount.

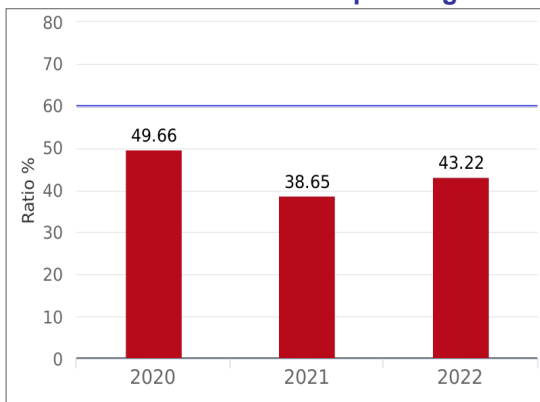
Benchmark: — > 0.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

**2. Own source operating revenue ratio**



**Purpose of own source operating revenue ratio**

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.

**Commentary on 2021/22 result**

2021/22 ratio 43.22%

Greater Hume Council receives a relatively high proportion of its income from grants and contributions. A benchmark of 60% own source income is desirable, however rural councils such as Greater Hume Council rely heavily on grants and contribution due to their large and relatively small populations.

Benchmark: — > 60.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

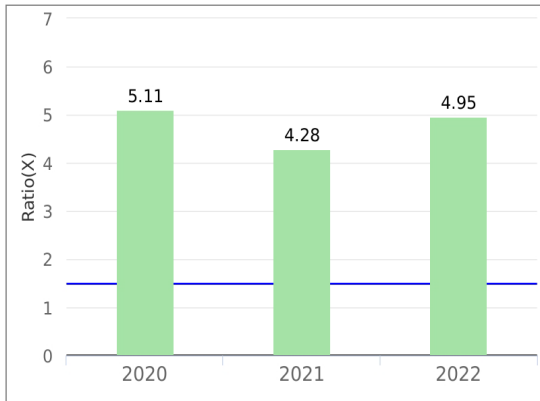
Ratio is outside benchmark

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**2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D**

**Statement Of Performance Measures- Consolidated Results (Graphs)**

**3. Unrestricted current ratio**



**Purpose of unrestricted current ratio**

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

**Commentary on 2021/22 result**

**2021/22 ratio 4.95x**

The unrestricted current ratio measures Council's ability to meet its short term financial liabilities. A measure above 2:1 indicates a strong financial capacity to meet liabilities. This ratio is indicative of Council's strong cash position.

Benchmark: — > 1.50x

Source of benchmark: Code of Accounting Practice and Financial Reporting

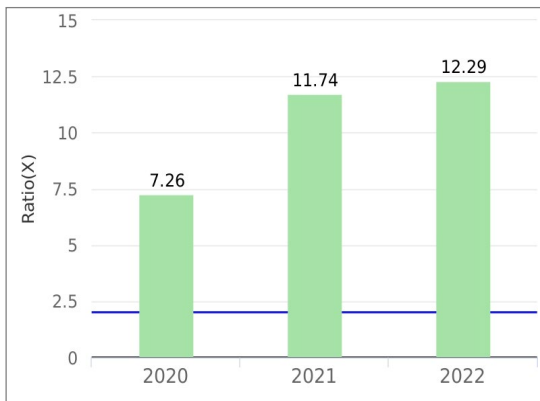


Ratio achieves benchmark



Ratio is outside benchmark

**4. Debt service cover ratio**



**Purpose of debt service cover ratio**

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

**Commentary on 2021/22 result**

**2021/22 ratio 12.29x**

Council has a relatively low level of borrowings. The ratio indicates that Council is able to comfortably service its current debt level out of its EBITDA.

Benchmark: — > 2.00x

Source of benchmark: Code of Accounting Practice and Financial Reporting



Ratio achieves benchmark



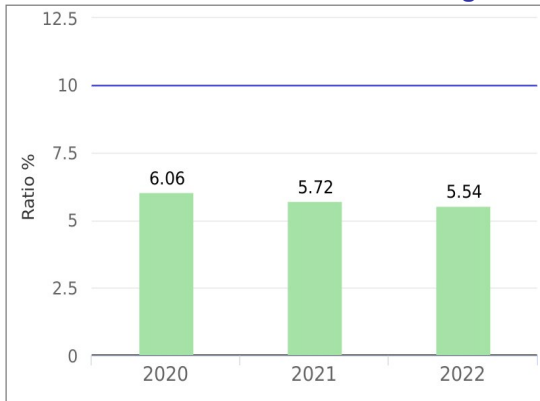
Ratio is outside benchmark

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**2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]**

**Statement Of Performance Measures- Consolidated Results (Graphs)**

**5. Rates and annual charges outstanding percentage**



**Purpose of rates and annual charges outstanding percentage**

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

**Commentary on 2021/22 result**

**2021/22 ratio 5.54%**

Council's level of outstanding rates and charges remained consistent with previous years which is a pleasing outcome in the current economic conditions.

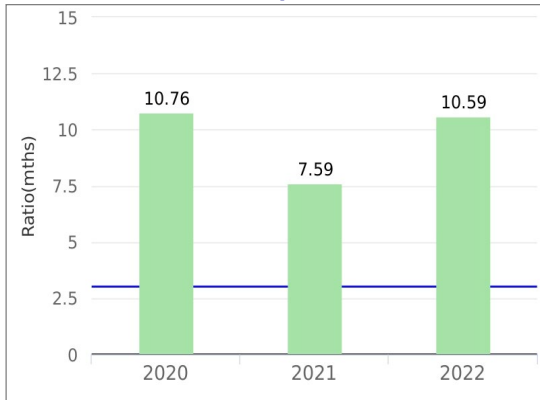
Benchmark: — < 10.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

**6. Cash expense cover ratio**



**Purpose of cash expense cover ratio**

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

**Commentary on 2021/22 result**

**2021/22 ratio 10.59 mths**

Council's cash position is sound and the ratio indicates. Council is able to pay all its commitments as and when they fall due.

Benchmark: — > 3.00mths

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

**Minor Funds**

Satisfactory reserves are held in most schemes. Scheme reserves are detailed below (Subject to Audit):

FUND	\$,000
Greater Hume Shire Council Sewerage Fund	4,751
Greater Hume Shire Council Water Fund	3,410
<b>TOTAL</b>	<b>8,161</b>

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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]

**Audit Committee Review**

A meeting of the Greater Hume Shire Council Internal Audit Committee was held on Tuesday 6 September 2022 to review the draft financial statements and to provide an opportunity for the Committee to ask questions and seek clarification from Council's Chief Financial Officer on all aspects of the statements.

Following review by the Audit Committee, the following resolution was passed:

***RESOLVED [Mr Maxwell / Mr Batchelor]***

*That the Audit, Risk & Improvement Committee reports as follows:*

- 1) it has examined the draft General Purpose Financial Statements and Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2022 and questioned finance staff and external audit on matters for which it sought clarification*
- 2) Notes that external audit procedures have not yet been completed and that Committee members will be advised of any material changes*
- 3) The Chairman will confirm the Committee's agreement with the audited financial statements prior to their presentation to Council*
- 4) The Committee believes that the likely outcome of the treatment of RFS assets is an "Except For" Audit Qualification*
- 5) The committee is not aware of any matter that would prevent Council from executing the certificates required under section 413 of the Local Government Act.*
- 6) The Committee commends the Chief Financial Officer and all finance staff on the timely preparation of the draft 2021/2022 annual financial statements*

The external auditor will present the 2021/2022 financial statements to Council at the ordinary meeting to be held on 19 October 2022.

**BUDGET IMPLICATIONS**

Nil

**CONCLUSION**

The General Manager has provided assurances as to the manner in which the Statements have been prepared it is recommended that General Manager, the Mayor, Deputy Mayor, General Manager and the Chief Financial Officer be authorised to sign the Statement by Councillors and Management for the 2021/2022 General Purpose and Special Purpose Financial Statements.

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2021- 2022 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS – CERTIFICATE BY COUNCIL [CONT'D]

**RECOMMENDATION**

That on the basis of the assurances provided by the General Manager:

1. The Annual Financial Statements for the year ended 30 June 2022 be adopted.
2. The Mayor, Deputy Mayor, General Manager and the Chief Financial Officer be authorised to sign the Statement by Councillors and Management for the 2021/2022 General Purpose and Special Purpose Financial Statements.
3. The Annual Financial Statements for the year ended 30 June 2022 be referred to the Council's External Auditor for audit.
4. Council hereby delegate to the General Manager authority, upon receipt of the Auditor's report of the Council, to:
  - a. Forward a copy of the Financial Statements to the Office of Local Government and Australian Bureau of Statistics.
  - b. Arrange for public notice, in the required format, of the Council Meeting at which the Financial Statements will be presented to the public.
  - c. Arrange for Council's audited Financial Statements and a copy of the Auditor's Reports to be made available for public inspection.
  - d. List the presentation of audited Financial Statements and Auditor's Reports on the Agenda for the October 2022 Council Meeting.

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**2. WIRRAMINNA ENVIRONMENTAL EDUCATION CENTRE - DEED OF RETIREMENT AND APPOINTMENT OF TRUSTEE**

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

**REASON FOR REPORT**

To seek a resolution from Council authorising the signing of the Deed of Retirement and Appointment of Trustee of the Wirraminna Environmental Education Trust under the Common Seal of Council.

**REFERENCE TO DELIVERY PLAN ACTION**

Objective: Our natural and built environment is preserved and maintained in harmony with sustainable practices

Outcome N3: Our communities share responsibility to increase sustainability and minimise our environmental impacts

**DISCUSSION**

As Councillors would be aware, the Wirraminna Environmental Education Centre has provided environmental education services to schools, community groups and individuals for many years. The centre is managed by the Wirraminna Environmental Education Centre Committee under Section 355 of the Local Government Act 1993. A Trust Deed was established in 2004 in order to maintain a public fund to support the objectives of Wirraminna.

Councillors would also be aware that a number of years ago, a new separately incorporated body, Petaurus Education Group, was formed to act as the financial and administrative arm of Wirraminna, effectively separating the role of the Section 355 committee as managers of the physical facilities at Wirraminna from the ongoing financial and operational aspects of a range of environmental education projects.

In order to further enhance the separation of Council from the financial operations of Wirraminna, in November 2017 a revised Trust Deed was prepared in order to transfer the Trustee of the Wirraminna Environmental Education Trust to Petaurus Education Group Inc. The appointment of Petaurus as Trustee was considered consistent with Council's desire to have the Trust administered by a separately incorporated body under the Associations Incorporation Act 2009 without further involving the committee established under Section 355 of the Local Government Act.

Advice has now been received confirming that Petaurus are seeking to retire as Trustee and that a new organisation, West Hume Landcare Inc. are seeking appointment as Trustee in accordance with the terms of the original Deed. Apart from the transfer of Trustee, no other aspects of the Trust are being altered or amended.

Given that Wirraminna is located on Crown Land under the care and control of Council, Greater Hume Council is defined as the Parent Body under the Trust Deed. Accordingly, in order to finalise the transfer of the Trustee, the formal Deed of Retirement and Appointment of Trustee must be signed by the Mayor and General Manager under the Common Seal of Council.

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WIRRAMINNA ENVIRONMENTAL EDUCATION CENTRE - DEED OF RETIREMENT AND APPOINTMENT OF TRUSTEE [CONT'D]

**BUDGET IMPLICATIONS**

Minor legal costs associated with the drafting of the Deed of Retirement and Appointment of Trustee which have been met from existing budget allocations.

**CONCLUSION**

The appointment of West Hume Landcare Inc as Trustee of the Wirraminna Environmental Education Trust is consistent with Council's desire to have the Trust administered by a separately incorporated body under the Associations Incorporation Act 2009 without further involving the committee established under Section 355 of the Local Government Act.

**RECOMMENDATION**

That the Mayor and General Manager be authorised to sign the Deed of Retirement and Appointment of Trustee of the Wirraminna Environmental Education Trust under the Common Seal of Council.

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**3. POLICY DEVELOPMENT**

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

**REASON FOR REPORT**

To present new and revised policies for consideration.

**REFERENCE TO DELIVERY PLAN ACTION**

Not Applicable

**DISCUSSION**

Development and enhancement of Council's Policy Register are continuing. The following policy is now presented for consideration by Council. Proposed revisions are highlighted in yellow on [ANNEXURE13](#).

**Records Management Policy (Revised)**

This policy was reviewed in accordance with the policy review schedule.

Minor amendments regarding changes in legislation and software terminology.

**BUDGET IMPLICATIONS**

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

**CONCLUSION**

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

**RECOMMENDATION**

That the Records Management Policy be adopted.



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**4. CLOSURE AND SALE OF UNUSED SECTION OF ROAD – PARK STREET, CULCAIRN**

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

**REASON FOR REPORT**

To advise Council of submissions received for the proposed road closure and to seek Council's consent to close the section of unused road separating Lot 3 Section 23 DP 9695 from Lot 1 DP 449083 Culcairn. The land is proposed to be sold to the adjoining property owners.

**REFERENCE TO DELIVERY PLAN ACTION**

Nil.

**DISCUSSION**

At the Council meeting held 22 June 2022 Council resolved:

*“That council invites submissions for a period of 28 days in respect of the potential closure and disposal of the unused section of road separating Lot 3 Section 23 DP 9695 from Lot 1 DP 449083 in accordance with Section 38B of the Roads Act 1993.”*

A copy of the map highlighting the proposed road closure in red below:



Accordingly the consultation process was undertaken during July and August 2022 which included:

- Advertising of the proposed road closure in the Border Mail on Saturday 16 July 2022
- Advertising on Council's website and social media
- Correspondence forwarded to adjoining land owners, notifiable authorities and service providers.

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**CLOSURE AND SALE OF UNUSED SECTION OF ROAD – PARK STREET, CULCAIRN  
[CONT'D]**

Public submissions closed on Monday 15 August 2022.

All notifiable authorities as defined under the Roads Act were notified. Council received a total of eleven responses, however, all advised they have no objections to the proposed road closure.

<b>Notifiable Authorities</b>	<b>Comments</b>
Department Planning Industry & Environment – Crown Lands	No objections to the closure of road the proposed vesting upon closure
Forestry Corporation	No objections
Riverina Water	No objections
Endeavour Energy	No objections
Department Planning Industry & Environment	No objections
Department Planning Industry – Fisheries	No objections
Department of Regional NSW	No objections
Transport for NSW	No objections
NSW National Parks & Wildlife Service	No objections
Essential Energy	No objections
Transgrid	No objections

If consent is granted to the proposed road closure, a plan will be prepared and registered at the Land Registry Services, with the title transferred to the applicant upon payment of the agreed purchase price. The purchase price of the land will be assessed and calculated applying the current Valuer Generals valuation for the adjoining and surrounding land.

The applicant will be required to execute a formal Deed of Agreement which provides that upon transfer, the portion of closed road will be consolidated with the applicant's adjoining parcel of land.

Part 4 Division 6 Section 43 of the Roads Act No 33 states the following:

*43 Disposal of land comprising former public road owned by council*

- (1) This section applies to land vested in a council and forming part of a former public road.*
- (2) Land to which this section applies is operational land for the purposes of the Local Government Act 1993 unless, before the land becomes vested in the council, the council resolves that it is to be community land, in which case the land is community land.*
- (3) If the land is disposed of by sale, the proceeds of sale (less the costs of the sale) are to be paid to the council.*

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CLOSURE AND SALE OF UNUSED SECTION OF ROAD – PARK STREET, CULCAIRN  
[CONT'D]

- (4) *Money received by a council from the proceeds of sale of the land is not to be used by the council except for acquiring land for public roads or for carrying out road work on public roads.*

**BUDGET IMPLICATION**

The applicant is responsible for all associated costs in respect of the proposed road closing and purchase. Income received from the proceeds of the sale of the road, if approved, is to be reserved for acquiring land for public roads or for carrying out road work on public roads.

**CONCLUSION**

The section of unused road requested to be purchased by Andrew Haines is surplus to Council needs and will have no impact on access to surrounding properties.

**RECOMMENDATION**

1. The unused section of road (as per plan) separating Lot 3 Section 23 DP 9695 from Lot 1 DP 449083 Culcairn, be closed and upon closing sold to the applicant.
2. That applicant shall meet all costs associated with the closure and purchase of the road.
3. The purchase price of the subject land be determined based on the Valuer General's valuation for adjoining and surrounding land.
4. The Mayor and General Manager be authorised to execute the necessary documentation to affect the road closure and subsequent sale of land to the applicant under the Common Seal of Council.

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**5. CLOSURE AND SALE OF UNUSED SECTION OF ROAD – FIVE CHAIN LANE, JINDERA**

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

**REASON FOR REPORT**

The purpose of this report is to seek Council's consent to commence calling for submissions to close a section of public road and sell the land to the adjoining property owners.

**REFERENCE TO DELIVERY PLAN ACTION**

Nil.

**DISCUSSION**

Council has received a "Closing of Council Public Road Application" from Margaret Wehner requesting to close and purchase a portion of an unused section of road reserve adjacent to her property. The section of unused road separates Lots 166 DP 753345 from Lot 151 DP 607608 and Lot 12 DP 585251 Jindera. A copy of the map highlighting the proposed road closure in red below:



Council may close a public road, as the road authority, under Section 38A of the Roads Act 1993 if:

- a. The road is not reasonably required as a road for public use (whether for present or future needs), and
- b. The road is not required to provide continuity for an existing road network, and
- c. If the road provides a means of vehicular access to particular land, another public road provides lawful and reasonably practicable vehicular access to that land.

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CLOSURE AND SALE OF UNUSED SECTION OF ROAD – FIVE CHAIN LANE, JINDERA  
[CONT'D]

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

The applicant has confirmed that construction has been undertaken on the road as evidenced by the construction of a small dam on the road reserve for the purpose of watering stock. The applicant ensures the removal of fallen trees and debris to permit accessibility on the track. It should be noted that the applicant holds a licence over the land in question and has done so for the past 30 years.

It would appear that access to existing properties will be unaffected, with all current accesses contained in areas of the road reserve that is not to be sold.

A search has been undertaken to determine the status of the road which concludes that this road is a council public road within the meaning of the Roads Act 1993.

In accordance with the Roads Act 1993 Section 38(e)(2), whereby “*a public road that was previously vested in a council (other than a public road in respect of which no construction has ever taken place) – remains vested in the council*”, and given the information provided by the applicant regarding construction undertaken, the road may remain vested in Council upon closing.

This report seeks Council’s authorisation to invite submissions with respect to the potential closure and disposal of the unused section of road separating Lots 166 DP 753345 from Lot 151 DP 607608 and Lot 12 DP 585251 in accordance with Section 38B of the Roads Act 1993.

**BUDGET IMPLICATION**

The applicant is responsible for all associated costs in respect of the proposed road closing. Income received from the proceeds of the sale of the road, if approved, is to be reserved for acquiring land for public roads or for carrying out road work on public roads.

**CONCLUSION**

The section of unused road requested to be purchased by Margaret Wehner is surplus to Council needs and will have no impact on access to surrounding properties. It is therefore considered appropriate for Council to invite submissions in accordance with Section 38B of the Roads Act 1993.

A further report will be submitted to the Council upon the conclusion of the submission period of 28 days.

**RECOMMENDATION**

That Council invites submissions for a period of 28 days in respect of the potential closure and disposal of the unused section of road separating Lots 166 DP 753345 from Lot 151 DP 607608 and Lot 12 DP 585251 Jindera in accordance with Section 38B of the Roads Act 1993.

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**6. STRONGER COUNTRY COMMUNITIES FUND – ROUND 5**

**Report prepared by Kerrie Wise – Executive Assistant, Governance, Tourism and Promotions**

**REASON FOR REPORT**

To update Councillors on applications received from Section 355 Committees under Round 5 of the Stronger Country Communities Fund (SCCF).

**REFERENCE TO DELIVERY PLAN ACTIONS**

**Objective** - Our lifestyle and services nurture the health and wellbeing of the individual and community as a whole.

**H2.1** - Provide the facilities, spaces and activities that support wellbeing, active and healthy communities.

**DISCUSSION**

As reported to the August 2022 Council Meeting, the Deputy Premier, Minister for Regional NSW and Minister for Police, Paul Toole MP has announced funding of \$1,376,603 for the Greater Hume LGA under Round 5 of the Stronger Country Communities Fund (SCCF) of which \$946,414 has been allocated to Council and the balance of \$430,189 is open to eligible Community Groups.

The criteria for this grant is as follows:

- Minimum grant funding of \$100,000.
- Projects must be completed within a 3 year time frame.
- Section 355 committees of council must apply via the Greater Hume Council application.
- Applicants may include up to 25 per cent of the total project cost for contingency and up to 10 per cent of the total project cost for project management and administration. Design, including regulatory applications and approvals costs, must be listed as administration costs.
- Multiple projects can be submitted - If an Eligible Council Applicant submits an application seeking funding above their nominated funding allocation for the Local Government Area, the Eligible Council Applicant is asked to rank projects, including joint projects (if applicable), in their order of local priority.
- Applicants must demonstrate consideration of accessibility and inclusion measures in their application. Alignment with the relevant Disability Inclusion Action Plan for projects that seek to enhance accessibility and inclusion for people with disability.

Council is required to complete an application process. Applications are to be submitted by 23 September 2022.

Section 355 Committees of Council were notified of the funding opportunity and advised that if they wish to submit an application it will be included in Greater Hume Council's application. In response, a total of seven applications have been received. As the quantum of funds requested exceeds the \$946,414 allocated, Council will be required to rank all projects.

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**STRONGER COUNTRY COMMUNITIES FUND – ROUND 5 [CONT'D]**

Given the extremely tight timeframes involved in this funding opportunity, all projects have been ranked on the basis of project readiness, i.e. has the project been fully scoped, project plans completed and project costs accurately determined. That being the case, projects that have been submitted that are still at the conceptual stage have been lowly ranked as there was simply not enough time to enable all of the required documentation to be gathered in order to finalise the application by the 23 September submission date.

The following table summarises all applications and the associated ranking:

<b>Project Title</b>	<b>Funding Requested</b>	<b>Total Project Cost</b>	<b>Rank</b>	<b>Comments</b>
Wymah Recreation Reserve – Solar & Battery Project	\$ 102,300.00	\$ 102,300.00	1	Project is fully scoped and costed with up to date quote. Project is part of Council's Energy Savings Action Plan and directly linked to Action N1.3.2 in Council's 2022/2023 Operational Plan
Ivor Street / Hay Street Henty Footpath Project	\$ 100,000.00	\$ 135,000.00	2	Project estimate completed. Balance of project cost (\$35k) will be funded from adjoining landowner contributions
Burrumbuttock Recreation Reserve. Upgrade of lighting	\$ 106,620.00	\$ 106,620.00	3	Project is fully scoped and costed with up to date quote.
Community Hall restorations – including Walla Walla Community Hall floor	\$ 200,000.00	\$ 200,000.00	4	Funding will be utilised to undertake critical works to restore floor at the Walla Walla Community Hall
Holbrook Dog Off Leash Park	\$ 100,000.00	\$ 100,000.00	5	Project estimate completed. Significant community support received
Culcairn Bike / Walking Path upgrade	\$ 137,494.00	\$ 137,494.00	6	The upgrade of the shared path from the pool to the golf club.
Solar Street Lighting Pioneer Drive – Jindera	\$ 200,000.00	\$ 200,000.00	7	Improvements to street lighting in Jindera was suggested as part of community consultation for councils' community strategic plan. This funding will provide for a number of solar street lights in growing residential area of Jindera.
<b>Project Subtotal</b>	<b>\$ 946,414.00</b>	<b>\$ 981,414.00</b>		<b>Limit of available funding</b>

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**STRONGER COUNTRY COMMUNITIES FUND – ROUND 5 [CONT'D]**

<b>Project Title</b>	<b>Funding Requested</b>	<b>Total Project Cost</b>	<b>Rank</b>	<b>Comments</b>
Fischer Leadership Group	\$ 158,668.00	\$ 158,668.00	8	Late application received after expressions of interest deadline. Delivery of program will be to Culcairn and Jindera if successful.
Gerogery West Tennis Club. Construction of new community centre at Gerogery West Reserve	\$ 385,242.00	\$ 385,242.00	9	Insufficient documentation provided to demonstrate project readiness
Holbrook Sporting Complex. LED lights at tennis & netball courts	\$ 100,000.00	\$ 100,000.00		Project withdrawn. Insufficient documentation
Walla Walla Sportsground. Resurface netball courts	\$ 240,000.00	\$ 240,000.00		Project withdrawn. Insufficient documentation.
Walbundrie Recreation Reserve. Resurfacing and upgrade of netball courts	\$ 260,471.75	\$ 260,471.75		Project withdrawn. Committee seeking alternate funding.
Wirraminna Environmental Education Centre. Infrastructure upgrades, rebuild walking tracks, bridges, interpretive signage, storage shed and seating	\$ 100,000.00	\$ 100,000.00		Project withdrawn. Insufficient documentation can be obtained to demonstrate project readiness
Cookardinia Hall Committee. Upgrade of Cookardinia Sports Court – all weather court surface suitable for tennis and netball, lighting, shelter/storage area	\$ 140,000.00	\$ 140,000.00		Project withdrawn. Insufficient documentation can be obtained to demonstrate project readiness
<b>TOTAL</b>	<b>\$ 2,330,795.75</b>	<b>\$ 2,365,795.75</b>		



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**STRONGER COUNTRY COMMUNITIES FUND – ROUND 5 [CONT'D]**

**BUDGET IMPLICATIONS**

It is not anticipated that Council will make a direct financial contribution to nominated projects therefore the program should not have an impact on Council's budgetary process.

**CONCLUSION**

Round 5 of the SCCF is a significant funding allocation from the NSW Government and provides the opportunity to fund a number of projects that would not be possible otherwise.

**RECOMMENDATION**

That Council endorse the following projects to be included in the application for Round 5 of the Stronger Country Communities Fund;

<b>Project Title</b>	<b>Funding Requested</b>	<b>Total Project Cost</b>	<b>Rank</b>	<b>Comments</b>
Wymah Recreation Reserve – Solar & Battery Project	\$ 102,300.00	\$ 102,300.00	1	Project is fully scoped and costed with up to date quote. Project is part of Council's Energy Savings Action Plan and directly linked to Action N1.3.2 in Council's 2022/2023 Operational Plan
Ivor Street / Hay Street Henty Footpath Project	\$ 100,000.00	\$ 135,000.00	2	Project estimate completed. Balance of project cost (\$35k) will be funded from adjoining landowner contributions
Burrumbuttock Recreation Reserve. Upgrade of lighting	\$ 106,620.00	\$ 106,620.00	3	Project is fully scoped and costed with up to date quote.
Community Hall restorations – including Walla Walla Community Hall floor	\$ 200,000.00	\$ 200,000.00	4	Funding will be utilised to undertake critical works to restore floor at the Walla Walla Community Hall
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Culcairn Bike / Walking Path upgrade	\$ 137,494.00	\$ 137,494.00	6	The upgrade of the shared path from the pool to the golf club.
Solar Street Lighting Pioneer Drive – Jindera	\$ 200,000.00	\$ 200,000.00	7	Improvements to street lighting in Jindera was suggested as part of community consultation for councils' community strategic plan. This funding will provide for a number of solar street lights in growing residential area of Jindera.
<b>Project Total</b>	<b>\$ 946,414.00</b>	<b>\$ 981,414.00</b>		

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## **ENGINEERING**

### **1. 2022 – 2023 CHANGES TO REGIONAL ROADS PROGRAM OF WORKS**

**Report prepared by Manager Works – Ken Thompson**

#### **REASON FOR REPORT**

For Councillors to approve changes to the Resealing Program on Regional Roads for 2022-2023

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

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

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

#### **DISCUSSION**

Due to the sustained wet weather and the deterioration of our Regional Roads, it is recommended that Council defer any resealing on Regional Roads for the current financial year 2022/23 until 2023/24 to undertake heavy patching instead.

It is proposed that Council reallocate \$400,000 for resealing in the Regional Road Program and utilise those allocated funds along with other heavy patching funds to complete a large Heavy Patching Program on Jingellic Road (MR331) of approximately \$500,000 and also complete a further \$250,000 of heavy patching on other Regional Roads that have a requirement.

#### **2022/23 Resealing Projects are:**

MR 125 Urana Road Ch 39850 – Ch 43905	\$166,500
MR211 Holbrook – Wagga Wagga Road Ch 17480 – Ch 21170	\$132,500
MR547 Walla Walla – Jindera Road Ch 6935 – CH8520	\$101,000
<b>Total</b>	<b>\$400,000</b>

#### **Current Budget for Heavy Patching is:**

MR125	\$70,000
MR211	\$38,500
MR311	\$150,500
MR370	\$52,500
MR547	\$38,500
<b>Total</b>	<b>\$350,000</b>

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2022 – 2023 CHANGES TO REGIONAL ROADS PROGRAM OF WORKS [CONT'D]

The Heavy Patching Program on Jingellic Road will be completed by a contractor after the completion of the required tendering process that has commenced, which will be reported separately through an addendum report to this meeting.

**BUDGET IMPLICATION**

This proposed changes will have no negative effect on the Regional Roads budget for Council in 2022-23 financial year.

**CONCLUSION**

In proceeding, this will have no negative impact on Council's budget, but will allow Council to conduct vital repairs to our Regional Roads for the safety of motorists.

**RECOMMENDATION**

That Council approve the following changes to the Regional Roads budget as detailed:

1. Defer the following 2022/23 Resealing Projects to 2023/24:

MR 125 Urana Road Ch 39850 – Ch 43905	\$166,500
MR211 Holbrook – Wagga Wagga Road Ch 17480 – Ch 21170	\$132,500
MR547 Walla Walla – Jindera Road Ch 6935 – CH8520	\$101,000
Total	\$400,000

and

2. Reallocate the funds of \$400,000 to heavy patching on MR311 – Jingellic Road.

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**2. 2022 – 2023 VP 323096 RFQ TENDER HEAVY PATCHING JINGELIC ROAD**

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

**REASON FOR REPORT**

To consider tenders for the undertaking of heavy patching on MR331 Jingellic Road.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

As advised in a previous report to this meeting, Council has allocated an additional \$400,000 to Council Regional Road Heavy Patching budget to undertake heavy patching on Jingellic Road.

Due to ongoing wet weather Jingellic Road has deteriorated significantly with many sections of the road surface failing and requiring significant attention in the short term.

With this in mind Council staff have arranged for a tender.

The request for quote was advertised on the 26 August and closed on 19 September 2022. An Addendum report will be provided to the meeting due to the closure date for tenders.

**BUDGET IMPLICATION**

The budget implications if any are addressed in the addendum report.

**RECOMMENDATION**

That Council receive an Addendum Report on the Tender 2022-2023 Vendor Panel 323096 request for quote Tender Heavy Patching Jingellic Road.

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**3. PROVISION OF FOOTPATH – ADAM ST JINDERA – OBJECTION TO PROJECT**

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

**REASON FOR REPORT**

To advise of objections received to the cost apportionment and construction of a footpath in Adam St Jindera.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

As part of this years Operational Plan Council approved a project to construct a footpath along the northern side of Adams St in Jindera from Mitchell St to Goulburn Street.

As detailed in a report to 20 July 2022 Council Meeting **ANNEXURE 14** as required by Council Policy, landowners of properties adjacent to the proposed footpath are required to contribute to the cost of the footpath construction.

Following the adoption of the recommendations of the report landowners were sent correspondence about the project and their required contributions. Of the four properties that the footpath is to be constructed in front of, three landowners have objected to construction of the path and payment of contributions **ANNEXURE 15**.

The main objection to the path is the requirement for a contribution by them to the cost of the construction of the path. As has been Council policy since the existence of Greater Hume Council in 2004, there has been a policy *Contribution for Footpath/Kerb and Channel Construction Policy* **ANNEXURE 16** that has been applied to all footpath and kerb and channel projects constructed by Council in Greater Hume that has required a contribution to be paid by landowners to such works. The levying of such contributions are payable under the Roads Act 1993

It is to be noted that Council does not require payment upfront following the completion of the works but advises that it can be paid over a period of five years by quarterly instalments. As with any payments to Council individuals can also request to apply under Council hardship policy to discuss other options about payment.

The path was included into Councils operational plan following the increased use by residents walking along this section of Adams St. Currently the existing concrete footpath ends at the intersection of Adams St and Mitchell St which links directly to the central area of Jindera and all other footpaths.

Since the development of the Pommegranite Estate, a lot more pedestrians now walk between the development to the centre of Jindera and other areas via the Goulburn St and then along Adam St.

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PROVISION OF FOOTPATH – ADAM ST JINDERERA – OBJECTION TO PROJECT [CONT'D]

The proposed path is a logical extension of the existing path on the northern side of Adams St. Adams St is also the continuation of Dights Forest Road that along with Urana Rd/St are the two busiest roads in Greater Hume other than the Olympic Highway.

With no footpath along Adam St in front of the properties, requires pedestrians to either walk on the side of the road or on the road. With the increase in use by pedestrians and the increasing traffic on an already busy Adams St the risk of an accident is high. Council has also received requests to construct a path in this location due to the risk it poses, especially to families with children.

Jindera is growing rapidly and must accommodate appropriate infrastructure to ensure the safety of its residents.

Whilst it can be understood that no one likes paying for infrastructure they don't believe adds value to their property or they believe is someone else's responsibility, the requirement to levy such a charge are legal and have been applied consistently over past 18 year by Council. Also Council has processes that allow for the charges to be paid off over an extended period to minimize the impact on the landowner.

The development of infrastructure to a growing community that provides improvements to the overall community that may not be apparent to the individual landowners levied, still should be undertaken if the benefit are obvious, especially when it provides improved levels of safety and accessibility to all members of the community.

It is considered Council has two options to consider that is either to continue with the project and levy the charges as provided or abandon the project.

**BUDGET IMPLICATION**

Council has budgeted for the construction of the path within Council current operational plan inclusive of contributions by landowners.

**CONCLUSION**

Whilst it can be understood that no one likes paying for infrastructure they don't believe adds value to their property or they believe is someone else's responsibility, the requirement to levy such a charge are legal and have been applied consistently over past 18 year by Council. Also Council has processes that allow for the charges to be paid off over an extended period to minimize the impact on the landowner.

The development of infrastructure to a growing community that provides improvements to the overall community that may not be apparent to the individual landowners levied, still should be undertaken if the benefit are obvious, especially when it provides improved levels of safety and accessibility to all members of the community.

It is considered Council has two options to consider that is either to continue with the project and levy the charges as provided or abandon the project.

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PROVISION OF FOOTPATH – ADAM ST JINDERERA – OBJECTION TO PROJECT [CONT'D]

**RECOMMENDATION**

That Council continue with the construction of the Adams St Footpath (Mitchell St to Goulburn St) Project and apply the charges to landowners as previously adopted by Council.

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**4. TENDER TL 01 – 2022/23 WALLA WALLA ROAD STORMWATER BYPASS DRAIN**

**Report prepared by Works Engineer – Andrew Walls**

**REASON FOR REPORT**

To consider tenders for the construction of the Walla Walla Road Stormwater Bypass Drain project.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

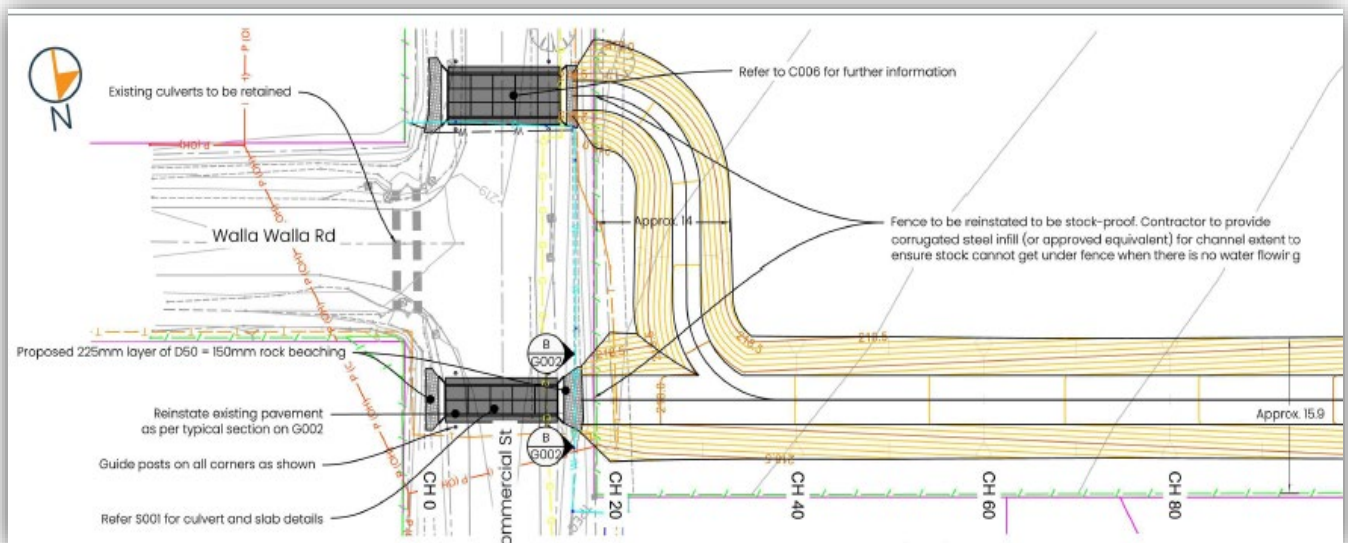
This project is part of the Council 2022/2023 Operational Plan.

The proposed stormwater bypass drain is intended to divert stormwater flows that currently enter the township from the south at the Walla Walla Jindera Road and Walla Walla Road Intersection. The flows will be directed in a westerly direction through private land to an unnamed waterway.

This project will also benefit the development of adjacent private land and the developer has agreed to make a contribution to the construction of the outfall channel to the west on his land.

Council has already purchased the culvert units to take advantage of current prices and to expedite the procurement process. These products cost \$65,000 (excluding GST).

A drawing of the proposed works shown below for Councillors information:





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TENDER TL 01 – 2022/23 WALLA WALLA ROAD STORMWATER BYPASS DRAIN [CONT'D]

Advertisements were placed in the Border Mail and on Tenderlink.

Tenders closed on Wednesday 30<sup>th</sup> August 2022. Seven tenders were received via the Tenderlink portal.

The following tenders were received and are listed in alphabetical order.

<b>Company</b>	<b>Tender Price (excluding GST)</b>
Ally Property Services	\$ 387,858.00
Anvelo	\$ 442,353.64
Blueys Plumbin' and Diggin'	\$ 135,200.95
Excell Grey Bruni	\$ 466,070.73
Hurst Earthmoving	\$ 275,485.00
Hutchinson Civil	\$ 320,030.00
Longford Civil	\$ 236,973.48

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

Blueys Plumbin' and Diggin' is a well-established civil contractor based in Culcairn. This company has previously completed works of a similar nature in Bloomfield Road for Greater Hume Council to a satisfactory standard. Mr Luke Howard from Bluey Plumbin' and Diggin' attended a post-tender interview where it was confirmed that he was satisfied that they have the personnel and equipment to complete the project to the required standard in a safe manner. Mr Howard indicated that a projected commencement date soon after being awarded the tender was possible however procurement issues may see this start date extend into 2023. It is the authors' opinion that the favourable tendered rates submitted by Bluey Plumbin' and Diggin' warrants consideration towards flexibility of project start and finish dates.

**BUDGET IMPLICATION**

The budget for the Walla Walla Road Bypass Drain project is \$ 149,217.69 (excl GST).

The Provisional Items included in the original tender price are not expected to significantly affect the final expenditure under this contract. However, it should be noted that the project requires the lowering of an existing gas main which does not form part of this contract. Initial discussion with APA Group Network suggest that lowering of the gas main should not present any significant difficulties or cost.

The tender price is consistent with the engineers estimate and within the remaining budget of \$149,217.69 (excl GST).

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TENDER TL 01 – 2022/23 WALLA WALLA ROAD STORMWATER BYPASS DRAIN [CONT'D]

**CONCLUSION**

Seven tenders were received for the Walla Walla Road Bypass Drain project.

Seven tenders were considered.

The tender submitted by Blueys Plumbin' and Diggin' P/L has been assessed to be suitable for the intended purpose and there is no technical or practical reason to conclude that Blueys Plumbin' and Diggin' P/L are not capable of completing the contract to the required standard and within a reasonable timeframe which is to be determined by programming and procurement restraints.

**RECOMMENDATION**

That:

1. The tender submitted by Blueys Plumbin' and Diggin' P/L for tender TL01 2022 /23 Walla Walla Road Stormwater Bypass Drain for \$135,200.95 (excl. GST) be accepted.
2. The unsuccessful tenderers be notified.
3. The General Manager and the Mayor be authorised to execute contract documentation with Blueys Plumbin' and Diggin' P/L under the Common Seal of Council

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**5. FIXING COUNTRY ROADS ROUND 6**

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

**REASON FOR REPORT**

For Council to nominate projects for Fixing Country Roads Program Round 6.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

Council has been notified that Fixing Country Roads Program Round 6 has opened on Monday 22 August 2022, with applications received until 14 October 2022. Because of the closure date, nominations for road projects are required to be determined at this meeting.

As stated in the media release FAQ, and guidelines attached in **ANNEXURE 17**.

*The Fixing Country Road Program is a Restart NSW program that funds the delivery of freight projects that improve the capacity, access, efficiency and reliability of the local and regional road network. Projects can include road and bridge construction, bridge and route assessments, and truck washes.*

Council has previously been successful in the gaining funds from this program for the Yarara Gap upgrade on Jingellic Road, for the upgrading of Grubben Road near Henty, and for assessing a number of bridges (including the bridges on Jingellic Road) in Greater Hume as part of a larger REROC bridge assessment application.

It is proposed this time by the author that two projects be nominated due to the criteria for funding and the necessity for work to be undertaken:

The two projects are:

1. Replacement of five bridges on Jingellic Road at Wantagong Project \$1.8 Million (Total project cost \$4.5 Million)
2. Reconstruction and widening of 3.2km of Jingellic Road from Yarara Gap to Coppabella Road \$3.6 Million – Council Contribution \$900k

The first project has an estimated total value of \$4.5 Million of which Council has previously resolved (Extraordinary Meeting of Council June 8 2022) to allocate \$2.7 Million from current funding commitments. This application will allow all work on the five bridges to be completed that requires replacement or upgrading.

The second project is currently the worst section of Jingellic Road as detailed in the Jingellic Upgrades Report presented to Council at last month's meeting.

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FIXING COUNTRY ROADS ROUND 6 [CONT'D]

Councils are required to prioritise applications if more than one is submitted. As Council has already obtained funding towards the upgrade of the five bridges at Wantagong it is considered that this project be prioritised first with the upgrade of Jingellic Road from Yarara Gap to Coppabella Road second

Both projects have been surveyed, designed and with all approval gained, so are “shovel ready” to undertake.

As has been detailed in the report to last month’s meeting, Jingellic Road requires extensive upgrades to handle current and future needs of not only the local community who use it daily, including school buses, but for the increasing needs of industry and tourism, and therefore it is considered appropriate to recommend the two projects detailed in this report to be nominated for funding in the Fixing Country Roads Round 6 program.

**BUDGET IMPLICATION**

Program guidelines indicate a 25 % co contribution from Council is recommended for all applications. Currently with commitments of Councils Regional Roads Block and Repair grants to Jingellic Road both a commitment already this year to the bridge replacement and next year to the upgrade of Jingellic Road from the Gap to Coppabella Road can be accommodated without impacting Councils budget.

**CONCLUSION**

As has been detailed in the report to last month’s meeting, Jingellic Road requires extensive upgrades to handle current and future needs of not only the local community who use it daily, including school buses, but for the increasing needs of industry and tourism, and therefore it is considered appropriate to recommend the two projects detailed in this report to be nominated for funding to the Fixing Country Roads Round 6 program.

**RECOMMENDATION**

That Council recommend the following projects be lodged in Fixing Country Roads Program Round 6 in priority of:

1. Replacement of five bridges on Jingellic Road at Wantagong Project \$1.8 Million (Total project cost \$4.5 Million).
2. Reconstruction and widening of 3.2km of Jingellic Road from Yarara Gap to Coppabella Road \$3.6 Million – Council Contribution \$900,000.

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**6. TENDER TL 02 – 2022/23 FERNDALE ROAD RECONSTRUCTION-STAGE 1**

**Report prepared by Works Engineer – Andrew Walls**

**REASON FOR REPORT**

To consider tenders for the construction of the Ferndale Road Reconstruction project.

**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**

This project is part of the Council 2022/2023 Operational Plan.

The scope of the contract covers the reconstruction, widening and sealing of approximately 350m of Ferndale Road and includes the culvert replacement over Tunnel Creek.

A drawing of the proposed works is shown below for Councillors information.



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TENDER TL 02 – 2022/23 FERNDALDE ROAD RECONSTRUCTION-STAGE 1 [CONTD]

Advertisements were placed in the Border Mail and on Tenderlink.

Tenders closed on Wednesday 7<sup>th</sup> September 2022. Three tenders were received via the Tenderlink portal.

The following tenders were received and are listed in alphabetical order.

<b>Company</b>	<b>Tender Price (excluding GST)</b>
Excell Gray Bruni	\$ 655,226.00
Hutchinson Civil	Non-conforming
Longford Civil	\$ 530,768.19

Hutchinson Civil submitted a tender that did not relate to the Ferndale Rd Reconstruction project.

#### **BUDGET IMPLICATION**

The remaining budget for the Ferndale Road Reconstruction Stage 1 project is \$ 423,466.00 (excl GST).

The two conforming tender prices received exceeded the engineers estimate and the remaining budget of \$423,466.00 (excl GST).

#### **CONCLUSION**

Three tenders were received for the Ferndale Road Reconstruction Stage 1 project. Two tenders were considered.

The two tenders considered both exceeded the remaining budget for this project. It is considered Council negotiate with Longford Civil (the lowest received tender) to determine if the required outcomes or a modified outcome can be actioned with the current funds

#### **RECOMMENDATION**

That Council:

4. Decline to accept any Tenders for Tender TL02-2022/23 Ferndale Road Reconstruction – Stage 1, in accordance with clause 178 (1) (b) of the Local Government (General) Requirements.
5. Enter into negotiations with Longford Civil with the view of entering into a contract for the reconstruction of 350m of Ferndale Road on the basis that the Tender submitted by Longford Civil is the most competitive of the Tenders received and they have the proven ability to complete a project of this nature.
6. The unsuccessful tenderers be notified.

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**7. TENDER TL 03 – 2021/22 BALFOUR STREET DRAINAGE (CBD UPGRADE) PROJECT**

**Report prepared by Works Engineer – Andrew Walls**

**REASON FOR REPORT**

To consider tenders for the construction of the Balfour Street Drainage (CBD Upgrade) project.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

This project has been carried forward from 2021-2022 and is now part of the Council 2022/2023 Operational Plan. The underground drainage to be installed will eventually service the whole of the south western portion of Culcairn with the remainder of the drainage works divided into multiple stages to be completed as funds are available in future years.

The scope of this contract is to cover the construction of drainage from an outfall point in the Billabong creek at the southern end of Fraser Street to Balfour St and then extend east along Balfour Street to the roundabout at the Olympic Highway, and then northward along Railway Parade to Henty St West.

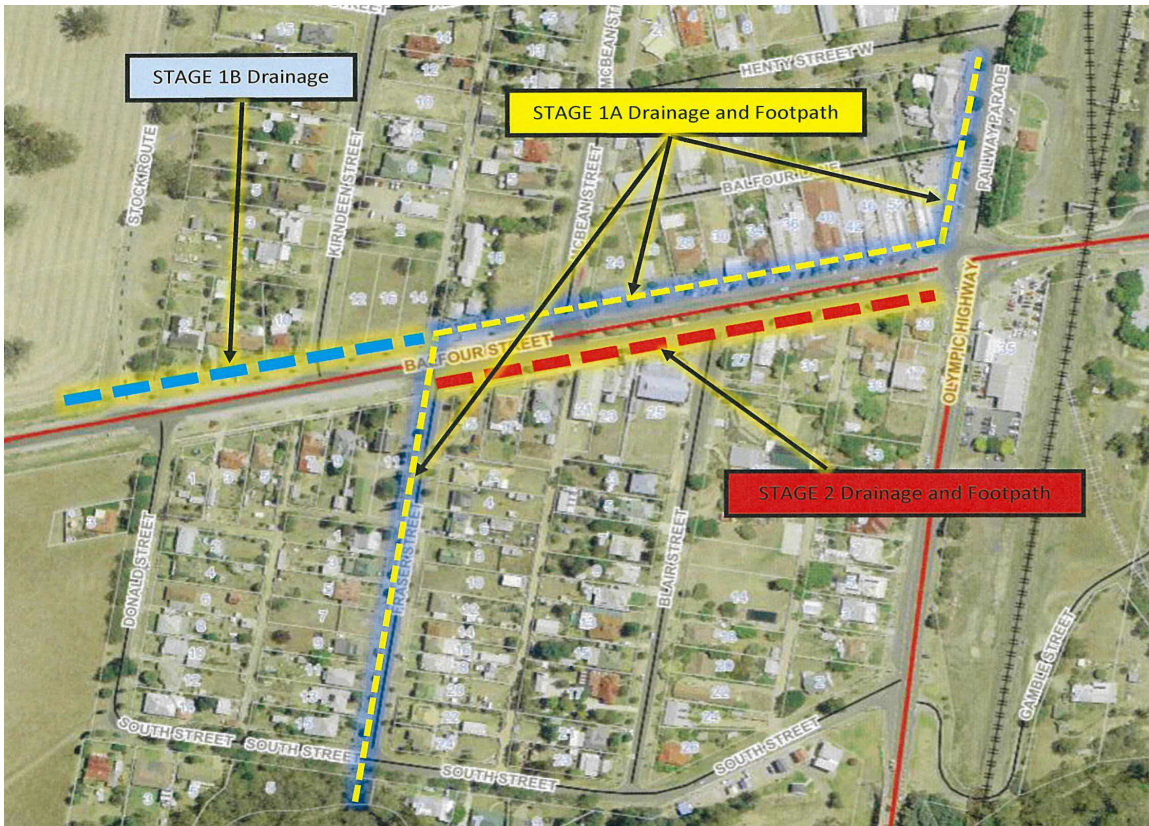
The upgrade works include the reconstruction of kerb and footpath on both sides of Balfour Street including the removal of the existing plane trees and installation of new street trees, and along the western side of Railway Parade to Henty St West.

Provisional costing was also included for the installation of drainage along Balfour Street to the west of Fraser Street that will ultimately service future residential development west of the Stock Route.

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**TENDER TL 03 – 2021/22 BALFOUR STREET DRAINAGE (CBD UPGRADE) PROJECT  
[CONT'D]**

A drawing of the proposed works shown below:



Advertisements were placed in the Border Mail and on Tenderlink.

Tenders closed on Tuesday 23<sup>rd</sup> August 2022. Five tenders were received via the Tenderlink portal.

The following tenders were received and are listed in alphabetical order.

<b>Company</b>	<b>Tender Price (excluding GST)</b>
Blueys Plumbin' and Diggin'	\$ 1,765,232.90
Hutchinson Civil	\$ 1,438,737.00
Kingsline	\$ 2,198,115.58
Longford Civil	\$ 1,756,462.62
Utilstra	\$ 6,600,321.82

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



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TENDER TL 03 – 2021/22 BALFOUR STREET DRAINAGE (CBD UPGRADE) PROJECT  
[CONT'D]

Hutchinson Civil is a well-established civil contractor based in Albury. This company has previously completed works for Greater Hume Council to a satisfactory standard.

Mr Bede Hutchinson from Hutchinson Civil attended a post-tender interview where it was confirmed that he was satisfied that they have the personnel and equipment to complete the project to the required standard in a safe manner. Mr Hutchinson indicated that a projected commencement date soon after being awarded the tender was possible however procurement issues may see this start date extend into 2023. It is the authors' opinion that the favourable tendered rates submitted by Hutchinson Civil warrants consideration towards flexibility of project start and finish dates.

Further to this it should be noted that the project includes drainage, kerb and footpath works due to be carried out in the business area of town and that programming the works to avoid the busy Christmas period would minimise disruption to the shops and businesses at this time. It is Managements view that the works in Balfour St should not commence until early 2023 to limit issues to businesses, but installation of the large drainage pipes in Fraser St can still proceed subject to delivery of pipes being received.

The footpath works to be undertaken will provide full disabled access to all business on Balfour St (both sides) and Railway Parade to Henty St West. The price tendered also include the construction of a pedestrian blister in front of Council building for additional pedestrian seating and vegetation as supported by the Culcairn Development Committee. The pricing submitted allows for the construction of two separate ramps and steps to the supermarket and newsagent to provide disabled access, however discussions will continue with the community and contractor and businesses about the option to construct a full width raised footpath in front of both these businesses.

### **BUDGET IMPLICATION**

The total budget for the Balfour Street Drainage (CBD Upgrade) project is \$1,844,935.00 (excl GST).

Council has adopted a policy of purchasing all pipe and pits for current projects to overcome supply chain issues, and reducing the timeframes and risk to completion of projects.

The cost of the pipes and pits is \$267,558 (excl GST) leaving \$1,577,377.00 (excl GST) available for the construction.

The tender prices shown do not include the stage of the drainage in Balfour St works west of Fraser Street towards the Stock Route.

The project is complex in nature and significant additional costs may occur.

The tender price is consistent with the engineers estimate and within the remaining budget of \$ 1,577,377.00 (excl GST).

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TENDER TL 03 – 2021/22 BALFOUR STREET DRAINAGE (CBD UPGRADE) PROJECT  
[CONT'D]

**CONCLUSION**

Five tenders were received for the Balfour Street Drainage project.

Five tenders were considered.

The tender submitted by Hutchinson Civil P/L has been assessed to be suitable for the intended purpose and there is no technical or practical reason to conclude that Hutchinson Civil P/L are not capable of completing the contract to the required standard and within a reasonable timeframe to be determined by programming and procurement restraints.

**RECOMMENDATION**

That:

1. the tender submitted by Hutchinson Civil P/L for tender TL03 Balfour Street Drainage (CBD Upgrade) Project Stages 1A and 2 for \$ 1,438,737.00 (excl. GST) be accepted.
2. the unsuccessful tenderers be notified.
3. the General Manager and the Mayor be authorised to execute contract documentation with Hutchinson Civil P/L under the Common Seal of Council.

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## **ITEM TO BE REFERRED TO CLOSED COUNCIL**

### **GOVERNANCE**

1. **PROPOSED SALE OF 124 ALBURY STREET, HOLBROOK, AN UNOCCUPIED SERVICE STATION AND RESIDENCE COMPRISING APPROXIMATELY 1,777 SQM (ZONED RU5 VILLAGE) LOT 4 IN SECTION B DEPOSITED PLAN 2748 AND LOT 1 IN DEPOSITED PLAN 380380**

**Report prepared by Economic Development Coordinator – Marg Killalea**

#### **REASON FOR REPORT**

To present a report regarding offers to purchase following an Expression of Interest (EOI) process to dispose of Council owned property at 124 Albury Street, Holbrook, an unoccupied service station and residence, comprising approximately 1,777 sqm zoned RU5 Village (Lot 4 in Section B DP 2748 and Lot 1 DP 380380).

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

Nil.

#### **DISCUSSION**

The report informs Council regarding the results of undertaking an EOI process to receive offers to purchase the Council owned property at 124 Albury Street, Holbrook.

The property 124 Albury Street, Holbrook has been identified as surplus to Council's needs. Council sought offers from real estate agents who met the definition of a local supplier in accordance with its Local Preference Purchasing Policy (refer EOI **ANNEXURE 18** attached); and subsequent Kane Real Estate was appointed in June 2022 to market the property. Marketing was undertaken for the period 30 June to 19 August, and all EOI's received have been supplied to Council.

#### **CONCLUSION**

Council will receive a confidential report on the matter at the September Council meeting.

As consideration of the EOI offers to purchase 124 Albury Street, Holbrook is confidential in nature, it is therefore recommended that the matter be referred to the confidential section of the meeting (Closed Council) in accordance with section 10 A (2) (c) information that would, if disclosed, confer an advantage on a person whom Council is conducting (or proposes to conduct) business.

#### **RECOMMENDATION**

That consideration of the EOI's received to purchase 124 Albury Street, Holbrook be referred to Closed Council in accordance with section 10 A (2) (c) information that would, if disclosed, confer an advantage on a person whom Council is conducting (or proposes to conduct) business.

#### **REASON**

On balance the potential sale of 124 Albury Street, Holbrook outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information could compromise the commercial position of the Council.

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

1. **2022 – 2023 VP316477 SPRAYED SEALING WORKS GREATER HUME**

**Report prepared by Manager Works – Ken Thompson**

**REASON FOR REPORT**

To inform Councillors on the selection of a contractor for the provision of spray sealing works for Greater Hume 2022 - 2023.

**REFERENCE TO DELIVERY PLAN ACTION**

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

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

**DISCUSSION**

The provision of spray sealing (including resealing of roads, primer sealing of new roads and associated works) is a major expense to Council but is required to provide and maintain a quality and safe road network throughout the shire. Due to its nature, this work is mostly completed by specialist contractors. Council's normal process is to prepare a one year contract for the provision of such services. Council utilises Local Government Procurement (LGP) to undertake a tender process.

Following the RFQ process for this year four tenders were received for the works. From the four tenders received Fulton-Hogan Industries have been accessed as the most competitive for Greater Hume Council, as they are not only the cheapest of the submitted prices, their establishment costs for smaller works (heavy patching and construction works) are reasonable in their unit rates. The tender assessment is **ENCLOSED SEPARATELY** for councillors' information.

This process has provided Greater Hume Council with a competitive price for the works to be completed.

Total value for the works is \$2,769,763.12 exclusive of GST.

**BUDGET IMPLICATION**

Council's current budget provides for the resealing and primer sealing of the Council road network including the completion of resealing and sealing of heavy patching works conducted under the Road Maintenance Council Contract with Transport for New South Wales on the State Road Network. The pricing proposed by the successful tender is comparative to the previous year's pricing.

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2022 – 2023 VP316477 SPRAYED SEALING WORKS GREATER HUME [CONT'D]

**CONCLUSION**

The tender received from Fulton-Hogan as shown is competitively priced from the four tenders received. Fulton-Hogan has been operating for many years and is a well-respected company. In this area they operate an asphalt plant in Wagga Wagga and are accredited TfNSW contractors to R3 Level and have a finance rating of F150+(unlimited), they also operate their accredited Management Systems under ISO 45001:2018 for Health and Safety, AS14001:2015 for Environmental and ISO9001:2015 for Quality. Fulton Hogans sealing in the past financial year could not be faulted.

Council's participation in the LGP contract provides savings to Councils.

**RECOMMENDATION**

That the report be received and noted.

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**2. WATER & SEWER REPORT AUGUST 2022**

**Capital Works Program:**

- Culcairn Water Service replacements – WIP

**Operation & Maintenance:**

**Water:**

- New water service connection – 16 McBean Street, Culcairn
- New water service connection – 3 Rosler Street Jindera
- New water service connection – Lot 23 Stan. Drive Jindera
- New water service connection – 4 Klien Court Jindera
- New water service connection – 6 Klien Court Jindera
- New Water Service - 2 Krause Court Jindera
- New Water service - 13 Telelich Way – Jindera
- Water main maintenance - Culcairn

**Sewer:**

- Commence relining Ten Mile Creek sewer main Holbrook – WIP
- Sewer Main Extension 16 McBean Street Culcairn - Complete

**Other:**

- IWCM – WIP
- Jindera STW upgrade Business Case – WIP
- Culcairn Black St reservoir upgrade Business Case - WIP
- Asset Revaluation - complete
- NSW DPIE Best Practice reporting-Completed
- NSW EPA 4 X Sewer Discharge Licence Reporting Complete

**Drinking Water Monitoring Program:**

- 8 x Water samples for Microbial Water Analysis submitted in the month of March 2022 for Villages and Culcairn Water Supply have all complied with the Australian Drinking Water Guidelines.

**Water Quality Complaints**

Date	Location	Problem	Action Taken
NIL			

**Water Supply Monthly Usage**

August, 2022	2020/2021	2021/2022	2022/2023
Culcairn Water Supply (ML)	8.94	9.20	10.00
Village Water Supply (ML)	21.58	27.69	24.69
<b>Totals (ML)</b>	<b>30.52</b>	<b>36.89</b>	<b>34.69</b>

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WATER & SEWER REPORT AUGUST 2022 [CONT'D]

**Water Supply Sourced and Used**

<b>1 July 2022 – June 2023</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/2023</b>
Culcairn Water Supply (ML)	15.72	13.05	20.17
Village Water Supply (ML)	34.07	42.02	50.64
<b>Totals (ML)</b>	<b>49.79</b>	<b>55.25</b>	<b>70.81</b>

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## **CORPORATE AND COMMUNITY SERVICES**

### **1. COMBINED INVESTMENT REPORT – MONTH ENDED 31 AUGUST 2022**

**Report prepared by Accounting Officer – Camilla Webb**

#### **REASON FOR REPORT**

This report presents to Council details of all funds invested as at 31 August 2022 as required by the Local Government (General) Regulation 2021.

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

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

#### **DISCUSSION**

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

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

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



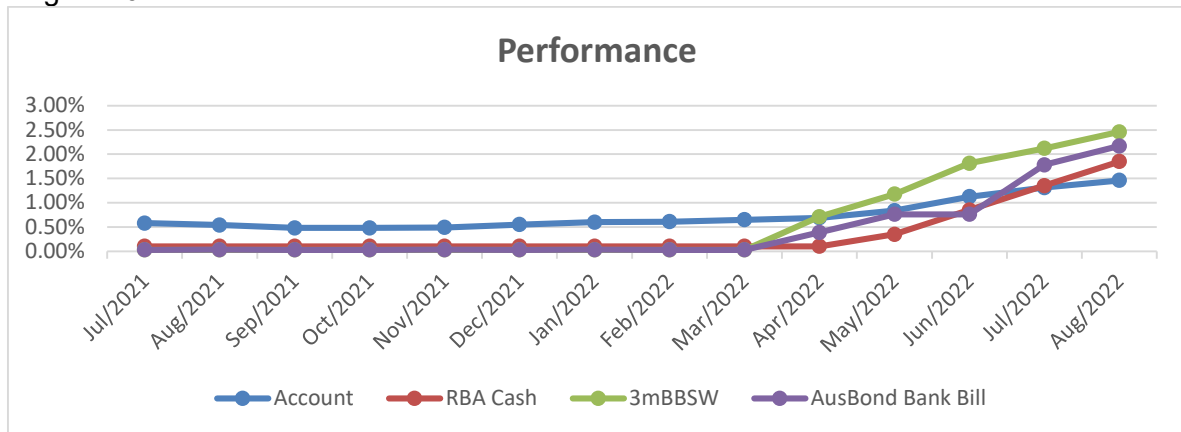
**ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMBINED INVESTMENT REPORT – MONTH ENDED 31 AUGUST 2022 [CONT'D]

**Greater Hume's overall investment portfolio**

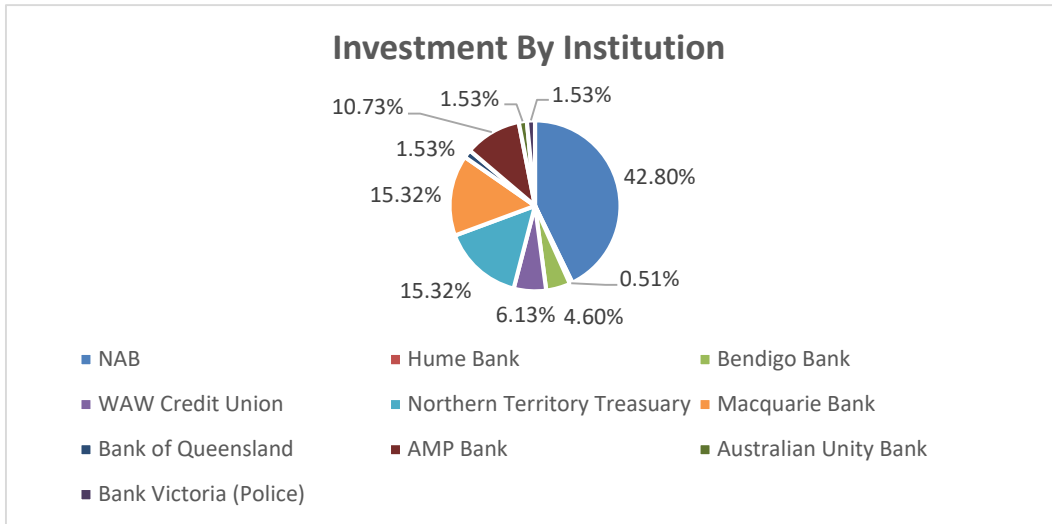
Total Cost	\$32,630,906.14
<b>Total Portfolio Value</b>	<b>\$32,804,949.95</b>
Weighted Average Term (days)	273
<b>Weighted Average Yield</b>	<b>1.46%</b>
Total Monthly Accrued Interest	<b>\$34,947.55</b>
<b>Total Interest Received this month</b>	<b>\$5,039.72</b>
Interest Payments this month	<b>3</b>
Matured Investments this month	3
<b>Total Funds Matured this month</b>	<b>\$1,500,000.00</b>
New Investments this month	5
<b>Total Funds Invested this month</b>	<b>\$3,000,000.00</b>

Note: The Reserve Bank of Australia raised the cash rate from 1.35% to 1.85% on the 3 August 2022.



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COMBINED INVESTMENT REPORT – MONTH ENDED 31 AUGUST 2022 [CONT'D]



**ORDINARY MEETING OF GREATER HUME COUNCIL  
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CULCAIRN COUNCIL CHAMBERS – 40 BALFOUR STREET, CULCAIRN  
ON WEDNESDAY 21 SEPTEMBER 2022**

**COMBINED INVESTMENT REPORT – MONTH ENDED 31 AUGUST 2022 [CONT'D]**

**Investment Register**

Contract Number	ADI/Security Name	Maturity Date	Amount	Long Term Rating	Term in Days	Monthly Accrued Interest	Yield
58613	Macquarie Bank	27/09/2022	\$1,000,000	A+	90	\$1,944.93	2.29%
54329	AMP Bank	27/09/2022	\$500,000	BBB	364	\$339.73	0.80%
54407	Macquarie Bank	29/09/2022	\$500,000	A+	365	\$169.86	0.40%
58782	WAW Credit Union	9/10/2022	\$400,000	NR	92	\$764.38	2.25%
56170	Bendigo And Adelaide Bank	17/10/2022	\$500,000	BBB+	271	\$233.56	0.55%
58612	Macquarie Bank	18/10/2022	\$1,000,000	A+	111	\$1,944.93	2.29%
59271	NAB	19/10/2022	\$500,000	AA-	91	\$1,104.11	2.60%
54536	AMP Bank	20/10/2022	\$1,000,000	BBB	365	\$679.45	0.80%
58202	WAW Credit Union	7/11/2022	\$500,000	NR	180	\$530.82	1.25%
59785	Macquarie Bank	16/11/2022	\$500,000	A+	91	\$558.90	2.72%
58004	Australian Unity Bank	17/11/2022	\$500,000	BBB+	182	\$934.25	2.20%
59806	Macquarie Bank	18/11/2022	\$500,000	A+	88	\$372.60	2.72%
55913	NAB	6/12/2022	\$510,414.36	AA-	357	\$264.44	0.61%
58397	AMP Bank	13/12/2022	\$1,000,000	BBB	182	\$2,547.95	3.00%
58586	WAW Credit Union	13/12/2022	\$500,000	NR	178	\$1,273.97	3.00%
58597	WAW Credit Union	24/12/2022	\$600,000	NR	180	\$1,528.77	3.00%
58594	Bank Of Queensland.	5/01/2023	\$500,000	BBB+	191	\$1,252.74	2.95%
56050	Bendigo And Adelaide Bank	12/01/2023	\$500,000	BBB+	365	\$276.03	0.65%
57614	NAB	18/01/2023	\$500,000	AA-	265	\$636.99	1.50%
56172	NAB	19/01/2023	\$500,000	AA-	365	\$310	0.73%
58032	NAB	20/01/2023	\$500,000	AA-	245	\$976.71	2.30%
60083	NAB	27/01/2023	\$500,000	AA-	150	\$90.41	3.30%
57782	NAB	31/01/2023	\$500,000	AA-	273	\$845.07	1.99%
59676	NAB	9/02/2023	\$1,000,000	AA-	182	\$1,898.63	3.30%
59790	Police Financial Services	16/02/2023	\$500,000	NR	182	\$652.05	3.40%
57456	Hume Bank	1/03/2023	\$69,371.71	NR	365	\$20.62	0.35%
58094	Macquarie Bank	19/04/2023	\$500,000	A+	330	\$1,146.58	2.70%
57638	AMP Bank	21/04/2023	\$1,000,000	BBB	365	\$1,656.16	1.95%

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COMBINED INVESTMENT REPORT – MONTH ENDED 31 AUGUST 2022 [CONT'D]

Contract Number	ADI/Security Name	Maturity Date	Amount	Long Term Rating	Term in Days	Monthly Accrued Interest	Yield
58201	Hume Bank	2/05/2023	\$46,751.06	NR	365	\$23.82	0.60%
58022	Bendigo And Adelaide Bank	19/05/2023	\$500,000	BBB+	365	\$1,189.04	2.80%
58000	Macquarie Bank	19/05/2023	\$1,000,000	A+	365	\$2,293.15	2.70%
58640	Hume Bank	30/06/2023	\$50,112.21	NR	365	\$117.04	2.75%
54123	NAB	13/09/2023	\$2,000,000	AA-	727	\$1,019.18	0.60%
56079	Northern Territory Treasury Corp	15/06/2025	\$1,000,000	NR	1,248	\$1,189.04	1.40%
52490	Northern Territory Treasury Corp	16/06/2025	\$1,500,000	NR	1,481	\$1,401.37	1.10%
51782	Northern Territory Treasury Corp	15/06/2026	\$2,500,000	NR	1,887	\$2,760.27	1.30%
49570	NAB	1/09/2022	\$7,454,256.80	AA-	1	\$0	0.10%
<b>Total</b>			<b>\$32,630,906.14</b>			<b>\$34,947.55</b>	

### Declaration

I, Dean Hart, as the Responsible Accounting Officer of Greater Hume Shire Council, hereby certify the investments listed in the attached reports have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2021 and Council's Investment Policy.

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

### CONCLUSION

As at 31 August, 2022 total Investments held were \$32,630,906.14. The year to date accrued investment earnings for 2022/23 was \$9,339.04 representing a weighted average yield of 1.46%.

### RECOMMENDATION

That Council receives and notes the Investment Balances Report for the month of August 2022.

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

### **GOVERNANCE**

#### **1. OFFICE OF LOCAL GOVERNMENT CIRCULARS**

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

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

##### **DISCUSSION**

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

22-25 New Standard contracts of employment for general managers and executive offices and updated guidelines for the appointment and oversight of general managers

22-24 Consultation on draft Model Media Policy

22-23 Audit of written returns of interests

##### **BUDGET IMPLICATIONS**

Nil.

##### **CONCLUSION**

For Councillors' information.

#### **2. 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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**3. 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 19**.

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

For Councillors' information.

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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. **STATEMENTS OF BANK BALANCES AS AT 31 AUGUST 2022**

The statement of bank balances as at 31 August 2022 is attached at **ANNEXURE 20**.

3. **YOUTH SERVICE**

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

### **REASON FOR REPORT**

To inform Council on Youth events and programs and successful grants presented to Council monthly.

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

Theme	Healthy Communities
Outcome	Our communities are welcoming and inclusive to support diversity and social connectedness

### **DISCUSSION**

The Greater Hume Council Youth Services organise events and programs throughout the year in order to address the cultural, educational, recreational needs of the young people in the community.

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YOUTH SERVICE [CONT'D]

**Youth Events – August 22**

<b>August Programs</b>	<b>Location</b>	<b>Descriptions</b>
Take Charge Forum – Wednesday 31 August 22	Wagga Wagga	Billabong High & St Paul's College

**Up Coming Youth Programs – September 22**

<b>Up Coming Programs</b>	<b>Location</b>	<b>Description</b>
SportsAbility Day – Thursday 15 September 22	Billabong High School	Billabong High & St Paul's College Year 8 students – Demonstrating regardless of ability or disability everyone can play sport
Nathan Hull – Youth Advisory Committees – September 22	Billabong High School & St Paul's College	Establishment of Youth Advisory Committees – Billabong High School and St Paul's College Walla Walla
School holiday program – AI's Skate Co	Culcairn, Jindera, Holbrook, Henty	Partnership between AI's Skating and Greater Hume Council's Youth Services
Adulting 101 – Programs RSA & First Aid	St Paul's College	Working with schools to provide free programs
School Holiday programs – September/October 22	All Libraries	Art Classes & Bus to Wagga Wagga

**BUDGET IMPLICATION**

Nil. Works are funded from budget allocations.

**CONCLUSION**

The Greater Hume Council Youth Service team are constantly working to remain up to date with the issues and opportunities surrounding our young people. In August 22 the REROC Take Charge Forum was held in Wagga Wagga with students from St Paul's College Walla Walla attending the day. September will be a busy month with school holiday programs, the annual Sportsability Day and another presentation by Nathan Hull to assist with the establishment of a Greater Hume Council Youth Advisory Committee. In September 22 AI's Skate Co. will also be travelling around Greater Hume Council presenting skating workshops.

**RECOMMENDATION**

That council receive and note the report.



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**4. GREATER HUME LIBRARY SERVICES**

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

**REASON FOR REPORT**

To inform Council on library membership and participation in Greater Hume Council Libraries

**REFERENCE TO DELIVERY PLAN ACTIONS**

Theme Health Communities.

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

**DISCUSSION**

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

**Library programs for August 22**

<b>August 22 Programs</b>	<b>Location</b>	<b>Event</b>
Intergenerational Storytime – July 22	Culcairn Library	St Joseph School students & organisation run storytime
Book Week – August 22	All Libraries	Author Sami Bayley visited Henty, Holbrook, Jindera and Culcairn
Knitting mornings	Culcairn & Jindera Library	Knitting mornings for Wrap with Love Organisation

**Upcoming library programs**

<b>Upcoming Programs</b>	<b>Location</b>	<b>Event</b>
Tim Fischer – Project presentation night – September	Henty	H & H Podcasting presentation by Harlan Candy and Hayden Honeywill
Tech Savvy Seniors	Culcairn & Henty Library – September 22 Holbrook – November 22 Jindera – October 22	One on one computer training for Seniors in the community
Holbrook Library open day – Saturday 1 October 22	Holbrook Library	Opening of the newly refurbished Holbrook Library in conjunction with the official opening of the Community Gardens
Get Online Week	All Libraries – October 22	A range of tech savvy programs held across all libraries
School holidays – September/October 22	All Libraries	Build & Paint own birdhouse Paint a spring Tree Create a felt flower bouquet Make your own slime
Spring Holidays - CASP funded Art Starts Here	Culcairn and Holbrook Libraries	- Resin Workshops

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GREATER HUME LIBRARY SERVICES [CONT'D]

<b>Library Awards Nominated</b>	<b>Location</b>	<b>Event</b>
2022 Primary Healthcare Awards nomination	All Libraries	Finalist and award winners will be announced at an awards dinner and presentation to be held on Thursday 3 November 2022 at the Range Function Centre in Wagga Wagga - 6pm for 6:30pm start.
Innovation in Outreach Services AWARDS.	All Libraries	NSWPLA awards – Festival of Seniors Week 22

**Library Statistics – August 22**

<b>Library Statistics – August 22</b>	<b>Henty</b>	<b>Culcairn</b>	<b>Holbrook</b>	<b>Jindera</b>
	255	235	525	91

**Mobile Library Statistics – August 22**

<b>Mobile Library Statistics – August 22</b>	<b>Brocklesby</b>	<b>Burrumbuttock</b>	<b>Gerogery</b>	<b>Jindera</b>	<b>Walla Walla</b>	<b>Walbundrie</b>	<b>Woomargama</b>
	43	21	13	56	44	44	13

**BUDGET IMPLICATIONS**

Nil. Works are funded from budget allocations.

**CONCLUSION**

Greater Hume Council Libraries continue to facilitate programs and services that meet the needs and wants of the community pivoting between events held in the library to online and outreach when required. Tech Savvy Seniors and Get Online Week will provide opportunity for members of the community to upskill in the use technology devices. Due to successful Festival of Seniors Week events Greater Hume Council Libraries have nominated for two awards – Murrumbidgee Primary Health and NSW Public Library Association Outreach Awards.

**RECOMMENDATION**

That council receive and note the report.

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## **ENGINEERING**

### **1. AUGUST 2022 - 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).

##### **Regional Roads**

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

1.5km reconstruction works along Jingellic Road, approximately 20km from Holbrook is continuing.

##### **Local Roads**

###### **Sealed**

General maintenance on local roads is continuing.

Road reconstruction of 4km of Gerogery Road, starting at Charles Street, Gerogery West is continuing.

Road reconstruction of 4km of Brocklesby Balldale Road, from Brocklesby Goombargana Road to Woodland Road has commenced. Tree removal is programmed to commence late September.

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

Gravel resheeting has been completed on Dight Road, Humphreys Road, Kreutzbergers Road, Mayfield Road, Poole Road and Yaparra Road.

The new Burrumbuttock Creek bridge crossing on Bloomfield Road is now complete.

Maintenance grading has been carried out on the following roads during August. See Map **ANNEXURE 21**.

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**WORKS REPORT [CONT'D]**

Road Name	Location
Bedggoods Road	Full Length
Carroll Lane	Full Length
Coppabella Road	Approx 2.3km east of Cribb Rd to intersection of Maginnitys Gap Rd - Complete
Crawleys Road	South to North - Sherwyn Rd to Stolls Rd - Complete
Four Mile Lane	Mid section
Four Mile Lane	North from Coppabella Rd - Complete
Groch Rd	Greenvale Rd to Rockville Rd - Complete
Hudsons Rd	Hudsons Rd East - Complete
Kendalls Rd	Full Length - Complete
Kleemans Rd	South from Yankee Crossing Rd for 1 km - Complete
Lennons Rd	2km West from Lockhart Rd 200m, and 200m near Fullers Rd - Complete
Lubkes Rd	Full Length
Mullers Rd	Full Length
Rockville Rd	Full Length
Schneiders Rd	From Rockville (approx half way toward Benambra Rd)
Seidels Rd	From Walbundrie Alma Park Rd (approx 1km east) & Brittas Reserve Rd (approx 1km West)
Shippards Rd	Full Length
Stewarts Rd	From Hudsons Rd (north from 1 km) - Complete
Thornbury Rd	South and West - Complete
Walla Stock Route	Southern end from Walla Cemetery Rd - Complete
Wenkes Rd	Full Length
West Showground Rd	Full Length

**Urban Streets:**

General maintenance of urban streets is continuing.

Roundabout construction at the intersection of Urana Street and Pioneer Drive, Jindera is continuing. Works to complete lighting installation and footpath construction are delayed due to supply chain issues.

Stage 2 of Drainage Installation in Gerogery is continuing.

**General:**

General maintenance of public toilets and parks is continuing.

General sign maintenance is continuing.

Fabrication works for the lookout and raised walk way on Hanels Road, Woomargama is progressing.

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WORKS REPORT [CONT'D]

**Monthly Works Maintenance Expenditure:**

<b>Local Roads Program</b>	<b>Current Budget</b>	<b>Monthly Budget to Date</b>	<b>YTD Expenditure</b>	<b>Monthly Budget Variance to Actual</b>	<b>Comments</b>
Urban Roads Maintenance	\$210,000	\$35,000	\$44,916	-\$9,916	Monitor
Urban Roads Town Maintenance	\$250,000	\$41,667	\$39,018	\$2,649	
Rural Roads Sealed	\$764,975	\$127,496	\$130,054	-\$2,558	Monitor
Rural Roads Unsealed	\$1,221,603	\$203,601	\$357,741	-\$154,140	Additional grading, wet weather & tree trimming
Street Tree Maintenance	\$250,000	\$41,667	\$48,397	-\$6,730	Monitor

NOTE : Application for Natural Disaster declaration 1001 submitted and awaiting approval for repairs to the value of \$3.5m.

<b>Regional Roads Program</b>	<b>Current Budget</b>	<b>Monthly Budget to Date</b>	<b>YTD Expenditure</b>	<b>Monthly Budget Variance to Actual</b>	<b>Comments</b>
Regional Roads Maintenance	\$750,000	\$125,000	\$170,900	-\$45,900	Additional maintenance from wet weather

<b>Sportsgrounds, Parks &amp; Public Toilets</b>	<b>Current Budget</b>	<b>Monthly Budget to Date</b>	<b>YTD Expenditure</b>	<b>Monthly Budget Variance to Actual</b>	<b>Comments</b>
Sportsground Maintenance	\$303,369	\$50,562	\$57,928	-\$7,367	Monitor
Parks & Gardens Maintenance	\$353,378	\$58,896	\$48,647	\$10,250	
Public Toilets Maintenance	\$159,748	\$26,625	\$36,075	-\$9,450	Monitor

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

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WORKS REPORT [CONT'D]

**Major Projects Expenditure:**

Project	Budget	YTD	Committed	Total	Remaining	Comments
Gerogery Road Rehabilitation	\$2,609,911	\$395,744	\$43,147	\$438,891	\$2,171,020	Project has commenced, tree work completed, 2km of shoulder widening completed and the majority of culvert work is complete. The remaining 2km of shoulder widening is projected to commence in mid September. Costs are combined 21/22 & 22/23 financial years.
Brocklesby Balldale Road Rehabilitation	\$1,750,000	\$3,395	\$140,206	\$143,601	\$1,606,399	Project has commenced, tree works are programmed to commence on 26/09/2022 and drainage work is to commence once tree work is completed. Costs are combined 21/22 & 22/23 financial years.

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**2. WATER & SEWER REPORT – AUGUST 2022**

**Capital Works Program:**

- Culcairn Water Service replacements – WIP

**Operation & Maintenance:**

**Water:**

- New water service connection – 16 McBean Street, Culcairn
- New water service connection – 3 Rosler Street Jindera
- New water service connection – Lot 23 Stan. Drive Jindera
- New water service connection – 4 Klien Court Jindera
- New water service connection – 6 Klien Court Jindera
- New Water Service - 2 Krause Court Jindera
- New Water service - 13 Telelich Way – Jindera
- Water main maintenance - Culcairn

**Sewer:**

- Commence relining Ten Mile Creek sewer main Holbrook – WIP
- Sewer Main Extension 16 McBean Street Culcairn - Complete

1.

**Other:**

- IWCM – WIP
- Jindera STW upgrade Business Case – WIP
- Culcairn Black St reservoir upgrade Business Case - WIP
- Asset Revaluation - complete
- NSW DPIE Best Practice reporting-Completed
- NSW EPA 4 X Sewer Discharge Licence Reporting Complete

**Drinking Water Monitoring Program:**

- 8 x Water samples for Microbial Water Analysis submitted in the month of March 2022 for Villages and Culcairn Water Supply have all complied with the Australian Drinking Water Guidelines.

**Water Quality Complaints**

Date	Location	Problem	Action Taken
NIL			

**Water Supply Monthly Usage**

August, 2022	2020/2021	2021/2022	2022/2023
Culcairn Water Supply (ML)	8.94	9.20	10.00
Village Water Supply (ML)	21.58	27.69	24.69
<b>Totals (ML)</b>	<b>30.52</b>	<b>36.89</b>	<b>34.69</b>

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WATER & SEWER REPORT – AUGUST 2022 [CONT'D]

**Water Supply Sourced and Used**

<b>1 July 2022 – June 2023</b>	<b>2020/21</b>	<b>2021/2022</b>	<b>2022/2023</b>
Culcairn Water Supply (ML)	15.72	13.05	20.17
Village Water Supply (ML)	34.07	42.02	50.64
<b>Totals (ML)</b>	<b>49.79</b>	<b>55.25</b>	<b>70.81</b>

**ENVIRONMENT AND PLANNING**

**1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF AUGUST 2022**

The schedule of development applications processed for the month of August 2022 is attached at **ANNEXURE 22**.

**2. RANGER'S REPORT – AUGUST 2022**

**COMPANION ANIMALS**

<b>No. of Complaints Received</b> 16		<b>Including: 3 barking dog, 11 roaming dogs, 1 dealing with an aggressive dog, 1 nuisance dog, menacing and dangerous dog compliance checks</b>	
No. of dog attacks: 1		Location: Jindera	Two dogs caught after killing sheep Jindera. Taken to pound. Dogs surrendered.
Comments:			
		<b>Dogs</b>	<b>Cats</b>
<b>In Council's Facility at Beginning of Month</b>			
<b>Captured &amp; Returned to Owners</b>		3	1
<b>Captured &amp; Impounded</b>		2	1
<b>Released from Pound to Owners</b>		2	
<b>Surrendered by Owners</b>		3	2
<b>Rehomed</b>		1	2
<b>Euthanased</b>		2	
<b>Remaining in Council's Facility at End of Month</b>			

**FERAL CATS**

<b>No. of Complaints:</b>	5
<b>No. Feral Cats caught:</b>	9



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RANGER'S REPORT – AUGUST 2022 [CONT'D]

**LIVESTOCK**

	<b>Cattle</b>	<b>Sheep</b>	<b>Horse</b>	<b>Goats</b>	<b>Other Alpacas</b>
<b>No. of Reports of Stock on Roads</b>	4	6			
<b>Instances - Returned to owners</b>	4	6			
<b>Impounded</b>					
<b>Vehicle accidents involving stock</b>					

**OTHER LIVESTOCK, WILDLIFE COMPLAINTS**

1 Kangaroo euthanized Dights Forest Road Jindera.

1 Kangaroo euthanized Jelbart Road Jindera.

**ABANDONED VEHICLES**

9 vehicles currently impounded.

**POLLUTION AND ENVIRONMENTAL INCIDENTS**

<b>Inspection conducted: Overgrown Vegetation Unsafe Land</b>	Inspections being conducted
<b>Pollution: Noise</b>	Jindera – barking warning and ongoing monitoring. Jindera – motorbikes ongoing monitoring. Holbrook - barking warning and ongoing monitoring.
<b>Pollution: Waste</b>	Jindera – household rubbish. Removed by Rangers. Holbrook- household rubbish. Removed by Rangers. Culcairn - household rubbish. Removed by Rangers.

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RANGER'S REPORT – AUGUST 2022 [CONT'D]

**ON-SITE SEWERAGE MANAGEMENT SYSTEMS**

<b>Inspection Type</b>	<b>Total</b>	<b>Pass</b>	<b>Fail</b>
<b>OSMS Compliance Inspections</b>	9	2	7
<b>Pre-Purchase Inspections</b>	3	1	3
<b>OSMS Orders issued</b>	7		
<b>OSMS Orders Compliance Inspections</b>	6	4	2
<b>Plumbers Site Inspections</b>	5		
<b>OSMS Upgrade Applications Received</b>	3	3	
<b>OSMS Approvals To Do Works Issued</b>	6		
<b>OSMS Approvals To Operate Issued</b>	6		
<b>AWTS Service Contract Renewal Letters</b>			
<b>Local Government Application Approvals</b>			
<b>Local Government Approval Inspections</b>			
<b>Local Government Approval Soil Report Assessments</b>			
<b>OSMS Rate charge enquires</b>	7		
<b>Septic Enquiry</b>	5		
<b>Solicitors letter</b>			
<b>Vacant Land checks</b>			

**OTHER WORKS CONDUCTED**

- RID online (Report Illegal Dumping online) updating with data entry.
- Noise monitoring Jindera for motorbikes and barking dogs.
- Assist RSPCA with companion animal and stock welfare issue.
- Companion animal's data entry back log due to system upgrade.
- Illegal tree removal from roadway (Woomargama & Walbundrie).
- CRM's for August.
- Performance appraisals.
- NSW Eportal training.
- OSMS training.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
CULCAIRN COUNCIL CHAMBERS – 40 BALFOUR STREET, CULCAIRN  
ON WEDNESDAY 21 SEPTEMBER 2022**

## **PART D**

Attached in **ANNEXURE 23**, are minutes of the following items:

- Audit, Risk & Improvement Committee – Chairman’s Report and Minutes Held on 2 August 2022
- Culcairn Community Development Committee Meeting 16 August 2022
- Holbrook Community Business Meeting Meeting 9 August at The Riverina Hotel
- Jindera Community Forum Minutes 21 June 2022
- Minutes Of Walla Walla Community Hall Committee Meeting Held Monday 1 August 2022
- Minutes of the Walla Walla Community Development Committee held on Monday 6 June 2022