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**ORDINARY MEETING OF GREATER HUME COUNCIL
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MAYORAL MINUTE

NOTICE OF MOTIONS

**ORDINARY MEETING OF GREATER HUME COUNCIL
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OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. MODIFICATION TO DEVELOPMENT APPLICATION 10.2021.72.2 NEW SERVICE STATION LOTS 1, 2 & 3 DP 12560 RAILWAY PARADE HENTY

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council is in receipt of an application for modification of a development consent 10.2021.72.1 which is seeking a change to the hours of operation condition.

The applicant is R J Sinclair Pty Ltd and the owner is North Manilla Petroleum Pty Ltd.

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

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

Council has received an application in accordance with Section 4.55(2) of the EP&A Act to modify development consent 10.2021.72.1 which relates to the construction of a new service station. That development will involve:

- construction of a new 185m² sales and retail building;
- construction of a light vehicle refuelling forecourt with attached canopy structure, with four (4) dual sided multi-product refuelling dispensers;
- construction of a heavy vehicle refuelling forecourt and detached canopy structure, with one (1) dual sided refuelling dispenser;
- 8 vehicle parking spaces, including 1 disabled space;
- 3 x underground fuel storage tanks, comprising 1 x 90kl Diesel/AdBlue tank, 1 x 90kl E10/ULP95/ULP98 tank and 1 x 90klULP 91/Premium Diesel tank;
- business identification signage, including 1 x freestanding 8 metre pylon sign, 3 x 2.5m x 0.6m canopy fascia sign, 2 x 3.0m x 1.0m building fascia sign;
- new entry only driveway crossover from northern site boundary at Sladen Street East;
- new exit only driveway from south west corner boundary to Railway Parade; and
- proposed site landscaping to all boundaries.

Council received an application for modification of the development consent which requests the following modification to the development consent.

This modification seeks to change DA condition 55 to allow for a six month operating hour trial period of 5 am to 12 am midnight.

This is a 1 hour extension of time in the morning and a 2 hour extension of time in the evening.

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The applicant has suggest that Condition 55 could be changed to be as follows:

“The approved hours of operation are as follows Monday to Sunday 6am -10 pm. A trial period of 6 months to start from the date the site receives its Occupation Certificate for the hours of operation of Monday to Sunday 5 am- 12am midnight.”

The submitted material included a letter from the Acoustic Consultant and that letter stated that the intent of the trial is “to determine, or demonstrate that use of the site during the night time hours of 10 pm to 12 am and the early morning shoulder period of 5 am to 7 am does not cause adverse impacts, specifically sleep disturbance at any of the neighbouring residential receptors.”

That letter concluded that *“Truck Noise from heavy vehicles attendant to the service station would be largely indistinguishable from passing trucks on Sladen Street East. In my view there is no reason acoustically that the service station should not be permitted to operate during night time hours, particularly for a trial period of 6 months to determine the likelihood of adverse impacts.”*

The modification application was notified to nearby property owners on 18 May 2022 and in response to this notification four submissions were received the contents of which are discussed later in this report. All information submitted with the modification is contained in **ANNEXURE 1.**

It is a requirement of Section 4.55 of the Environmental Planning and Assessment Act that Council is satisfied that the application for a modification is essentially the same development as the development for which the consent was originally granted. The author is satisfied that this requirement is met.

In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the granting of the consent that is sought to be modified.

As the requested change to condition 55 operating hours relates solely to noise and vibration impacts only a limited assessment against section 4.15(1) is required. That assessment is provided below:

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

Only noise and vibration effects are the environmental impacts associated with the application. The submitted letter to modify the consent from Harwood Acoustics indicates predicted noise levels from Heavy Vehicles will be within EPA target Noise Levels (inside dwelling) that are set to minimise sleep disturbance. The author believes that the proposed new condition 55 will provide the ability to address a noise and vibration issue should it arise.

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

Submissions have been received to the notification of the modification application to changing the hours of operation. Many of the issues raised within the submissions have been addressed in the original assessment report and so only new issues raised are discussed below in the table. The four submissions are included in **ANNEXURE 1**.

Concern Raised	Response
As a result of the proposed extension of hours, noise impacts will reduce the amenity of the location which will particularly adversely effect sleep.	As mentioned above the noise consultant believes that the noise impact of the service station will be less than those that are currently experienced due to road noise. The extension of the hours is for six months and the newly created condition provides a mechanism wherein if required noise and vibration levels can be investigated. If it is necessary the hours can revert back to those originally approved.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

It is considered that the request modification to the original development consent 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 marked in red the proposal can proceed with minimal impact.

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

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

RECOMMENDATION

In accordance with Section 4.55 of the EP&A Act 1997 Council consent to the modification of development consent 10.2021.72.2 and allow the inclusion of a revised condition 55 into the development consent. That condition will allow for six months opening hours so that the business can trade from 5am to 12am (midnight).

APPROVED PLANS

1 Compliance with Plans and Conditions

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

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NOTE: Approved plans will be modified to show the total storage of fuels to be stored being no more than 240KL to align with the Nero Consulting Preliminary Hazard Analysis Report Number N642 dated 14 October 2021.

2 No approval of Signage

The applicant is to submit another development application to the consent authority with further details of the proposed freestanding pylon signage including:

- (a) Level of illumination including lux levels and details confirming light spill can be appropriately contained within the subject land and not cause detriment to any adjoining land.
- (b) Details of the form of the illumination including details of any baffles.
- (c) The relationship to any significant or prominent views and vistas.
- (d) Signage must illustrate that access to the site is via Sladen Street East.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

APPROVALS REQUIRED PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

- 3** The applicant is to submit for approval by the consent authority detailed plans and documentation demonstrating compliance with the relevant provision of the Protection of the Environment Operations Underground Petroleum Storage Systems Regulation 2019.
- 4** The applicant is to submit for further approval of the consent authority details of the acoustic wall including:
 - (a) Three (3) design options for the external appearance of both sides of the perimeter wall. Consideration given to the use of different textures, colours, materials and offset heights or alignments to minimise both public and private amenity impacts.
 - (b) The approved option shall become part of this development consent.
- 5** Detailed plans shall be provided to the consent authority which indicate type, size and location of proposed separators/pre-treatment devices.
- 6** Detailed dimensioned plans for all works within the road reserve shall be submitted for approval of consent authority and as required by Transport for NSW. These works in the road reserve is to show further detail of prominent entry and exit signage on Sladen Street East and Olympic Highway.
- 7** A certificate shall be submitted to the Certifying Authority certifying that the design of the stormwater drainage system will contain all pollutants on the property and that all stormwater outlets from the property will contain a vandal resistant remote control valve capable of being closed off from a conspicuous position.

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- 8 A detailed plan of the proposed lighting is to be supplied to the consent authority demonstrating containment of lighting to within the property boundaries.
- 9 **Stormwater Drainage Certificate**
Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that:
- (a) Satisfactory arrangements have been made for the disposal of stormwater;
 - (b) The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;
- 10 A Waste Management Plan for both during construction and operation of the premises must be submitted and approved prior to the issue of a Construction Certificate. The Waste Management Plan must clearly identify ways to reduce the potential for littering to occur on the site as well as how waste will be collected, stored and disposed of.
- 11 The applicant shall submit for approval by the consent authority a detailed Construction Management Plan (CMP) prior to the issue of the Construction Certificate. The CMP shall address:
- (a) Construction vehicles access to and egress from the site in accordance with the Traffic Management Plan during construction;
 - (b) Parking for construction vehicles;
 - (c) Locations of site office, accommodation and the storage of major materials related to the project;
 - (d) Protection of adjoining properties, pedestrians, vehicles and public assets;
 - (e) Location and extent of proposed builder's hoarding and work zones;
 - (f) Noise management requirements for plant and equipment; and
 - (g) The process for seeking requests for adjustment to the construction working hours set by the conditions of this consent and its justification, duration and purpose.
- 12 The applicant is to submit updated calculations based on the selected equipment to support and substantiate the Environmental Noise Impact Assessment by Harwood Acoustics dated 2 September 2021 (Ref: 2105013E-R).
- 13 A copy of the approved plan and the development consent is to be referred to Riverina Water for their concurrence as the water authority. Proof of Riverina Water concurrence is to be provided to the Principal Certifying Authority.

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PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

14 Section 7.12 Levy Development Contributions

Prior to the issue of a construction certificate, a receipt for the payment to Greater Hume Shire Council of Section 7.12 Levy Contributions shall be submitted to the Certifying Authority.

The Section 7.12 Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$12,020.

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

15 Payment of Development Servicing Contribution

Under the provisions of Section 64 of the Local Government Act, Council requires the payment of a monetary contribution in accordance with Councils Section 64 contributions plan. Based on an assessment of the equivalent tenements per m2 for the proposed development, a contribution of \$1047 is payable.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

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

16 Construction Certificate Required

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

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

17 Appointment of a Principal Certifying Authority

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

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

18 The applicant is to provide to the consent authority a copy of the approved plans showing the endorsement of Riverina Water

19 Notify Council of Intention to Commence Works

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

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20 Kerb and Gutter Protection

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

21 Erosion and Sedimentation Control

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

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

22 Toilet Facility

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

23 Sign During Construction

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

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

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

24 Proposed Sub-floor and Sewer Drainage Plan

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

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PRIOR TO OCCUPATION OF THE DEVELOPMENT

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

25 Interim/Final Occupation Certificate Required

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

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

26 NSW Fire Brigade Notification

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

27 Full Width Footpath Paving

Prior to the issue of the final occupation certificate, full width (concrete footpath paving / paving block footpath) shall be constructed for the full road frontage of the property. The developer shall complete any necessary transitioning to the existing footway beyond the boundary of this property at no cost to Council. The width of the footpath is to be:

- A 1.5 metre wide footpath is to be extended along Sladen Street East frontage.
- A 2.0 metre wide footpath is to be constructed along Railway Parade frontage.

28 Completions of Works in Road Reserve

Prior to the issue of an Occupation Certificate all works in the road reserve are to be completed to align with the approval of Transport for NSW and the consent authority.

29 Lot consolidation

The consolidation of all separate parcels of land into one allotment under one title before occupation of the property, so as to ensure that the siting of the development is satisfactory in relation to the size and shape of the land to be occupied.

GENERAL CONDITIONS

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

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30 Compliance with Construction Certificate

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

31 Submission of an Annual Fire Safety Certificate

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

The certificate shall certify:

- (a) that each essential fire safety measure has been assessed by an accredited practitioner (fire safety) and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule, and
- (b) that an accredited practitioner (fire safety) has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Part 15.

32 Hoarding/Fencing

During construction, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

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

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

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

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

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

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- 37** All external lighting of the site, including to parking areas and buildings, must be located, directed, baffled and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
- 38** All loading and unloading of vehicles shall take place entirely within the site and only within those areas designated as loading/unloading bays, as approved. Any vehicles waiting to be loaded/unloaded shall be located within boundaries of the subject land.
- 39** The acoustic fences are to be maintained at all times to the satisfaction of the responsible authority.
- 40** The operation of the development must be carried out in accordance with the approved acoustic report prepared by Environmental Noise Impact Assessment by Harwood Acoustics dated 2 September 2021 (Ref: 2105013E-R).
- 41** **Site Bunding**
All works and storage areas where spillages are likely to occur are to be bunded.
- 42** **Spill prevention and clean-up procedures**
A plan detailing the spills prevention, contingency and emergency clean-up procedures for the development is to be submitted for approval prior to construction works commencing. The approved procedures plan is to be implemented in the event of a spill or emergency.
- 43** **Submit a Trade Waste Application**
The applicant is to submit a trade waste application to the Greater Hume Shire Council and upon approval enter into a Trade Waste Agreement with the Greater Hume Shire Council.

Reason: To prevent damage to Council's Waste Water Treatment Works and subsequent pollution of waterways, to comply with the Local Government (General) Regulation 2005 and to satisfy Section 4.15 of the Environmental Planning and Assessment Act, 1979, as amended.
- 44** **Cross Connection Control or Backflow Prevention Devices**
The applicant is to install cross connection control; and/or back flow prevention devices throughout the water supply system, all in accordance with AS/NZS 3500 and the Plumbing Code of Australia.
- 45** **Food Conditions**
Compliance with Food Act 2003
The premises shall comply with the requirements of the Food Act 2003, FSANZ Food Standards Code, and the Australian Standard AS 4674-2004 (Design, Construction and Fit Out of Food Premises) prior to commencement of operations.

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46 Notify Council

All food businesses in NSW must either:

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

47 Material Finishes

All roofing and cladding material of the development is to be a non-reflective.

48 Prior to and during construction works:

During the construction period the applicant must ensure that:

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

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

- (a) measures must be taken to minimise and control the emission of noise and dust which may impact upon neighbouring properties;
- (b) all loading and unloading of vehicles should be undertaken on-site; and
- (c) advisory road signage must be erected within the site at appropriate locations to allow clear directions for internal traffic movements and ensure safe efficient traffic movement within the site; and
- (d) all necessary precautions must be taken to ensure that pollution of adjacent land and/or watercourses does not occur during the construction phase of the development. Erosion and sediment control works should be put in place to minimise sediment loss.

49 No Vehicle Repair or Sales

No vehicle may be repaired or displayed for sale on the site at any time.

50 All loading and unloading of vehicles shall take place entirely within the site and only within those areas designated as loading/unloading bays, as approved.

51 An easement is required to be provided over all drainage infrastructure.

52 Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development. Adequate protection must be provided for public infrastructure prior to work commencing and during building operations. Any damage to public infrastructure caused during construction shall be made good prior to the issue of an occupation or subdivision certificate.

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53 Requirements relating to contaminated land

- (a) Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with "Waste Classification Guidelines Part 1: Classifying Waste". NSW EPA (2014):
- (b) Any areas of the site suspected of containing Asbestos Containing Material (ACM) including soils and/or fill material are to be handled in accordance with relevant Australian Standards, SafeWork NSW codes of practice and any other applicable requirements: and
- (c) A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered.

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

55 Hours of Operation

- (a) The approved hours of operation for the first six months (taken from the date of issue of Occupation Certificate) of the development are as follows:

Monday to Sunday, 5 am – 12 am

- (b) If during the initial six month period of operation Council receives any complaint about noise and vibration emanating from the premises then the operator of the business premises shall, when notified by Council, instruct an acoustic investigation by an appropriately qualified acoustic consultant. The methodology for the acoustic investigation is to be approved by Council and the results of the investigation are to be submitted to Council.

- (c) Effective from the date of notification of a complaint in accordance with (b) above, the hours of operation shall temporarily be restricted to:

Monday to Friday 6 am -10 pm.

- (d) If the acoustic investigation reveals that the noise and/or vibration from the premises exceed the Project Specific Noise Goals contained in Environmental Noise Impact Assessment New Service Station Reference 2105013E-R Harwood Acoustics 2nd September 2021 then the hours of operation shall be as follows:

Monday to Friday 6 am -10 pm.

- (e) If the acoustic investigation reveals that the noise and/or vibration from the premises do not exceed the Project Specific Noise Goals contained in Environmental Noise Impact Assessment New Service Station Reference 2105013E-R Harwood Acoustics 2nd September 2021 then the hours of operation shall revert to:

Monday to Sunday, 5 am – 12 am

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LOTS 1, 2 & 3 DP 12560 RAILWAY PARADE HENTY [CONT'D]

56 Roads and Maritime Services conditions

- 1 As a minimum the driveways shall be designed and constructed for the B-Double heavy vehicle as the design vehicle and be sealed from the kerb line to the property boundary. Detailed dimensioned plans for all works within the road reserve shall be submitted for approval prior to release of the Construction Certificate.
- 2 The one way circulation through the site with ingress via to Sladen Street East and egress via the Olympic Highway shall be appropriately signposted and line marked at the driveways and within the site. As the driveway to the Olympic Highway is restricted to egress only appropriate signage stating "No Entry" shall be erected and maintained at the driveway to the highway.
- 3 As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 "Off-street car parking", AS 2890.2-2002 "Offstreet commercial vehicle facilities" and the Austroads Guide to Traffic Management Part 11: Parking.
- 4 The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Councils satisfaction . For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
- 5 Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to maintain circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
- 6 All activities including, loading and unloading associated with this development shall take place within the subject site. Fill points for petrol and gas storage shall be located so that tankers can stand clear of access driveways and not impede access to and from the subject site for other vehicles. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
- 7 Suitable drainage treatment shall be implemented to ensure that storm water discharge from the subject site does not exceed the pre-development discharge. Contaminated storm water run-off from the subject site shall not discharge to the road reserve of the Olympic Highway.
- 8 Any damage or disturbance to the road reserve of the Olympic Highway shall be restored to match surrounding landform, including kerb and gutter, in accordance with Council requirements.

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- 9 A management plan to address construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the Olympic Highway. The storage of any material within the road reserve is denied. Access directly to the site from the Olympic Highway for construction purposes is denied. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- 10 Works within the road reserve of the Olympic Highway requires approval from the Council and concurrence from Transport for NSW under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.
- 11 Any proposed signage to be erected in relation to the proposed development is not approved and shall be subject to the submission of a further Development Application.
- 12 Any works associated with the development shall be at no cost to Transport for NSW.

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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

Council is in receipt of a development application for a new dwelling at Lot 163 DP753342 84 Granite Hill Road Jindera (the subject land"). The applicant is Habitat Planning and owner is S W Moore and M T Fuller.

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

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

This application is seeking approval for the construction of a dwelling which is proposed to be located adjacent to an existing shed on the property. The applicant claims that the chosen location is the place where a previous dwelling was located which is a position that is disturbed and removed from any agricultural production.

Clause 4.6 of the GHLEP 2012 is a means of seeking an exception to a development standard. The applicant is seeking to utilise this clause because the allotment is 16.5 hectares and it cannot meet the required 100 hectare minimum lots size for a dwelling in the RU1 zone nominated in clause 4.2A(3)(a) of the GHLEP 2012. Clause 4.2A(3) has additional provisions whereby a dwelling may be permissible in the RU1 zone however this allotment is unable to meet the requirements of these provisions. Council issued a letter to Brian Unthank Real Estate on 30 October 2013 confirming no dwelling entitlement existed.

ASSESSMENT

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

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

State Environmental Planning Policies

State Environmental Planning Policy 55 - Remediation of Land (SEPP55) requires Council to consider the potential for any land proposed for development to be contaminated. The site is agricultural land and there is no physical evidence to suggest the dwelling site is potentially contaminated and unfit for use for its intended purpose. Consequently, the proposal aligns with the requirements of SEPP 55.

Chapter 3 Koala Habitat Protection 2020 – State Environmental Planning Policy (Biodiversity and Conservation) 2021 – requires Council prior to issuing development consent to determine whether the land is potential koala habitat. It is advised that the land area required for the dwelling is minimal and there is no koala feed tree species in this location.

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The Greater Hume Local Environmental Plan 2012 (“the GHLEP2012”) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU1 Primary Production and the objectives of this zone are provided below:

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.

It may seem that the proposed dwelling will not result in a derogation of the objective of the zone however it is the intention of Clause 4.2A of the GHLEP 2012 “erection of dwelling houses and dual occupancies on land in certain rural and residential zones” to specify circumstance when a dwelling can be erected in these zones. The provisions of Clause 4.2A work to minimise the number of dwellings that can be constructed in the zones and as mentioned the allotment does not meet the provisions of Clause 4.2A. In this context does not permitting a dwelling better meet the objectives of the zone? In response the following is the outcome of not permitting the dwelling:

- No capacity to build a dwelling on the land will reduce the number of prospective purchasers and result in a reduced land value at this location.
- A reduced land value and a reduction in prospective purchasers increases the likelihood that the land maybe purchased and used more productively for primary industry enterprises operating at a larger scale.
- No precedent is set whereby Council has allowed a dwelling to be erected contrary to the provision of Clause 4.2A. It should be noted that former existing holdings without a dwelling entitlement are very common throughout the Council area.
- Not creating a precedent whereby many other rural dwelling could follow will:
 - Minimise the fragmentation and alienation of resource lands.
 - Minimise conflict between land uses within this zone and land uses within adjoining zones.
 - Maintain the rural landscape character of the land.

As mentioned Clause 4.6 of the GHLEP 2012 is a means to permit an exception to a development standard and it provides the opportunity for development standards to be varied and seeks to provide an appropriate degree of flexibility in applying certain development standards to particular development.

The applicant is using Clause 4.6 to address the non- compliance with the requirement for an allotment to be a minimum size of 100 hectares in order for a dwelling to be erected. When measured against the minimum lot size of 100 hectares, the subject land has a total area of 16.5 hectares which represents a variation from the minimum lot size of 83.5%.

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

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

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

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

The applicant has provided the following written reasons why compliance with the minimum lot size standard is unreasonable and unnecessary:

- The subject land has existed in its current configuration for many years and at various times has been operated as a rural property in its own right. It has previously accommodated a dwelling in the central area of the site, adjacent to the current shed location, and therefore has been considered a standalone property at other periods of time.
- At a size of 16.7 hectares, it still enables a lot size that is capable of being utilised for a form of agricultural uses.
- The current landowners have already established the use of the property for animal husbandry purposes, which is suitable for the size of the subject land.
- Despite being less than the minimum lot size it is noted that the provisions of the Hume LEP 2001 which can be relied upon in some circumstances via the provisions at subclause 4.2A(3)(b) allowed lots down to an area of 0.4 hectares to contain a dwelling. The subject land would qualify under these provisions except for the fact that the lot was in common ownership with another lot at the appointed day. Despite this the land has not been further fragmented from its original state and has always existed as a narrow shaped lot and has been functional in an agricultural context.
- It will not create any land use conflicts with the adjoining properties for agriculture as the dwelling is setback 150 metres from the closest boundary.
- The dwelling site is not remote or isolated and has excellent road access and is within close proximity to townships.
- A dwelling on the land will also enable the efficient and functional agricultural operation of the land by allowing a landowner to reside on the site and undertake activities. At present the landowner has to commute to the property for carrying out productive purposes and maintenance.
- The site also contains a shed with proposal to add a dwelling adjacent. The dwelling is of a modest size and will not remove any significant productive land from operation.

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To justify the request for variation as having sufficient environmental planning grounds the applicant makes the following comments:

- As identified above, if it were not for the fact that the land has been sold (and separated from former common ownership arrangements), development of the land for a dwelling on the land would have been permissible through application of subclause 4.2(3)(b) by relying on the provisions of the Hume LEP that applied to the land. Therefore, the proposal is not an activity or outcome which is considered to be unreasonable given the circumstances.
- The subject land also exists in the same configuration as it has since well before 1987, which is the appointed date with respect to considering other provisions under clause 4.2 A(3). It has also been demonstrated through research of the site history that the land has at various stages been owned and operated as a single standalone lot as well as a land in common ownership.
- It has been confirmed that the subject land did contain a dwelling, however was demolished by a previous landowner prior to the ownership.

The submitted reasons and justification relies heavily on demonstrating compliance with the former Hume Local Environment Plan 2001 as meeting that instruments requirements for the erection a dwelling would be grounds for meeting the requirements under the GHLEP 2012 for clause 4.2A(3)(b). The proposal never met the requirements of the Hume Local Environment Plan as the subject land existed as one of a number of allotments at the appointed day and a dwelling was only permitted upon one allotment. Like the GHLEP 2012 the former Hume Local Environment Plan 2001 had provision which minimised dwelling opportunities on rural land with the intention that fewer dwellings in rural zones results in an outcome that better meets the objectives of rural zones.

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

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

On consideration of sub clause 4(a)(i) the applicant's written request does not provide sufficient planning grounds for variation to the standard as it is the author's contention that inability for a dwelling to be erected upon the land is the intent of the GHLEP 2012 and the former Hume Local Environment Plan 2001.

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With respect to sub clause 4(a)(ii) it is Clause 4.2A of the GHLEP 2012 that contains the particular standard which is being sought to vary as it requires that:

Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land:

- (a) is a lot that is at least the minimum lot size shown on the Lot Size Map (in this case 100 hectares) in relation to that land, or

The objectives of clause 4.2A is to:

- (a) to minimise unplanned rural residential development,
- (b) to enable the replacement of lawfully erected dwelling houses or dual occupancies in certain rural and residential zones.

Approval of this dwelling would be unplanned rural residential development and the precedent set would likely result in additional unplanned rural residential development. Unplanned rural residential land can result in land use conflict and can require additional ongoing expenditure on Council infrastructure such as unsealed roads. Previously it has been described how the approval of the dwelling does not align with the objective of the RU1 Primary Production Zone. For both reasons the approval of this dwelling is not in the public interest.

The requirement to obtain the concurrence of the Secretary in this instance has not been delegated to Council (PS 20-002) and the matters to be considered by the secretary of Clause 5 which is provided below:

5 *In deciding whether to grant concurrence, the Secretary must consider:*

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

Clause 5.16 of the GHLEP 2012 applies to the erection of dwellings on land in certain rural, residential or environmental protection zones and in this instance, it applies as the proposed dwelling is to be situated in the RU1 Primary Production zone. The following matters are to be taken into account:

(4)

- (a) the existing uses and approved uses of land in the vicinity of the development,
- (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
- (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- (d) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).

The land around the site of the proposed dwellings is used for cropping and grazing and there are two nearby dwellings. As the GHLEP 2012 restricts the ability to have a dwelling on this allotment the preferred land use would be cropping and grazing.

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

The requirements of this clause are met in this instance as the dwelling is not being undertaken in the mapped area and there is no requirement to remove any vegetation to construct the dwelling

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

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

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

It will be possible to provide services to the proposed dwelling.

Greater Hume Development Control Plan 2013

The Greater Hume Development Control Plan 2013 (“the DCP”) applies to all land within the Shire. Chapter 2 of the DCP relates to residential development with some requirements relevant for consideration in this circumstance.

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DEVELOPMENT STANDARD	COMMENT
<p>Site Requirements Rural & rural living 3. As per Part 3A, Division 3, Subdivision 3 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>	<p>The dwelling is to be located 50 metres or more from all properties and so will comply with requirements in the Rural Housing Code.</p>
<p>Building Heights Rural & rural living 3. As per Part 3A, Division 3, Subdivision 3 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>	<p>The proposed dwelling complies with this requirement as it is single storey and does not have a building height greater than 10 metres.</p>
<p>Building Setbacks As per Part 3A, Division 3, Subdivision 3 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>12. A minimum 40 metres from the top of the bank of a watercourse other than the Murray River.</p>	<p>The proposal complies with the setback requirements of the Rural Housing Code as it is located at least 50 metres from the primary street frontage.</p> <p>Not located within 40 metres of a watercourse.</p>
<p>Landscaping Rural & rural living 10. As per Part 3A, Division 3, Subdivision 4 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>	<p>Complies dwelling will not be located near any native vegetation.</p>

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<p>Car parking and access</p> <p>14. As per Part 3A, Division 3, Subdivision 5 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>15. The main access point for the property should be from a sealed local road where practical and possible.</p> <p>16. All-weather access roads and driveways within the property should follow the contours of the land as much as possible so as to avoid excessive cut and fill and potential erosion problems.</p> <p>18. Roads and driveways crossing gullies and streams, both within and external to the site, should be constructed using a culvert to Council's requirements. Applicants should check with Council to ascertain whether any other approvals are required to undertake works such as a vehicle crossing within a road reserve or waterway.</p>	<p>Complies.</p> <p>The lot has direct access from Granite Hill Road.</p> <p>Could be a condition of consent.</p> <p>No watercourse requires crossing to access the dwelling site.</p>
<p>Earth Works</p> <p>As per in Part 3A, Division 3, Subdivision 6 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>Development Standards for particular land</p> <p>As per Part 3A, Division 3, Subdivision 9 of the Rural Housing Code in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>	<p>Complies, no excessive excavation or filling is required that will exceed this requirement.</p> <p>The lot is not mapped as a bushfire risk and is not classified as flood prone land.</p>

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

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

- 79C(c) The suitability of the site for the development**
The provisions of both the GHLEP 2012 and its predecessor the Hume Local Environment Plan 2001 prevented the erection of a dwelling at this site. Although the site is suitable for a dwelling the preferred land use should be a permitted use under the GHLEP 2012.
- 79C(d) Any submissions made in accordance with this Act or the regulations**
No submission has been received to the notification of the proposed dwelling.

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• **79C(e) The public interest**

The lot is inconsistent with the minimum lots size for the RU1 zoning the proposed construction of the dwelling will set unwanted precedent potentially leading to further unplanned rural residential development which may increase Council's expenditure on public assets. This proposal has been shown to not align with the objectives for the RU1 zoning and the objectives of clause 4.2A of the GHLEP 2012. Consequently the proposal is not considered to be in the public interest.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

1. Approve the application, subject to obtaining the concurrence of the Secretary of the Department of Planning Infrastructure and Environment;
2. Defer the application for further information or redesign; or
3. Refuse the application.

It will be recommended that this development application be refused. Council however can resolve to provisionally approve the application subject to the granting of concurrence by the Secretary of the Department of Planning and Environment.

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 at Lot 163 DP 753342 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 fails to adequately address the objectives in both the Land Use Table for the RU1 Primary Production Zone and Clause 4.2A of the Greater Hume Local Environment Plan 2012.
2. Under Section 4.15(1)(e) of the EP&A Act Council considers that the development is not in the public interest because the proposal will set an unwanted precedent potentially leading to further unplanned rural residential development which may result in Council incurring increased expenditure on public assets.

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GOVERNANCE

1. POLICY DEVELOPMENTS

Report by General Manager – Steven Pinnuck

REASON FOR REPORT

To present new and revised policies for consideration.

REFERENCE TO DELIVERY PLAN ACTIONS

Not applicable.

DISCUSSION

At the March meeting of Council the following was resolved:

That the Local Preference Purchase Policy as revised be endorsed and publically exhibited for a period of 28 days.

A copy of the exhibited Policy is included as **ANNEXURE 3** for Councillors information.

At the conclusion of the exhibition period no submissions have been received.

Accordingly it is recommended that the Policy as exhibited be adopted.

BUDGET IMPLICATIONS

There is likely to be some budgetary impacts of the Policy which have not been quantified to this point. This will be reviewed over the life of the Policy

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 draft Local Preference Purchase Policy as publicly exhibited be adopted.

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ON WEDNESDAY 22 JUNE 2022**

2. SALE OF 96 – 100 MAIN STREET BROCKLESBY – FORMER BROCKLESBY HOTEL – LOT 18 DP 6431 AND LOTS A AND B DP 413482

Report by General Manager – Steven Pinnuck

REASON FOR REPORT

To update Councillors on the progress of the sale of the former Brocklesby Hotel.

REFERENCE TO DELIVERY PLAN ACTIONS

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

Outcome 3.1: We have prosperous and diverse local businesses and a growing economy

DISCUSSION

Councillors will recall that in February/March 2022 Council called Expressions of Interest (EOI) for the sale of the former Brocklesby Hotel.

One EOI was received which was considered by Council at the Ordinary meeting held on 16 March 2022. The EOI received was declined by Council at that meeting and the submitter of the EOI withdrew from further negotiations with Council.

In accordance with the Confidential report to the March meeting the property was placed on the Market for \$250,000 inclusive of GST.

Subsequently the Author accepted an offer for the property at the listed price of \$250,000 inclusive of GST for use as a residential premises. It should be noted however that during the due diligence period it has been identified that the on-site sewerage disposal system does not meet current standards and is in need of replacement. The Author has agreed that this work will be at Council's cost.

Settlement is expected on or before 13 July 2022.

Therefore the likely return from the sale is as follows:

Sale price inclusive of GST	\$250,000
Sale price exclusive of GST	\$227,273
Cost to replace septic tank equivalent to a 4 bedroom residence (est.)	\$20,000
Survey of the site	\$3,800
Less Agents fees, marketing etc. (est.)	\$7,000
Legal costs (estimated)	\$2,000
Net proceeds of sale (estimated)	\$194,473

Given the EOI that was received and subsequently withdrawn, the outcome is very satisfactory to Council and Brocklesby noting that the funds will be quarantined for community projects in the Brocklesby Village.

BUDGET IMPLICATIONS

The property and land situated at 96 to 100 Main Street, Brocklesby is surplus to Council's needs. Subject to an appropriate offer, Council has previously resolved to quarantine the funds for community projects in the Brocklesby village.

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SALE OF 96 – 100 MAIN STREET, BROCKLESBY – FORMER BROCKLESBY HOTEL –
LOT 18 DP 6431 AND LOTS A AND B DP 413482 [CONT'D]

CONCLUSION

Councillors will recall that in February/March 2022 Council called Expressions of Interest (EOI) for the sale of the former Brocklesby Hotel.

One EOI was received which was considered by Council at the Ordinary meeting held on 16 March 2022. The EOI received was declined by Council at that meeting and the submitter of the EOI withdrew from further negotiations with Council.

Given the EOI that was received and subsequently withdrawn, the outcome is very satisfactory to Council and Brocklesby, noting that the funds will be quarantined for community projects in the Brocklesby Village.

RECOMMENDATION

That the General Manager's Actions in negotiating the sale of 96 – 100 Main Street, Brocklesby – Former Brocklesby Hotel be endorsed.

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TO BE HELD AT
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**3. PROPOSED SALE OF LOT 2 DP 1176955 TO THE HOLBROOK MENS SHED
Report by General Manager – Steven Pinnuck**

REASON FOR REPORT

For Council to consider entering into a long term lease of Lot 2 DP 1176955 rather than sale as a result of the site now being shared by the Holbrook Men's Shed and Holbrook Rotary

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

At the March 2019 Council meeting a report was presented with a proposal to sell Lot 2 DP 1176955 to the Holbrook Men's Shed on the basis that funding would be provide through the NSW State Government Loose Fill Asbestos Insulation Program.

The following was resolved:

[Hicks/Quinn]

That Council offer to sell Lot 2 at the Holbrook Industrial Estate to the Holbrook Men's Shed group for \$20,000 plus GST (a discount of \$10,000) subject to further funding being obtained to enable the establishment of a purposed built men's shed.

A copy of the report to the March 2019 meeting is attached as **ANNEXURE 4** for Councillors information.

Funding through the Loose Fill Asbestos Insulation Program was ultimately approved and construction commenced in late 2019. Unfortunately with the advent of COVID the project has been delayed but in recent months significant work has been undertaken and the project is nearing completion.

For several years Holbrook Rotary have been investigating options to develop a base to house their catering trailer and other equipment. This had led them to enter into discussions with the Holbrook Men's Shed Group with the view of sharing their site by building an additional bay onto the Men's Shed building.

These discussions have raised the ownership of the building if the Holbrook Men's Shed or Holbrook Rotary (or both) cease to exist in the future.

In broad terms the following has been proposed to Council:

1. That Council enter into a long lease of Lot 2 DP 1176955 to the Holbrook Men's Shed and Holbrook Rotary at a peppercorn rental of one dollar (\$1) per annum.
2. In the event that either organisation cease to exist the lease and use of the building will transfer to the remaining leaseholder and
3. In the event that both organisations cease to exist the ownership of the building transfer to Council to be held in trust for a community purpose. This could extend to the building being rented and the rental payments being quarantined for community projects for the benefit of Holbrook.

Certainly the colocation of two very important community organisations in Holbrook is a very positive initiative and whilst there will be a minor financial impact to Council the Author is of the view that the proposal should be supported.

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PROPOSED SALE OF LOT 2 DP 1176955 TO THE HOLBROOK MENS SHED [CONT'D]

BUDGET IMPLICATIONS

If the proposal is approved by Council then the agreed sale price of \$20,000 will be forgone which will have a minor impact on Council's Land Development Reserve.

CONCLUSION

With the development of the proposed Holbrook Men's Shed as a shared site with Holbrook Rotary Club it would seem appropriate that measures are put in place to ensure that the asset remains in community ownership should one or both of the organisations cease to exist in the future.

RECOMMENDATION

1. That Council enter into a long term lease of Lot 2 DP 1176955 to the Holbrook Men's Shed and Holbrook Rotary at a peppercorn rental of one dollar (\$1) per annum.
2. In the event that either organisation cease to exist the lease and use of the building will transfer to the remaining leaseholder and
3. In the event that both organisations cease to exist the ownership of the building transfer to Council to be held in trust for a community purpose. This could extend to the building being rented and the rental payments being quarantined for community projects for the benefit of Holbrook.
4. Lease documentation be prepared by Council in line with points 1, 2 & 3.
5. That all relevant documentation be signed under the Common Seal of Council.

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CORPORATE AND COMMUNITY SERVICES

1. DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025

Report prepared by David Smith – Director Corporate & Community Services

REASON FOR REPORT

To present the Draft Delivery Program 2022 / 2026, Draft Operational Plan 2022 / 2023 including estimates of income and expenditure 2022 / 2026 and Revenue Policy 2022 / 2023 and draft Disability Inclusion Action Plan 2021-2025 for formal adoption by Council.

REFERENCE TO DELIVERY PLAN ACTION

Nil

DISCUSSION

Council's Draft Delivery Program 2022 / 2026, Draft Operational Plan 2022 / 2023 including estimates of income and expenditure 2022 / 2026 and Revenue Policy 2022 / 2023, Draft Resourcing Strategy 2022 / 2026 and draft Disability Inclusion Action Plan 2021 / 2025 have been on display for public comment with a number of submissions received.

At the time of preparing this report, a total of five submissions have been received in relation to budget priorities and other matters relevant to the community. Copies of each submission are included as **ANNEXURE 5**. The following table summarises the major items raised in each submission.

Submission Topic	Management Response
Request from Walla Walla Heritage Conservation Committee (German Wagon) for an annual financial contribution of \$300.00 to cover cost of electricity and maintenance of the heritage wagon & building.	An annual contribution is supported and can be funded from existing budget allocations with minimal impact on the overall budget position.
Suggestion that Council introduce a new Rating Sub-Category - Business-Solar Farms - for its 2023/2024 Revenue Policy.	The submission referenced the current revenue policy of Balranald Shire Council – refer http://www.balranald.nsw.gov.au/wp-content/uploads/2022/03/Draft-Revenue-Policy-2022-23-submitted-to-Council-March-2022.pdf This matter can be considered as part of the 2023/2024 budget process.

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DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

Submission Topic	Management Response
<p>Suggestion that Council introduce a new Annual Charge - Stormwater Management Service Charge for residential \$25 and business on a square metre basis for its 2023/2024 Revenue Policy</p>	<p>Consideration of the introduction of a Stormwater Management Charges is included as an action in the 2022/2023 Operational Plan – refer Action N3.1.5.</p> <p>Documents referred to in the submission can be found at:</p> <p>https://www.juneenew.gov.au/wp-content/uploads/2021/10/Juneenew_Stormwater_Management_Plan.pdf</p> <p>https://www.olg.nsw.gov.au/wp-content/uploads/Stormwater-Management-Service-Charge-Guidelines.pdf</p>
<p>Request for improved street lighting in Jindera</p>	<p>All existing street lights across Greater Hume LGA have been upgraded to LED lights thereby improving the overall effectiveness of the lights and reducing ongoing operating costs. An annual budget allocation is provided for the installation of additional street lights and as such consideration may be given to the placement of additional lights in Jindera subject to a review by the Director Engineering in consultation with the community.</p>
<p>Suggestion that Council's inclusion statements better reflect the needs of Indigenous groups and LGBTQIA+ communities</p>	<p>At present, Council's DIAP is primarily focussed on improving accessibility for people with a disability. Consideration will be given to expanding Council's inclusion statements to include Indigenous groups and the LGBTQIA+ communities in the future.</p>
<p>Request to amend capital works program to include replacement of playground equipment at the Henty Sportsground and defer planned installation at Jindera Recreation Ground or Jindera Tennis Courts</p>	<p>For Council's consideration</p>

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Additional Special Variation

The Minister for Local Government has announced a one-off opportunity available for the 2022-2023 year for councils to apply for an Additional Special Variation (ASV) of up to 2.5 per cent, inclusive of the previously determined rate cap of 0.7 per cent.

Greater Hume Council resolved to apply for an increase of 2 per cent, as the 0.7 per cent rate peg from IPART was significantly lower than the 2 per cent used as a baseline assumption from prior year increases. If a 2 per cent rate increase is granted, this would equate to \$121,000 more revenue for 2022-2023. **All figures reported in the draft 2022 -2023 budget and associated Long Term Financial Plan are based on IPART approving Council's application for a 2% rate increase for 2022-2023.**

At the time of preparing this report, Council had not been notified of IPART's decision in relation to Council's application. It is expected that IPART will finalise all decisions no later than 21 June.

Resourcing Strategy

The Resourcing Strategy supports the Community Strategic Plan and explains how Council will help achieve the community's long-term objectives by applying its time, money, assets and people. It consists of the:

- 10-year Long-Term Financial Plan
- 10-year Asset Management Framework, incorporating Plant and Fleet Management Strategy
- four-year Workforce Management Strategy.

Council has continued to process adjustments to its rating records during the time that the Draft Operational Plan has been on public display and as such minor changes have been made to the amounts shown in the rate table in the Draft Operational Plan. These adjustments include the processing of supplementary valuation lists from the Valuer General's Department, changes to rating categories, and changes in the rateability of land.

Disability Inclusion Action Plan (DIAP)

Council's draft Disability Inclusion Action Plan 2021–2025 has developed to compliment the draft Delivery Program and Operational Plan.

CONCLUSION

The draft budget as presented provides for a small surplus in the 2022/2023 year. Council's 2022/2026 Delivery Program and associated 2022/2023 Operational Plan have been developed to include specific actions associated with the strategies and outcomes detailed in Council's Community Strategic Plan. The 2022/2026 Delivery Program and associated 2022/2023 Operational Plan also contains the key actions and strategies detailed in the Disability Inclusion Action Plan.

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DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

RECOMMENDATION

THAT:

1. Council note and consider the public submissions made in respect to the 2022/2026 Delivery Program, 2022/2023 Draft Operational Plan, Draft Resourcing Strategy and Draft Disability Inclusion Action Plan.
2. The 2022/2026 Delivery Program and the 2022/2023 Operational Plan incorporating estimates of income and expenditure 2022/2026 for Council's General, Sewerage and Water Supply Funds be adopted
3. The 2022/2026 Resourcing Strategy consisting of 10-year Long-Term Financial Plan, 10-year Asset Management Framework, incorporating Plant and Fleet Management Strategy and Four-year Workforce Management Strategy be adopted
4. Fees and Charges as advertised in the Draft Revenue Policy be implemented from 1 July 2022
5. Disability Inclusion Action Plan 2021–2025 be adopted
6. In accordance with Section 535 of the Local Government Act 1993 Council **make** the following Rates and Charges for the period 1 July 2022 to 30 June 2023

ORDINARY RATES

Council **makes** the following rates for the rating year 1 July 2022 to 30 June 2023, comprising a base rate under Section 499 and an ad valorem amount under Section 498 of the Local Government Act 1993.

- a. **Residential** – An ordinary rate of zero point seven three eight three six two (0.738362) cents in the dollar on the land value in addition to a base amount of four hundred and twenty six dollars (\$426.00) per assessment being forty nine point six percent (49.6%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Residential” in accordance with Section 516 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Residential”.
- b. **Residential – Villages** – An ordinary rate of zero point four six two seven six five (0.462765) cents in the dollar on the land value in addition to a base amount of three hundred and thirty five dollars (\$335.00) per assessment being forty six point six percent (46.6%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Residential” sub-category “Villages” in accordance with Section 516 and Section 529 (1) of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Residential – Villages”.

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DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

- c. **Residential – Rural** – An ordinary rate of zero point four one four one eight zero four six (0.418046) cents in the dollar on the land value in addition to a base amount of three hundred and fifty six dollars (\$356.00) per assessment being thirty point one percent (30.1%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Residential” sub-category “Rural” in accordance with Section 516 and Section 529(1) of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Residential – Rural”.
- d. **Business** – An ordinary rate of zero point seven four two two zero nine (0.742209) cents in the dollar on the land value in addition to a base amount of four hundred and fifty one dollars (\$451.00) per assessment being forty nine point two percent (49.2%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Business” in accordance with Section 518 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Business”.
- e. **Farmland – Ordinary** – An ordinary rate of zero point one eight six one two three (0.186123) cents in the dollar on the land value in addition to a base amount of three hundred and fifty five dollars (\$355.00) per assessment being fourteen point four percent (14.4%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Farmland” in accordance with Section 515 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Farmland – Ordinary”.
- f. **Farmland – High Intensity Forestry** – An ordinary rate of zero point nine five zero eight seven six (0.950876) cents in the dollar on the land value in addition to a base amount of two hundred and thirty one dollars (\$231.00) per assessment being fifteen point six percent (15.6%) of the total amount payable on all rateable land in the Greater Hume Shire categorised as “Farmland” sub-category “High Intensity Forestry” in accordance with Section 515 and Section 529(1) of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(1) of the Local Government Act 1993 this rate be named “Farmland – High Intensity Forestry”.

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WATER SUPPLY CHARGES

Council makes the water supply charges for the period 1 July 2022 to 30 June 2023 as follows.

- a. An annual water availability charge of three hundred and twenty three dollars (\$323.00) per assessment be charged on all strata, single residential and unmetered rateable land categorised Residential, Residential-Villages or Residential - Rural in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Water Access Charge".
- b. An annual water availability charge based on water meter size for non-rateable and multi residential properties as follows:

PRICING STRUCTURE – GREATER HUME WATER SCHEME	
Component	2022/2023 Charges
Water Meter Size	
20mm	\$323.00
25mm	\$425.00
32mm	\$482.00
40mm	\$558.00
50mm	\$650.00
80mm	\$897.00

be charged per meter on all multi residential rateable land categorised as Residential, Residential-Villages or Residential - Rural in accordance with Section 501 and Section 552 of the Local Government Act 1993 and non-rateable land in accordance with Section 503 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Water Access Charge".

- c. An annual water availability charge of three hundred and twenty three dollars (\$323.00) be charged on all unmetered rateable land categorised as Business or Farmland in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Water Access Charge".

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DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

- d. An annual water availability charge based on water meter size as follows:

PRICING STRUCTURE – GREATER HUME WATER SCHEME	
Component	2022/2023 Charges
Water Meter Size	
20mm	\$323.00
25mm	\$425.00
32mm	\$482.00
40mm	\$558.00
50mm	\$650.00
80mm	\$897.00

be charged per meter on all rateable land categorised as Business or Farmland in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named “Water Access Charge”.

- e. A water consumption charge per kilolitre as follows:

PRICING STRUCTURE – GREATER HUME WATER SCHEME	
Component	2022/2023 Charges
Usage Charge per KL \$	
< 200kl per kl	\$1.80
>200kl per kl	\$2.78

be charged on all metered assessments in accordance with Section 502 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named “Water Consumption”.

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DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

SEWERAGE RATES

Council makes the sewerage charges for the period 1 July 2022 to 30 June 2023 as follows.

- a. An annual sewerage availability charge of five hundred and twenty eight dollars (\$528.00) per assessment be charged on all strata, single residential and unmetered rateable land categorised Residential or Residential - Villages in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Sewer Access Charge".
- b. An annual sewerage availability charge based on water meter size for non-rateable assessments and multi residential properties as follows:

PRICING STRUCTURE – GREATER HUME SEWER SCHEME	
Component	2022/2023 Charges
Water Meter Size	
20mm	\$298.00
25mm	\$339.00
32mm	\$392.00
40mm	\$458.00
50mm	\$547.00
80mm	\$752.00

be charged per meter on all multi residential rateable land categorised as Residential or residential – Villages in accordance with Section 501 and Section 552 of the Local Government Act 1993 and non-rateable land in accordance with Section 503 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Sewer Access Charge".

- c. An annual sewerage availability charge of five hundred and twenty eight dollars (\$528.00) be charged on all unmetered rateable land categorised as Business in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Sewer Access Charge".

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- d. An annual sewerage availability charge based on water meter size as follows:

PRICING STRUCTURE – GREATER HUME SEWER SCHEME	
Component	2022/2023 Charges
Water Meter Size	
20mm	\$298.00
25mm	\$339.00
32mm	\$392.00
40mm	\$458.00
50mm	\$547.00
80mm	\$752.00

be charged per meter on all rateable land categorised as Business in accordance with Section 501 and Section 552 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named “Sewer Access Charge”.

SEWERAGE RATES (continued)

- e. A sewerage usage charge per kilolitre will be charged on all non-residential metered assessments with sewerage discharge as follows:

PRICING STRUCTURE – GREATER HUME SEWER SCHEME	
Component	2022/2023 Charges
Usage Charge per KL \$	\$1.60 per kilolitre for all non-residential discharges.

be charged on all metered non-residential assessments with sewerage discharge subject to the aligned discharge factor in accordance with Section 502 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named “Non Residential Sewer Usage Charge”.

- f. In accordance with Section 542 of the Local Government Act 1993 the minimum charge (being the combined total of the Sewer Access Charge and the Non Residential Sewer Usage Charge) applicable to non-residential metered assessments will be five hundred and twenty eight dollars (\$528.00) for the period 1 July 2022 to 30 June 2023.

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WASTE MANAGEMENT

Council makes the waste management charges for the period 1 July 2022 to 30 June 2023 as follows.

Residential

- a. A domestic waste management collection charge of two hundred and sixty four dollars (\$264.00) per service be charged on all occupied rateable land other than land classified as Business which have a domestic waste management service available in accordance with Section 496 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Garbage – Domestic".

Commercial

- a. A commercial waste management collection charge of two hundred and seventy nine dollars (\$279.00) per service in respect of each parcel of land to which a non-domestic waste management service (garbage and recycling) is both available and provided under Section 501 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Garbage – Commercial".
- b. A commercial waste management collection charge of two hundred and forty seven dollars (\$247.00) per service in respect of each parcel of land to which a non-domestic waste management service (garbage only) is both available and provided under Section 502 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Waste – Garbage Only Service".
- c. A commercial waste management collection charge of one hundred and thirty one dollars (\$131.00) per service in respect of each parcel of land to which a non-domestic waste management service (recycling only) is both available and provided under Section 502 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Waste – Recycling Only Service".

Vacant Land

- a. A waste management charge of forty dollars (\$40.00) per assessment be charged on all vacant rateable land located within designated domestic waste scavenging areas in accordance with Section 496 of the Local Government Act 1993 be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Garbage – Domestic Vacant Land".

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

DELIVERY PROGRAM 2022 / 2026 AND OPERATIONAL PLAN 2022 / 2023 INCLUDING ESTIMATES OF INCOME AND EXPENDITURE 2022 / 2026, REVENUE POLICY 2022 / 2023, RESOURCING STRATEGY 2022 / 2026 AND DISABILITY INCLUSION ACTION PLAN 2021 2025 [CONT'D]

ON SITE SEWAGE MANAGEMENT CHARGE

Council makes the on-site sewerage management charge for the period 1 July 2022 to 30 June 2023 as follows.

An on-site sewage management charge of thirty dollars (\$30) per annum in respect of each parcel of land or rateable assessment where a dwelling(s) or other occupied building(s) is/are connected to any form of on-site sewage management system or systems be now made for the period 1 July 2022 to 30 June 2023 and in accordance with Section 543(3) of the Local Government Act 1993 this charge be named "Onsite Sewage Management Chg".

INTEREST ON OVERDUE RATES AND CHARGES

In accordance with Section 566(3) of the Local Government Act 1993 the rate of interest to be charged on overdue rates and charges for the period 1 July 2022 to 30 June 2023 (inclusive) be set at six percent (6.0%) per annum on a daily simple interest basis.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

2. REQUESTS TO AMEND NON-RESIDENTIAL SEWER USAGE CHARGES

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

REASON FOR REPORT

To present a request from D.E Lieschke & Son Pty Ltd for Council to consider reducing the amount of non-residential sewer usage charges and trade waste sewer charges levied for the period January – March 2022. This property has incurred significantly increased water usage charges and non-residential sewer usage charges as a result of an unknown leak in a water line.

REFERENCE TO DELIVERY PLAN ACTION

Nil

DISCUSSION

Council has received correspondence from the D.E Lieschke & Son Pty Ltd (Lieschke's) in relation to non-residential sewer usage charges and trade waste sewer charges levied for the period January – March 2022. The charges were based on abnormally high water consumption.

The water usage account for the period in question was based on a total consumption of 261kls. This is a significant increase on previous consumption levels where the previous three quarterly consumption was between 41kls and 110kl per quarter. Lieschke's have advised that the abnormally high consumption was the result of a leak in the internal water supply pipes which has subsequently been detected and repaired.

Lieschke's are seeking consideration for a reduction in the resultant non-residential sewer usage charges and trade waste sewer charges. As Councillors would be aware, all non-residential properties connected to reticulated sewer are charged a usage charge based on the corresponding water usage and applicable discharge factor.

In the case of Lieschke's, the abnormally high water usage resulting from the leaks has resulted in a correspondingly high non-residential sewer usage and trade waste charges. However, given that the additional water usage was almost entirely due to leaks, it is highly unlikely that the additional water made its way into Council's sewer network and as such a review of the non-residential sewer charges and trade waste charges is considered warranted.

The following table details non-residential sewer usage charges at the property over the past (4) billing periods:

Billing Period	Water Usage	Non -Residential Sewer Usage and Trade Waste Charges
March 2022	261kls	\$1,270.17
December 2021	110kls	\$535.32
September 2021	45kls	\$219.00
June 2021	41kls	\$188.11

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

REQUESTS TO AMEND NON-RESIDENTIAL SEWER USAGE CHARGES [CONT'D]

It is acknowledged that over past years Council has considered similar requests to have water usage charges waived or lowered as a result of water lost through leaks in internal supply lines and on each occasion Council has resolved to not accede to the request of the landowner. However, Council has recently supported requests for a reduction in the non-residential sewer usage charges where the additional water consumption was due to a leak. That being the case, it will be recommended that Council support the request and amend the non-residential usage charges as follows:

Total water consumption (average of previous three periods)	65kl
Sewer Usage Charge \$1.57 per kl @ 0.95 Discharge Factor	\$96.95
Trade Waste Sewer Charges \$13.50/kl x 0.25 Discharge Factor	<u>\$219.38</u>
TOTAL	\$316.33

BUDGET IMPLICATIONS

Minor reduction in income of \$953.84

CONCLUSION

The non-residential sewer usage account for the period in question was based on a total water consumption of 261kls. This is a significant increase on previous consumption levels. Given that the water usage was almost entirely due to leaks, it is highly unlikely that the additional water made its way into Council's sewer network and as such a review of the non-residential sewer charges and trade waste charges is considered warranted

RECOMMENDATION.

That Council amend the non-residential sewer usage charges and trade waste sewer charges levied at the D.E Lieschke & Sons 63 Commercial Street, Walla Walla, Assessment 10114601 for the period January – March 2022 to a total charge of \$316.33.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
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3. DETERMINATIONS OF LOCAL GOVERNMENT REMUNERATION TRIBUNAL – MAYOR AND COUNCILLOR FEES

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To present the latest report from the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees.

REFERENCE TO DELIVERY PLAN ACTION

Not applicable – legislative requirement

DISCUSSION

The Local Government Remuneration Tribunal is constituted under the Local Government Act and makes determinations on an annual basis regarding the fees payable to mayors and councillors. The Tribunal groups like councils and determines a minimum and a maximum fee payable for each category of council. Individual councils may then determine the fees payable to the mayor and councillors within the minimum and maximum amounts determined by the Tribunal.

The Local Government Remuneration Tribunal has handed down its 2022 Annual Report and Determination on the fees payable to Councillors and Mayors, confirming a 2% increase in the minimum and maximum amounts payable in 2022/2023. The Tribunal has also determined that Greater Hume Shire Council is included in the Category 'Rural'.

BUDGET IMPLICATIONS

The Tribunal decision will result in a minor budget saving to Council of \$5,225 as the budgets for Mayor and Councillors' fees were indexed at 2.5% for the 2022/2023 year.

CONCLUSION

The Local Government Remuneration Tribunal has handed down its 2022 Annual Report and Determination on the fees payable to Councillors and Mayors, confirming a 2% increase in the minimum and maximum amounts payable in 2022/2023.

RECOMMENDATION

That:

1. The fee payable to Councillors be set at \$12,650 per annum effective 1 July 2022
2. In addition to the adopted Councillor fee above, the fee payable to the Mayor be set at \$27,600 per annum effective 1 July 2022 of which \$4,407 be paid to the Deputy Mayor (balance payable to the Mayor \$23,193).
3. An allowance of \$4,407 be paid to the Deputy Mayor from the 2022/2023 Mayoral Allowance.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

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

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 Andrew Haines requesting to close and purchase a portion of an unused section of road reserve adjacent to their property. The section of unused road separates Lot 3 Section 23 DP 9695 from Lot 1 DP 449083, Gordon Street Culcairn. A copy of the map highlighting the proposed road closure in red is 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.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

CLOSURE AND SALE OF UNUSED SECTION OF ROAD – GORDON STREET,
CULCAIRN [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 formation of the road, the filling of potholes, drainage, mowing, weed mitigation and clearing of fallen vegetation at their cost.

Access to existing properties adjoining the road will be unaffected.

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 would remain vested in Council upon closing.

This report seeks Council’s authorisation to invite submissions with respect to the potential closure and disposing 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.

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 Andrew Haines 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 Lot 3 Section 23 DP 9695 from Lot 1 DP 449083 Gordon Street Culcairn in accordance with Section 38B of the Roads Act 1993.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

5. POLICY DEVELOPMENTS

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To present new and revised policies for consideration.

REFERENCE TO DELIVERY PLAN ACTION

Nil

DISCUSSION

Development and enhancement of Council's Policy Register are continuing. The following policies are now presented for consideration by Council.

Greater Hume currently does not have a policy regarding the reimbursement of relocation expenses and the provision of housing for staff. However, with the recent appointment of a new General Manager, it is appropriate that Council implement these policies to ensure consistency and transparency moving forward.

1. Relocation Expenses (General Manager & Executive) Policy (New policy)

This policy (**ANNEXURE 6**) outlines the relocation expenses payable to the General Manager or Executive where that staff member is required to relocate to undertake a role within Greater Hume Council.

The policy provides for a consistent set of guidelines and will enable Council to attract skilled and knowledgeable staff to the organisation.

2. Provision of Executive Housing Policy(New policy)

This policy (**ANNEXURE 7**) aims to establish guidelines for the provision of Council housing to attract and retain employees.

Housing is provided to the General Manager and Directors as part of their remuneration package subject to availability.

BUDGET IMPLICATIONS

Council's budget will provide for the additional staff expenses and income as a result of 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:

1. the Greater Hume Council Relocation Expenses (General Manager & Executive) Policy be adopted.
2. the Greater Hume Council Provision of Executive Housing Policy be adopted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ON WEDNESDAY 22 JUNE 2022**

ITEMS TO BE REFERRED TO CLOSED COUNCIL

Nil

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

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

GOVERNANCE

1. **HENTY SPORTSGROUND FUNCTION ROOM – EXTENSIONS AND REFURBISHMENT**

Report by General Manager – Steven Pinnuck

REASON FOR REPORT

To update Councillors on the cost of construction of the Henty Sportsground function Room – Extensions and Refurbishment Project.

REFERENCE TO DELIVERY PLAN ACTIONS

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

Since the report to the May Council meeting excellent progress continues to be made in the construction of the Henty Sportsground Function Room extensions and refurbishment.

Since the last report there has been no significant issues impacting on the project costing although wet weather has delayed works on the levee and drainage works being constructed to protect the building from future flood events.

More importantly the installation and certification of the fire services tanks has been completed and with the current building the Author is now optimistic that Council should be in a position to issue an Occupation Certificate by 30 June 2022 with the first home game for the season scheduled for Saturday 2 July.

A date for an official opening has been scheduled for Thursday 30 June.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ON WEDNESDAY 22 JUNE 2022**

HENTY SPORTSGROUND FUNCTION ROOM - EXTENSIONS AND REFURBISHMENT
[CONT'D]

The Table below outlines the current project costings.

Project element	Revised cost 5 May 2022	Revised cost 9 June 2022	Variance	Comments
Project costs				
Project Management	60,000.00	60,000.00	-	
Finalise design plans inc. fire services	17,123.00	19,073.00	- 1,950.00	Redrawing of fire services
Council approvals	8,106.00	7,517.36	588.64	
Building components	905,222.00	905,222.00	-	
Estimated total costs	990,451.00	991,812.36	- 1,361.36	
Funded by				
Sportsground stimulus fund	409,091.00	409,091.00	-	
Henty Community Financial Services	300,000.00	300,000.00	-	
Local Roads and Community Infrastructure Fund	100,000.00	100,000.00	-	
NSW AFL	30,000.00	30,000.00	-	
Greater Hume Council (waive DA fees)	5,481.00	4,892.36	588.64	
User Group Contribution	47,500.00	47,500.00	-	
Henty Town Improvement Reserve	56,754.00	56,754.00	-	
Community Contribution (mower sale and community fund raising)	70,000.00	70,000.00	-	
Estimated total income	1,018,826.00	1,018,237.36	588.64	
Variance in funding for building component only	28,375.00	26,425.00	1,950.00	
Additional costs to be incurred				
Installation of pressure sewer line	87,452.00	87,752.00	- 300.00	
Fire services (Tanks and pumps)	188,764.00	188,764.00	-	
Tree removal	6,500.00	6,500.00	-	
Latent conditions - Fire tank foundations	7,845.00	8,503.64	- 658.64	
Riverina Water Upgrade	24,936.00	24,753.50	182.50	
Total	315,497.00	316,273.14	- 776.14	
Funded by	250,000.00	250,000.00	-	
Variance installation of services	- 65,497.00	- 66,273.14	776.14	
Total variance	- 37,122.00	- 39,848.14	2,726.14	

Given the building is substantially complete the Author is optimistic the project can be completed without any further major costs escalations.

BUDGET

Council has previously resolved to utilise part of the proceeds of the sale of Lots 3-5 DP 13322, Yankee Crossing Road, Henty to fund the over expenditure of his project which will ensure the project does not impact on Council's budgetary position.

**ORDINARY MEETING OF GREATER HUME COUNCIL
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HENTY SPORTSGROUND FUNCTION ROOM - EXTENSIONS AND REFURBISHMENT
[CONT'D]

CONCLUSION

The Author is optimistic the project can be completed by 30 June 2022 without any further major costs escalations.

Given the building is substantially complete the Author is optimistic the project can be completed without any further major costs escalations.

RECOMMENDATION

That the report be received and noted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

**2. PROPOSED SALE OF 124 ALBURY STREET, HOLBROOK
Report by General Manager – Steven Pinnuck**

REASON FOR REPORT

To advise Councillors that Expressions of Interest to market 124 Albury Street, Holbrook have been sought from Real Estate Agents that meet the definition of a local supplier and to provide a timeline for the proposed sale.

REFERENCE TO DELIVERY PLAN ACTIONS

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

Outcome: We have prosperous and diverse local businesses and a growing economy.

DISCUSSION

At the April meeting of Council the following was resolved.

That Council seek Expressions of Interest from Real Estate Agents that meet the definition of a local supplier to market 124 Albury Street, Holbrook on behalf of Council.

Expressions of interest have now been sought from Real Estate Agents that meet the definition of a local supplier.

The timeframe for the sale of the land parcel is as follows:

Proposed Timeline	
30 May 2022	EOI opens seeking local real estate agency to be appointed as agent to market the land
14 June 2022	EOI closes for local real estate agency application to be appointed as agent to market the land
15 June 2022	Real estate agency appointed. Successful and unsuccessful real estate agencies advised
30 June 2022	Marketing to commence from this date
19 August 2022	Close date for EOI received from prospective purchasers
26 August 2022	Council to receive all EOI offers in writing
15 September 2022	Councillors receives report and recommendation
21 September 2022	Council determines to accept or decline any EOI to purchase
22 September 2022	Successful EOI advised. Unsuccessful EOI advised
Date TBA	Contract of sale concluded by 31 December 2022

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

PROPOSED SALE OF 124 ALBURY STREET, HOLBROOK [CONT'D]

BUDGET IMPLICATIONS

The sale should be cost neutral to Council with the net proceeds being returned to the Land Development Reserve.

CONCLUSION

Expressions of interest have now been sought from Real Estate Agents that meet the definition of a local supplier.

A timeline for the marketing and sale of the property has also been outlined to Councillors.

RECOMMENDATION

That the report be received and noted.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

CORPORATE AND COMMUNITY SERVICES

1. COMBINED INVESTMENT REPORT – MONTH ENDED 31 MAY 2022

Report prepared by Accounting Officer – Camilla Webb

REASON FOR REPORT

This report presents to Council details of all funds invested as at 31 May 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 Accounting Officer must present to Council monthly, the status of the investments held by Council. The Responsible Accounting Officer must detail the investments held, and their compliance with both internal policy and external regulation under the Ministerial Order of Investments.

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

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

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

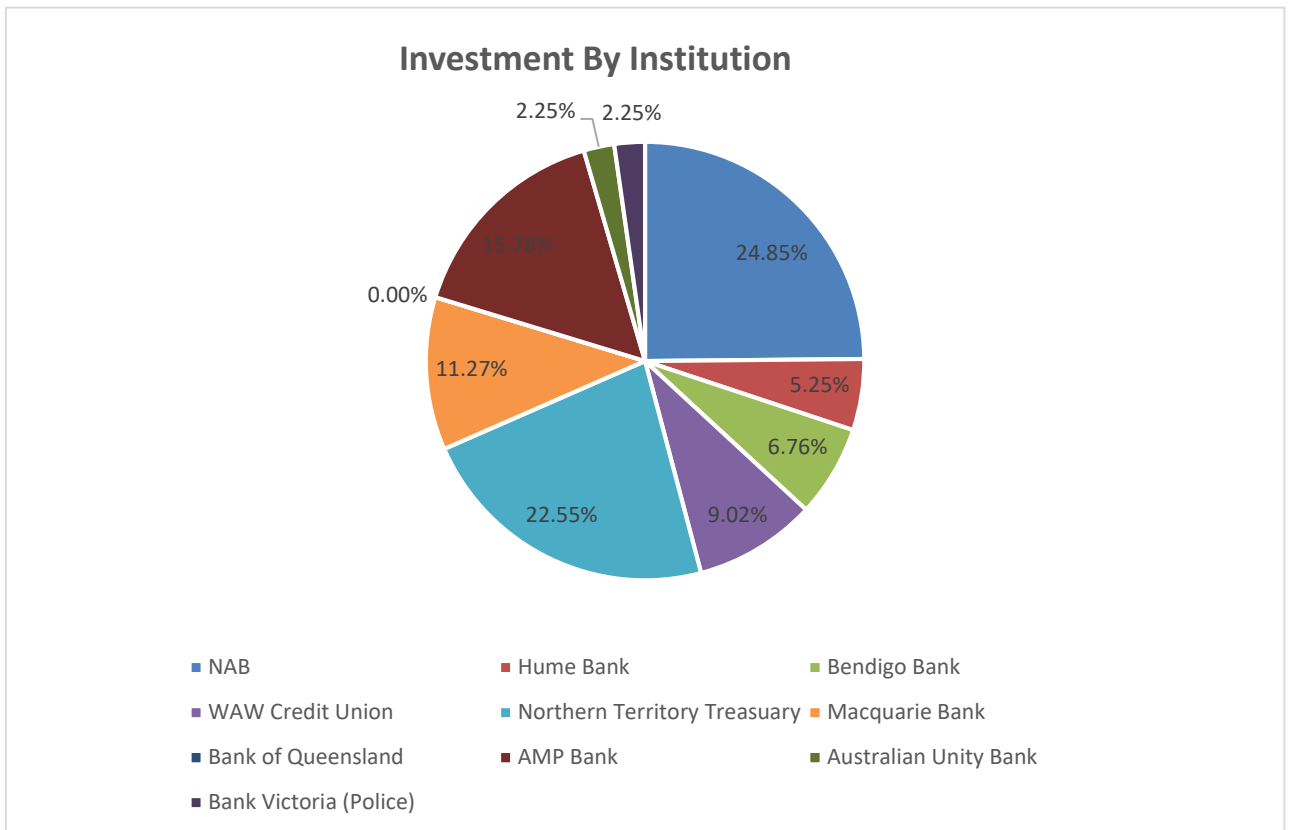
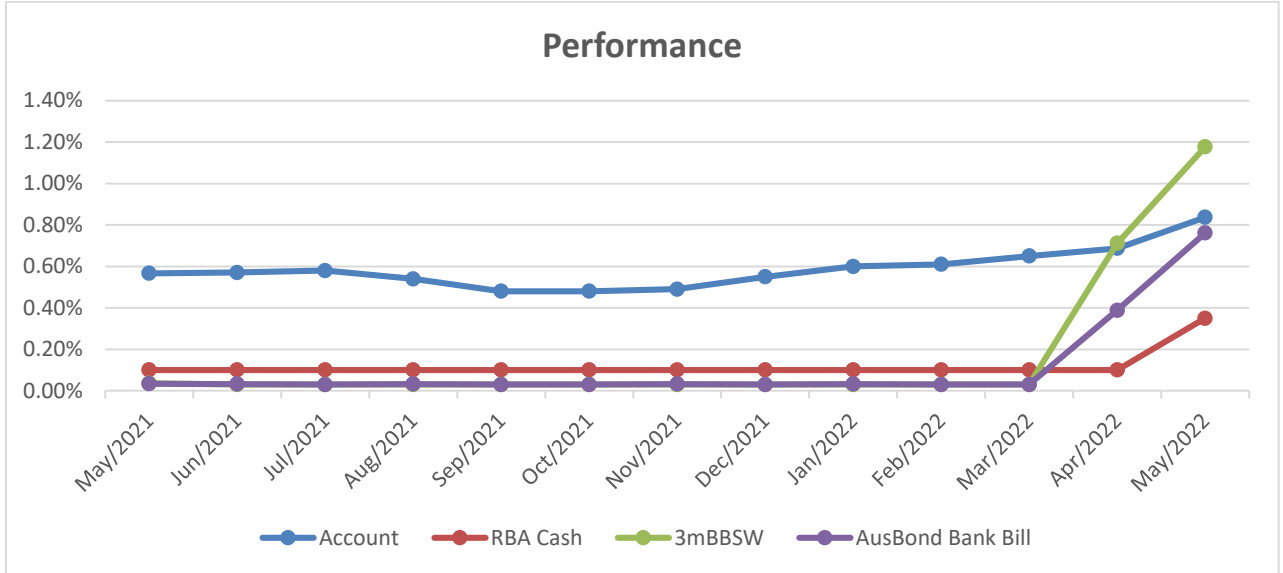
Greater Hume's overall investment portfolio

Total Cost	\$31,992,369.19
Total Portfolio Value	\$32,103,888.59
Weighted Average Term (days)	307
Weighted Average Yield	0.84 %
Total Monthly Accrued Interest	\$18,334.97
Total Interest Received this month	\$11,667.39
Interest Payments this month	8
Matured Investments this month	8
Total Funds Matured this month	\$3,346,751.06
New Investments this month	2
Total Funds Invested this month	\$4,546,751.06

Note: The Reserve Bank of Australia raised the cash rate from 0.35% to 0.85% on the 7 June 2022.

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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COMBINED INVESTMENT REPORT – MONTH ENDED 31 MAY 2022 [CONT'D]



**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 22 JUNE 2022**

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

Investment Register

ADI/Security Name	Maturity Date	Amount	Long Term Rating	Term in Days	Monthly Accrued Interest	Yield
AMP Bank	14/06/2022	\$1,000,000	BBB	216	\$721.92	0.85%
WAW Credit Union	16/06/2022	\$500,000	NR	365	\$318.49	0.75%
WAW Credit Union	16/06/2022	\$600,000	NR	365	\$382.19	0.75%
Hume Bank	17/06/2022	\$500,000	NR	365	\$169.86	0.40%
Hume Bank	17/06/2022	\$500,000	NR	365	\$169.86	0.40%
Hume Bank	30/06/2022	\$49,937.43	NR	365	\$14.84	0.35%
WAW Credit Union	8/07/2022	\$400,000	NR	365	\$254.79	0.75%
NAB	20/07/2022	\$500,000	AA-	271	\$148.63	0.35%
Macquarie Bank	17/08/2022	\$500,000	A+	182	\$276.03	0.65%
Police Financial Services	18/08/2022	\$500,000	NR	91	\$240.41	1.35%
NAB	30/08/2022	\$500,000	AA-	366	\$148.63	0.35%
AMP Bank	27/09/2022	\$500,000	BBB	364	\$339.73	0.80%
Macquarie Bank	29/09/2022	\$500,000	A+	365	\$169.86	0.40%
Bendigo And Adelaide Bank	17/10/2022	\$500,000	BBB+	271	\$233.56	0.55%
AMP Bank	20/10/2022	\$1,000,000	BBB	365	\$679.45	0.80%
WAW Credit Union	7/11/2022	\$500,000	NR	180	\$359.59	1.25%
Australian Unity Bank	17/11/2022	\$500,000	BBB+	182	\$391.78	2.20%
NAB	6/12/2022	\$510,414.36	AA-	357	\$264.44	0.61%
Bendigo And Adelaide Bank	12/01/2023	\$500,000	BBB+	365	\$276.03	0.65%
NAB	18/01/2023	\$500,000	AA-	265	\$636.99	1.50%
NAB	19/01/2023	\$500,000	AA-	365	\$310	0.73%
NAB	20/01/2023	\$500,000	AA-	245	\$378.08	2.30%
NAB	31/01/2023	\$500,000	AA-	273	\$790.55	1.99%
Hume Bank	1/03/2023	\$68,066.42	NR	365	\$20.23	0.35%
Macquarie Bank	19/04/2023	\$500,000	A+	330	\$295.89	2.70%
AMP Bank	21/04/2023	\$1,000,000	BBB	365	\$1,656.16	1.95%
Hume Bank	2/05/2023	\$46,751.06	NR	365	\$23.06	0.60%
Macquarie Bank	19/05/2023	\$1,000,000	A+	365	\$961.64	2.70%
Bendigo And Adelaide Bank	19/05/2023	\$500,000	BBB+	365	\$498.63	2.80%
NAB	13/09/2023	\$2,000,000	AA-	727	\$1,019.18	0.60%
Northern Territory Treasury Corp	15/06/2025	\$1,000,000	NR	1,248	\$1,189.04	1.40%
Northern Territory Treasury Corp	16/06/2025	\$1,500,000	NR	1,481	\$1,401.37	1.10%
Northern Territory Treasury Corp	15/06/2026	\$2,500,000	NR	1,887	\$2,760.27	1.30%
NAB	1/06/2022	\$9,817,199.92	AA-	1	\$0	0.10%
		\$31,992,369.19				

**ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ON WEDNESDAY 22 JUNE 2022**

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

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 April, 2022 total Investments held were \$31,992,369.19 The year to date accrued investment earnings for 2021/22 was \$101,756.60 representing a weighted average yield of 0.94%.

RECOMMENDATION

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

**ORDINARY MEETING OF GREATER HUME COUNCIL
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ON WEDNESDAY 22 JUNE 2022**

ENGINEERING

1. ROAD SIDE DRILLING IN GREATER HUME

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To advise Councillors of contractors undertaking road side drilling on a number of roads in Greater Hume (as well Federation and Lockhart Councils).

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

Krakatoa Resources Ltd (KTA) holds exploration licences over a large portion of Greater Hume and are about to commence shallow roadside air-core drilling at a number of locations. (SEE ANNEXURE 8)

KTA are undertaking the drilling to test for ionic' hosted rare earth elements.

It is to be noted that an Exploration Licence that permits the drilling to be undertaken has been granted under the NSW Mining Act 1992. An Exploration Licence does not allow mining to occur, and as stated in the attached documents it does not guarantee that a mining lease will be granted.

Council staff have required that the contractor install appropriate traffic control signage around any of the drill sites whilst drilling is in operation for the protection of contractors and road users.

The drilling will be undertaken by a portable drill rig on the back of a six wheel Toyota Land Cruiser and will be undertaken off the road carriage way, therefore not restricting through traffic at any time.

Only a few kilograms of rock samples will be collected at each site.

No vegetation removal will occur as part of this work and holes will be backfilled leaving negligible environmental disturbance.

Works are expected to start in June and be completed within four weeks subject to weather.

BUDGET IMPLICATION

Nil, staff time is being recouped through the application fee for a road opening permit that has been issued for the work.

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ROAD SIDE DRILLING IN GREATER HUME [CONT'D]

CONCLUSION

Krakatoa Resources Ltd (KTA) holds exploration licences over a large portion of Greater Hume and are about to commence shallow roadside air-core drilling at a number of locations.

KTA are undertaking the drilling to test for ionic' hosted rare earth elements.

No vegetation removal will occur as part of this work and holes will be backfilled leaving negligible environmental disturbance.

Works are expected to start in June and be completed within four weeks subject to weather.

RECOMMENDATION

That Council receive and note the report

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

GOVERNANCE

1. WORKSHOP/BRIEFING SESSION SCHEDULE 2022

REASON FOR REPORT

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

DISCUSSION

The current session dates are outlined in the table below.

Workshop/Briefing Session date commencing at 5.45pm	Topic
Friday, 7 January 2022	Induction
Monday 7 February 2022	Community Strategic Plan
Wednesday, 9 February 2022	Preliminary Roads Workshop
Wednesday, 23 February 2022	Preliminary Budget Workshop
Friday, 4 March 2022	Shire Works and Roads Tour
Tuesday, 22 March 2022	Final Roads Workshop
Wednesday, 6 April 2022	Final Budget Workshop

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

Council meeting locations and dates are available on the website or by contacting any Council office.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

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2. OFFICE OF LOCAL GOVERNMENT CIRCULARS

REASON FOR REPORT

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

DISCUSSION

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

- 22-18 Updated statutory forms under the Land Acquisition (Just Terms Compensation) Act 1991 to take effect from 8 June 2022
- 22-17 Increase in tendering threshold for natural disaster response and recovery related contracts
- 22-16 Increases to companion animal fees for 2022/23
- 22-15 Guidance for councils on the publication of disclosure of interest returns
- 22-14 2022/23 Determination of the Local Government Remuneration Tribunal
- 22-13 Councillor and general manager financial management responsibilities – information sessions
- 22-12 Proposed amendments to the standard contract of employment for general managers

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

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

REASON FOR REPORT

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

DISCUSSION

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

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

BUDGET IMPLICATIONS

Nil.

CONCLUSION

For Councillors' information.

4. TOURISM AND PROMOTIONS OFFICER'S REPORT

Report by Tourism and Promotions Officer – Kerrie Wise

REASON FOR REPORT

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

DISCUSSION

The report on projects being undertaken by the Tourism and Promotions Officer is attached at **ANNEXURE 9**.

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 MAY 2022**

The statement of bank balances as at 31 May 2022 is attached at **ANNEXURE 10**.

ENGINEERING

1. **MAY 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).

Extensive heavy patching is complete on MR78 in various locations between Hume Highway (south of Gerogery) and The Rock.

Regional Roads

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

Shoulder maintenance on Urana Road (MR 125) between Walbundrie and Rand has been completed.

Local Roads Sealed

General maintenance on local roads is continuing.

Road reconstruction of 4km on Fellow Hills Road, starting at Coach Road is complete.

Unsealed:

Gravel resheeting has been completed on Plunkett Road, Back Henty Road, Morgans Road and Kotzurs Road, as part of Council's 2021/2022 Resheeting Program.

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

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MAY 2022 – REPORT OF WORKS [CONT'D]

Beach Road	Mullemlah Road
Benambra Road	Reynella Road
Bunn Road	River Road
Dunwandren Lane	Stony Park Road
Fanning Lane	Trigg Road
Hovell Road	Vile Lane
Lennons Road	Ziebath Road
Moorwatha Road	

Works are continuing on Bloomfield Road on the new Burrumbuttock Creek crossing.

Urban Streets:

General maintenance of urban streets is continuing.

Roundabout construction at the intersection of Urana Street and Pioneer Drive, Jindera is continuing.

This installation of underground stormwater drainage, table drains and culverts in Brownrigg Street, Morven is complete.

General:

General maintenance of public toilets and parks is continuing.

General signage maintenance is continuing.

Design works for the lookout and raised walk way on Hanel's Road, Woomargama is continuing. Road upgrade is due to commence after the installation of steel works is complete.

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MAY 2022 – REPORT OF WORKS [CONT'D]

Monthly Works Maintenance Expenditure:

Local Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Urban Roads Maintenance	\$283,604	\$259,970	\$231,188	\$28,782	
Urban Roads Town Maintenance	\$210,000	\$192,500	\$283,063	-\$90,563	Expenditure to be mostly offset by the under expenditure in Urban Roads Maintenance, Street Tree Maintenance and Rural Roads Sealed.
Rural Roads Sealed	\$1,065,000	\$976,250	\$721,483	\$254,767	
Rural Roads Unsealed	\$1,302,740	\$1,194,178	\$1,364,343	-\$170,165	Expenditure is to be offset by the under expenditure of Rural Roads Sealed.
Street Tree Maintenance	\$252,335	\$231,307	\$190,394	\$40,914	

NOTE : Application for Natural Disaster submitted and declared for significant weather events December/January. Awaiting acceptance of funding for completed emergency works and pending works estimated value \$1.5m.

Regional Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Regional Roads Maintenance	\$752,781	\$690,049	\$714,040	-\$23,991	Monitor

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Comments
Sportsground Maintenance	\$479,440	\$439,487	\$497,226	-\$57,739	Subject to financial review at end of quarter.
Parks & Gardens Maintenance	\$317,180	\$290,748	\$267,729	\$23,019	
Public Toilets Maintenance	\$191,590	\$175,624	\$208,240	-\$32,616	To be closely monitored. Offset by the under expenditure of P&G Maintenance.

NB : Sportsground Maintenance excludes annual GHC contribution payment

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MAY 2022 – REPORT OF WORKS [CONT'D]

Major Projects Expenditure:

Project	Budget	YTD	Committed	Total	Remaining	Comments
Fellow Hills Road Rehabilitation	\$1,394,849	\$1,362,064	\$145,842	\$1,507,906	-\$113,057	Project is complete. Project over original budget by 8%.which include 5% on-cost as determined in the 2021/2022 budget. Additional cost will be funded from RTR Program.
Gerogery Road Rehabilitation	\$2,609,911	\$170,374	\$103,309	\$273,683	\$2,336,228	Project has just commenced, will also continue into next financial year.
Culcairn Holbrook Road Rehabilitation	\$1,360,000	\$1,343,058	\$52,000	\$1,395,058	-\$35,058	Project has been completed and committed cost yet to be reconciled.

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2. WATER & SEWER REPORT – MAY 2022

Capital Works Program:

- Henty Sewer Pump Station and Rising Main Henty Showground. - complete
- Culcairn Water Service replacements – WIP

Operation & Maintenance:

- New water service connection – 3 Terlich Way, Jindera
- New water service connection – 9 Klien Court Jindera
- New water service connection – 8 Rosler St.Jindera
- New water service connection – 16 Terlich Way Wagner Drive Jindera
- New water service connection – 3150 Olympic Highway Culcairn

- Water main Pressure/Flow test -- Jarick Way Jindera

Other:

- IWCM – WIP
- Jindera STW upgrade Business Case – WIP
- Culcairn Black St reservoir upgrade Business Case - WIP
- Jindera, sewer storm water smoke testing – WIP
- Jindera Pump Station storm flow detention – WIP
- Jindera Weather Station – WIP
- Water Meter Reading - Completed

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

April 2022	2019/2020	2020/2021	2021/2022
Culcairn Water Supply (ML)	15.72	13.05	11.20
Village Water Supply (ML)	34.07	42.20	25.74
Totals (ML)	49.79	55.25	36.94

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

Water Supply Sourced and Used

1 July 2021 – April 2022	2019/2020	2020/2021	2021/2022
Culcairn Water Supply (ML)	122.42	102.63	112.04
Village Water Supply (ML)	374.40	318.00	257.49
Totals (ML)	496.82	420.63	369.44

ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF MAY 2022

The schedule of development applications processed for the month of May 2022 is attached at **ANNEXURE 11**.

2. RANGER'S REPORT – MAY 2022

COMPANION ANIMALS

No. of Complaints Received 11	Including: 4 barking dogs, 6 roaming dogs, dealing with an aggressive dog, Nuisance dogs aggression, Continual patrolling of towns for compliance		
No. of dog attacks:		Location:	
Comments:			
		Dogs	Cats
In Council's Facility at Beginning of Month			
Captured & Returned to Owners		8	
Captured & Impounded		4	2
Released from Pound to Owners		4	
Surrendered by Owners			
Rehomed			2
Euthanased			
Remaining in Council's Facility at End of Month		0	0

FERAL CATS

No. of Complaints:	3
No. Feral Cats caught:	4

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RANGER'S REPORT – MAY 2022 [CONT'D]

LIVESTOCK

	Cattle	Sheep	Horse	Goats	Other Alpacas
No. of Reports of Stock on Roads	3	4		1	
Instances - Returned to owners	3	4		1	
Impounded					
Vehicle accidents involving stock					

OTHER LIVESTOCK, WILDLIFE COMPLAINTS

Holbrook – 1 injured kangaroo euthanized.
Walla Walla - 1 injured kangaroo euthanised.
Woomargama - 1 injured kangaroo euthanised.

ABANDONED VEHICLES

Jindera – vehicle removed by owner.
Culcairn – vehicle removed by owner.

POLLUTION AND ENVIRONMENTAL INCIDENTS

Inspection conducted: Overgrown Vegetation Unsafe Land	Holbrook – Peel St residential property. Henty – Ivor St residential property.
Pollution: Offensive smell	Jindera – chook house.
Pollution: Waste	Jindera – household waste. Removed by Rangers. Henty – household waste removed by Rangers.
Pollution: Noise	Culcairn - 2 barking dogs. Jindera - motorbike noise. Sound meter installed. Walla – loud music from shed. Jindera – rooster.

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RANGER'S REPORT – MAY 2022 [CONT'D]

ON-SITE SEWERAGE MANAGEMENT SYSTEMS

INSPECTION TYPE	TOTAL	PASS	FAIL
OSMS Compliance Inspections	3		3
Pre-Purchase Inspections			
OSMS Orders issued	3		
OSMS Orders Compliance Inspections	3	3	
Plumbers Site Inspections			
OSMS Upgrade Applications Received			
OSMS Approvals To Do Works Issued	5		
OSMS Approvals To Operate Issued	2		
AWTS Service Contract Renewal Letters			
Local Government Application Approvals			
Local Government Approval Inspections			
Local Government Approval Soil Report Assessments			
OSMS Rate charge enquires			
Septic Enquiry	1		
Solicitors letter			
Vacant Land checks			

OTHER WORKS CONDUCTED

- Total of 34 CRM's reported through Council.
- Rangers completing internal training in OSMS.
- RID online (Report Illegal Dumping online) updating with data entry.
- Holbrook, Culcairn and Jindera landfill site works.
- Sound monitoring Jindera – motor bike noise.
- Assisted with Local Lands, NSW Police and Drover to move 600 head of cattle across the Olympic Highway and train line in Culcairn.

3. SENIOR WEEDS OFFICER REPORT

- Monitoring and control of Alligator Weed is ongoing in the Woomargama area.
- Monitoring and control of Green Cestrum on the Billabong Creek.
- Monitoring and control of Coolatai Grass is ongoing throughout council area.
- Successfully obtained a \$5000 grant from the DPI which will be spent on controlling Alligator Weed at Woomargama.
- Controlling and monitoring of rabbit infestations throughout the council area.
- General roadside and property inspections have been completed throughout the council area.

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PART D

Attached in **ANNEXURE 12**, are minutes of the following items:

- Henty Community Development Committee Meeting Minutes – 2 May 2022
- Walla Walla Community Development Committee Meeting – 31 January 2022, 14 February 2022 (Special Meeting), 28 February 2022, 28 March 2022,