



**Greater  
Hume  
Council**

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

Wednesday, 16 August 2023

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

Persons wishing to address Council in the forum must register by 5pm Monday, 14 August 2023. The conduct of the forum is governed by the Council's Code of Meeting Practice. A new procedure applies for persons wishing to attend the meeting which can be obtained from Council's website or any Council office.

Council live streams meetings so that the public may view the proceedings of the meeting in real time or later. View the recording of the meeting at <https://bit.ly/35uKFxX>

Evelyn Arnold  
**GENERAL MANAGER**

**ORDER OF BUSINESS TO BE CONSIDERED  
REFER OVERLEAF**

## Ordinary Meeting of Greater Hume Council

Wednesday, 16 August 2023

*In accordance with Council's Code of Meeting Practice, this Council Meeting is being recorded and will be placed on Council's webpage for public information. All present today are reminded that by speaking you are agreeing to your view and comments being recorded and published. You are also reminded that, if or when speaking, you are to be respectful to others and use appropriate language. Greater Hume Council accepts no liability for any defamatory or offensive remarks or gestures during this Council Meeting.*

### **BUSINESS:**

**1. OPENING THE MEETING**

**2. PRAYER**

**3. ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

- Minutes of the Ordinary Meeting of Council – 19 July 2023

**6. ACTION REPORT FROM THE MINUTES**

**7. DISCLOSURES OF INTERESTS**

**8. MAYORAL MINUTE(S)**

**9. NOTICES OF MOTIONS**

**10. REPORTS FROM OFFICERS**

**PART A For Determination**

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

**ITEM REFERRED TO CLOSED COUNCIL**

- Engineering
- Mayoral Minute

**PART B To Be Received and Noted**

- Corporate and Community Services

**PART C Items For Information**

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

**PART D Items for Information**

**11. MATTERS OF URGENCY**

Nil

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

Engineering  
Mayoral Minute

**13. CONCLUSION OF THE MEETING**

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**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

MAYORAL MINUTE

Refer to Items to be referred to closed Council.

NOTICE OF MOTIONS

Nil.

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

ENVIRONMENT AND PLANNING

**1. GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY DEVELOPMENT CONTRIBUTIONS PLAN 2023**

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

**REASON FOR REPORT**

The reason for this report is to seek the adoption of the draft Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2023 (the draft plan).

**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 meet the needs of our communities.

**DISCUSSION**

The draft plan was subject to public exhibition for 28 days concluding on 25 July 2023 which is in accordance In accordance with Section 213 of the Environmental Planning and Assessment Regulation 2021 and Schedule 1 of the Environmental Planning and Assessment Act 1979 The exhibition notice advised that Council was exhibiting the draft plan and it would be a replacement for Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2021.

The draft plan has been on exhibition on Council's website. Residents were advised to write a submission if any concerns were raised in relation to the draft plan.

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

Project description	Total Estimated Cost Subject to Indexation	Amount to be contributed by S7.12 payments	Estimated time frame	Project Completed	Project Number Shown in mapping
Jindera - Dog Park and Bike Path	\$150,000	\$150,000	1-2 years		1
Jindera - Netball Building	\$1,100,000	\$150,000	1-2 years		2
Culcairn - Asphalt Seal Culcairn Walking Track	\$100,000	\$100 000	1-2 years		3
Morven - Community Park	\$300,000	\$200,000	1-2 years		4
Culcairn - Dog Park	\$100,000	\$100,000	2-3 years		5
Walla Walla - Hall Childcare Centre Carpark Shade	\$100,000	\$100,000	2-3 years		6
Holbrook- Jingellic Road Walking Track	\$500,000	\$500,000	2-3 years		7
Henty - Dog Park	\$100,000	\$100,000	2-3 years		8
Henty - Public Toilet and RV Stop	\$300,000	\$300, 000	3-5 years		9
Culcairn - Public Toilet and RV Stop	\$300,000	\$300,000	3-5 years		10

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GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY  
DEVELOPMENT CONTRIBUTIONS PLAN 2023 [CONT'D]

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

**BUDGET IMPLICATIONS**

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

**CONCLUSION**

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

**RECOMMENDATION**

That:

- 1 In accordance with section 214(1)(a) of the Regulations, Council adopt the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2023 in the same format that it was advertised.
- 2 In accordance with section 214(4)(a) of the Regulations, Council place an advertisement upon its website advising of the adoption of the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2023.
- 3 In accordance with section 215 of the Regulations, Council repeals the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2021 and places an advertisement upon its website advising of the repeal of the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2021.

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**Report prepared by Town Planner – Gayan Wickramasinghe.**

**REASON FOR REPORT**

The purpose of this report is to provide an assessment and recommendation for the above development application for resubdivision of three (3) lots into twenty-one (21) lot Torrens Title & twelve (12) lot Community Title Subdivision, vegetation removal, road construction, and associated civil works in two (2) stages on Lot: 2612 DP: 708334 & lot: 1-2 sec 23 DP: 758544 & at 80 Goulburn Street and 81-89 Mitchell Street, Jindera NSW 2642.

Following public exhibition of the development application from 23 March 2023 to 19 April 2023, Council received a total of seven (7) submissions. The submissions were formed around flood and stormwater management, inconsistencies with local character, potential amenity impacts (i.e. impacts during construction stage of the allotments and additional impacts as a result of new dwellings being established), size of proposed allotments, building materials to be used for the future dwellings, ownership of the easement, inadequate reticulated facilities (sewer system and water pressure), not meeting the certain requirements within the sale contract, impact on natural habitat and additional traffic movement generated as result of the proposal.

The submissions were reviewed by Council's planning and engineering staff and also forwarded to the applicant to provide an additional response. A further discussion of these submissions is found in **Section 4.15(1)(d)** within this report.

Accordingly, this matter is reported to Council for determination as per the Council adopted assessment of Development Applications Policy.

**REFERENCE TO DELIVERY PLAN**

None relevant.

**DISCUSSION - DESCRIPTION OF PROPOSAL**

Pursuant to Section 4.12(1) of the Environmental Planning and Assessment (EP&A) Act 1979 this application seeks Council's approval for resubdivision of three (3) lots into twenty-one (21) lot Torrens Title & twelve (12) lot Community Title Subdivision, vegetation removal, road construction, and associated civil works in two (2) stages.

The submitted application specifically involves the following:

**Stage 1**

- Remove 33 trees (non-native exotic trees) in establishing the proposed subdivision and associated access ways, and
- Resubdivision of three (3) lots (i.e. Lot: 2612 DP: 708334 & lot: 1-2 sec 23 DP: 758544) into twenty (21) Torrens Title lots.
- Dedicate proposed Lot 20 to Greater Hume Council as a reserve

**Stage 2**

- Subdivide Lot 19 into twelve (12) Community Title lots.



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As per the preliminary layouts, the lots comprise of stage 1 (Torrens Title Subdivision) will consist of parcels that range from 600m<sup>2</sup> to 10613.7m<sup>2</sup> whilst stage 2 (Community Title Subdivision) will consist of parcels that range from 324m<sup>2</sup> to 508.7m<sup>2</sup>.

The application is supported by the following;

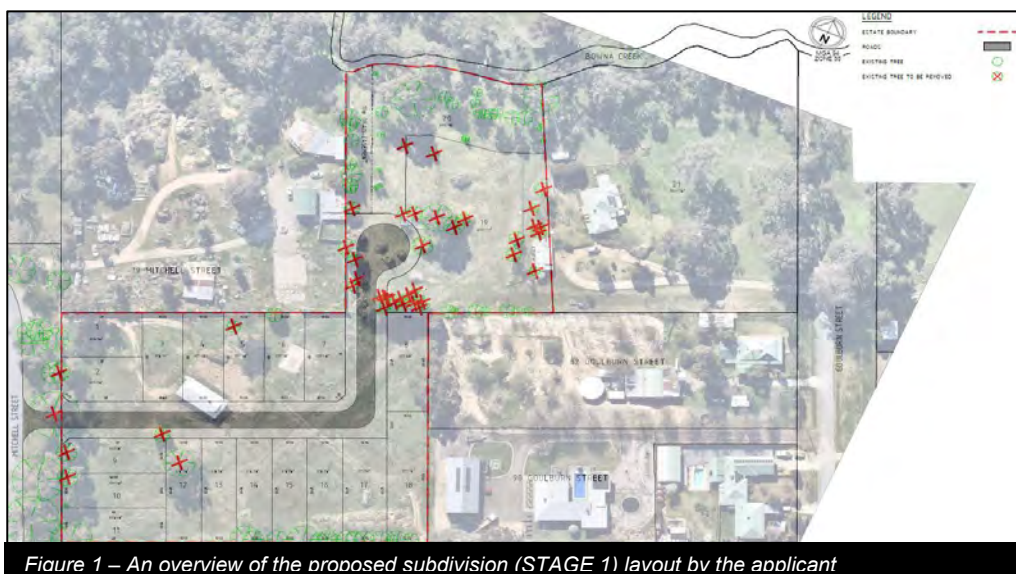
1. A Statement of Environmental Effects (SEE) and a detailed planning report prepared by Habitat Planning and dated 02 March 2023;
2. Series of preliminary plans prepared by Spiire (i.e. proposed plan of subdivision and flood depth) – **ANNEXURE 1**.
3. An engineering report by Spiire; and dated July 2023. **ANNEXURE 2**.

Works required for the subdivision are to be carried out include earthworks, internal road construction, provision and extension of infrastructure services including sewerage, water supply, stormwater infrastructure, electricity and telecommunications.

The development application is considered to be integrated development pursuant to section 4.46 and 4.47 of the EP&A as it requires a Controlled Activity approval under the Water Management Act 2000.

The applicant (Habitat Planning) has made the development application with the consent of 'JMB Property Development Pty Ltd' for Lot 1-2 Sec 23 DP 758544 and JW and CL Stewart for Lot 2612 DP 708334.

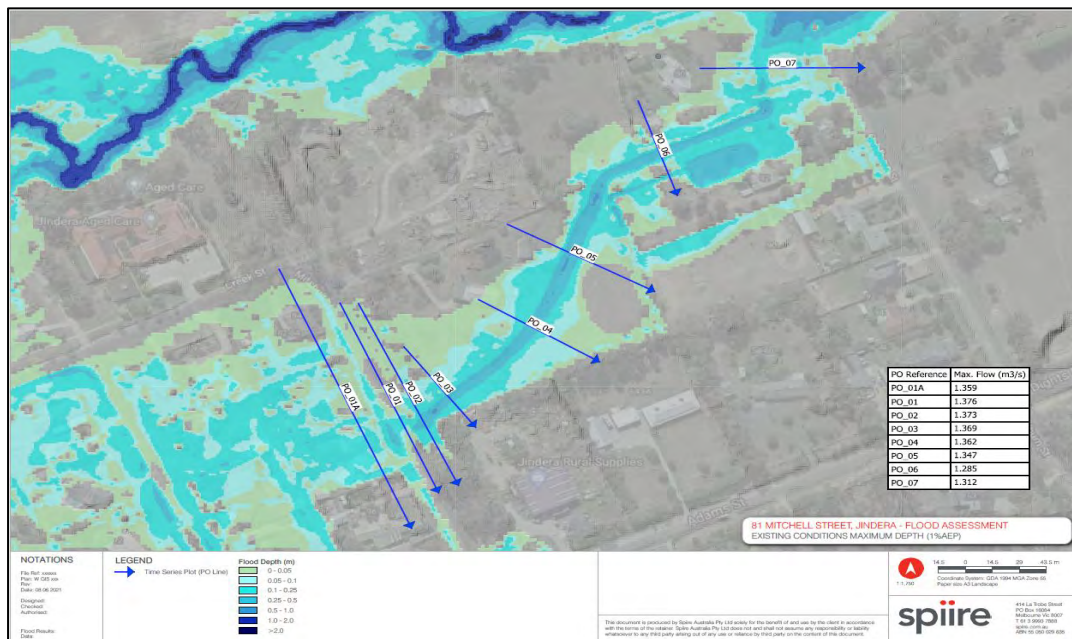
Please refer to the submitted plans, and the body of the report for background and further details. The following figures (**Figures 1-3**) show the nature of the proposed development.



*Figure 1 – An overview of the proposed subdivision (STAGE 1) layout by the applicant*

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**Figure 2 – Proposed STAGE 2 layout by the applicant.  
Figure 3 – Flood impact assessment by the Applicant.**

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## **ASSESSMENT**

### **1.1 DESCRIPTION OF THE SITE AND LOCALITY**

The subject site is addressed as 80 Goulburn Street and 81-89 Mitchell Street, Jindera NSW 2642 which comprise of three (3) allotments and identified as Lot: 2612 DP: 708334 & Lot: 1-2 sec 23 DP: 758544 and is located on the eastern side of Mitchell Street and western side of Goulburn Street with direct access from Goulburn and Mitchell Street respectively.

As per Council's GIS System, Lot: 2612 DP: 708334 also known as 80 Goulburn Street, Jindera has a total area of 1.837ha with an approximately 115m frontage to Goulburn Street. The allotment is irregular in shape with a single storey detached dwelling and two (2) outbuildings.

The other two allotments (Lot: 1-2 sec 23 DP: 758544) are located south of the above mentioned parcel with Lot 1 backs on to Mitchell Street with an approximately 101m frontage. As per the Aerial Imagery, both allotments consist mostly of exotic scattered vegetation. The cumulative land area of both allotments are approximately 1.411ha.

Land adjoining the northern parcel is Bowna Creek, and north of the creek comprises a grazing paddock zoned RU5 Village. Land further north past Drumwood Road is zoned and developed for low density residential and rural purposes and features single storey detached dwellings on large lots. Land to the east is zoned for low density residential purposes and land to the north-east features an established low density residential estate to the south and west comprise a variety of land use including residential, recreational, and commercial developments that forms the built-up area of the Jindera Township.

The development site is zoned RU5 Village pursuant to the Greater Hume Local Environmental Plan (GHLEP) 2012. It is also noted as being potentially flood affected in the Jindera Flood Risk Management Study, dated March 2017. The subject development site does not contain any known items of environmental heritage significance as outlined in Schedule 5 of the GHLEP 2012.

### ***EP&A Act - Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994.***

As no bed and bank work form part of this application, it is considered that the proposed development will not have a significant effect on the aquatic environment, threatened species, populations or ecological communities, or their habitats. Therefore, the proposal is not inconsistent with Part 7A of the *Fisheries Management Act 1994*.

The applicant noted that the proposal involves removal of thirty-three (33) trees.

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The submitted SEE and the detailed planning report prepared by Habitat Planning and dated 02 March 2023 have assessed the impact on the proposal as below:

*There are three triggers/stages to determine if the proposed development will exceed the Biodiversity Offset Scheme (BOS) and whether a Biodiversity Development Assessment Report (BDAR) is required including:*

1. *Determine whether the land is designated within the Biodiversity Values Map (OEH 2017) or an area identified as an 'Area of Outstanding Biodiversity Value' (AOBV);*
2. *Consider the amount of native vegetation proposed to be cleared (including native grasses and groundcover) in association with land zoning and specified minimum lot sizes; and*
3. *Determine if the proposed works are likely to have a significant impact on threatened species, communities and their habitat.*

*Consideration of the proposed vegetation removal against each of these triggers/stages is provided below.*

*Having regard to the 'Biodiversity Values Map', no part of the subject site is identified in a 'biodiversity values' area. It is also confirmed that the subject site is not identified as an 'Area of Outstanding Biodiversity' in accordance with Part 3 of the Biodiversity Act and Part 3 of the Biodiversity Conservation Regulation 2017.*

*Having regard to the area clearing threshold, trigger for the BOS in a lot within an MLS of less than 1ha is 0.25ha. As the proposal does not include the removal of native vegetation greater than 0.25, it is not a trigger under the BOS. It is noted however that the northern portion of the northern lot has been identified on the Terrestrial Biodiversity Map which generally contains Bowna Creek and no works are proposed on this portion.*

*With regard to a 'test of significance' against the criteria at Part 7.3 of the BC act, the vegetation to be removed on the subject land are not considered to be part of a part of a threatened ecological community, and do not contain hollows. It may be utilised only by woodland birds.*

Council staff are satisfied that the above explanation satisfactorily address Part 7.2 of the Biodiversity Conservation Act 2016 and therefore no further assessment is required in this regard.

***EP&A Act - Section 4.14 - Consultation and development consent—certain bush fire prone land***

As per NSW ePlanning Spatial Viewer, the subject development site is not mapped as a bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). As a result, no referral is required from NSW RFS in accordance with this Section and S4.46 of the EP&A Act.

***EP&A Act - Section 4.46 - What is "integrated development"?***

The development application is considered to be integrated development pursuant to this Section and Section 4.47 of the EP&A as it requires a Controlled Activity approval under the Water Management Act from the Department of Planning and Environment—Water under Water Management Act 2000.



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**EP&A Act - 4.15 Evaluation**

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

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

*(a) the provisions of:*

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

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

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

**EP&A Act - Section 4.15(1)(a)(i) - The provisions of any environmental planning instrument**

The subject land is zoned RU5: Village pursuant to the GHLEP 2012. The relevant matters of the LEP are addressed as follows.

**GHLEP 2012 - Zone RU5 Village**

**Objectives of zone**

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

It is considered that the proposal provides residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. It is therefore considered that the proposal is consistent with the objectives of land zoned RU5 Village.

**GHLEP 2012 - Section 2.6 Subdivision—consent requirements**

Subdivision such as that proposed requires the consent of Council. The submitted development application satisfies this Section.

**GHLEP 2012 - Section 4.1 Minimum subdivision lot size**

As per the Lot Size Map of the GHLEP 2012, the minimum lot size provision applicable for the site is 600 m<sup>2</sup>. It is noted that all lots resulting from the Torrens Title Subdivision (in stage 1) are on or above 600m<sup>2</sup>. Therefore the proposal is consistent with this section.

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**GHLEP 2012 - 4.1AA Minimum subdivision lot size for community title schemes**

No minimum allotment size provision is applicable for RU5 Village Zone as per this Section. It is noted however the applicant has provided building envelopes on the proposed subdivision layout plan to indicate that a dwelling can be comfortably located in the event should Council approve the application.

**Section 5.10 Heritage conservation**

The Applicant is required to comply with the “*Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*” to ensure that unknown Aboriginal Heritage items are protected during works. Therefore, any consent granted will contain the standard Heritage NSW condition regarding protection of Aboriginal Cultural Heritage.

It is also noted that the site subject of this application does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the GHLEP 2012.

**GHLEP 2012 - Section 5.21 Flood planning**

The flood hazard category mapping within the Jindera Flood Study and dated March 2017 noted that the majority of land subject of this application is within the low hazard flood category whilst the remaining part is within the flood planning area.

As noted previously, the application is accompanied with a brief flood assessment and an engineering statement from Spiire Consulting. The following wording noted within the submitted engineering statement:

*“The majority of the flood effected land is the grass lined open drain that runs from Mitchell Street to Goulburn Street (refer figure 1). Spiire have interrogated the TUFLOW model for a 1% AEP and confirm:*

- *The maximum flow depth is 0.9m*
- *The conveyed flow is 1.37m<sup>3</sup>/s*

*To facilitate development of the subject site; the overland flow path will be diverted through the internal road and drainage network before discharging into Bowna Creek...*

*And ....*

*The external catchment identified in the flood study currently crosses Mitchell Street via a twin 300mm Culvert Crossing. It is proposed to convey this flow into the drainage system of the development via a swale. The drainage system is proposed to continue the twin 300mm as shown in the Stormwater Concept Plan (refer to 310852CA320), then downsize to a single 300mm drainage main which will require excess flows to surcharge through the pits and to be conveyed through the development through the road network.*

*An open drain is proposed along the drainage reserve to convey all overland stormwater flows safely in the event of a 1% AEP storm event.*

*Site filling will be required at the back of blocks to lift lots in order to achieve at least 150mm freeboard as shown in the grading plan. Please refer to drawing 310852CA200.”*

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The above documentation was internally referred to Council's Engineering Department who responded that they do not object to the proposal subject to imposition of a condition requiring the applicant to provide a comprehensive hydraulic assessment report from a suitably qualified person analysing the flood risk applying to the site prior to issue of the Subdivision Works Certificate. The Hydraulic Assessment is required to establish the applicable flood height for the allotments whilst it is also required to make recommendation on how to divert additional storm/flood water in perpetuity.

As the applicant is required to supply this documentation to the satisfaction of Council's Engineering Department prior to the commencement of any work, the assessment officer is satisfied that in the event if consent is granted, the proposal is still be able to consistent with design criteria outlined in Section 5.21 (2) and (3) and meets the objectives as outlined in Section 5.21 (1) of the GHLEP 2012. Please also refer to 'Section 4.15(1)(d)' within this report for further comment.

**GHLEP 2012 - Section 6.1 Earthworks**

- (1) *The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

As per the submitted documentation, the development involves creation of thirty-three (33) new allotments, associated civil works and creation of an internal public road to support the future new allotments. The earth works associated with this development cannot be considered as of a minor nature. Therefore, the works require a separate approval, which can be granted along with this approval in the event that Council approves this application. It is also noted the site subject of this application is located nearby established residential land. Therefore, the proposed earthworks may have potential to bring detrimental impacts on the neighbouring properties. As such, any consent issued for this application will be appropriately conditioned to minimise impacts on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

- (2) *Development consent is required for earthworks unless—*

- (a) *the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) *the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*

The proposed earthworks are not classed as exempt development under this plan or other applicable environmental planning instrument. ([Subdivision 15 of State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)) Therefore, the proposed earthworks will require a separate approval.

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

- (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development;*

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The proposed earthworks may have potential to change the natural drainage pattern and soil stability in the locality. As noted previously within this report a condition is to be included on any consent granted requiring the applicant to provide a detailed hydraulic assessment report with recommendation on how to manage flood water in perpetuity as a result of the development to satisfy this requirement.

Engineering Department also noted that proposed earthworks will require a number of adjacent properties to be connected with the proposed drainage system to minimise any detrimental impacts on adjoining properties.

*(b) the effect of the development on the likely future use or redevelopment of the land,*

The intent of the proposed earth works is to create additional thirty three (33) residential lots, facilitate associated civil works and to design an internal road. Therefore, it is considered that the proposed earthworks will facilitate the future development (residential) on the land.

*(c) the quality of the fill or the soil to be excavated, or both,*

The quality of soil to be used for future fill will need to be the same soil excavated from the site. A condition will be placed on any consent granted to reflect this requirement.

*(d) the effect of the development on the existing and likely amenity of adjoining properties,*  
Whilst it is acknowledged that a total of seven (07) submissions were received for the proposal, Council staff are satisfied that the proposal will not bring detrimental impacts on the adjoining properties subject to including appropriate conditions on any consent granted to manage potential impacts.

*(e) the source of any fill material and the destination of any excavated material,*

If in the event that the applicant is required to source fill material, a condition will be recommended stating that the fill material is required to meet “virgin excavated natural material” as defined under the *Protection of the Environment Operations Act 1997*.

*(f) the likelihood of disturbing relics,*

As assessed under Section 5.10 within the body of this report, the assessment officer is satisfied that subject to imposition of a standard condition related to protection of unknown Aboriginal Heritage items, the proposal can proceed.

*(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area.*

Please refer to the assessment against ‘GHLEP 2012 - Section 6.1(3)(a)’ within this report.

*(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

As discussed above within the body of the report, Council staff are satisfied that subject to imposition of standard and specific conditions, the development can proceed.



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**GHLEP 2012- Section 6.7 Essential services**

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

<b>Subsection</b>	<b>Comment</b>
(a) the supply of water,	As per the internal engineering response received, the applicant is required to extend the water services to the proposed new allotments. A standard condition will be incorporated on any consent granted to capture this requirement.
(b) the supply of electricity,	A standard condition requiring Notice of Arrangement (NOA) to be provided is to be imposed on any consent granted prior to issue of a Subdivision Certificate.
(c) the disposal and management of sewage,	As per Council's Engineering Department referral response, the Applicant is required to provide sewer connections for the new allotments resulting from this subdivision. A condition will be included on the consent granted to reflect this requirement.
(d) stormwater drainage or on-site conservation,	Council's Engineering Department responded that the applicant is required to prepare a stormwater drainage design for the proposal. This requirement will form part of any consent granted.
(e) suitable vehicular access	As per the submitted preliminary plan, each lot will have direct or indirect access to proposed internal road.

Relevant State Environmental Planning Policies applicable for the proposal:

***State Environmental Planning Policy (Biodiversity and Conservation) 2021  
Chapter 4 Koala habitat protection 2021.***

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

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

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

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

It is considered that the proposal is acceptable subject to imposition of condition(s) on any consent granted.

The objective of this Chapter is to “*promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment*”.

Section 4.6 of this Chapter outlines that the consent authority “*must not consent to the carrying out of any development on land unless:*

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

A search of Council files indicate that the land has not been used for any approved activities which would render the soil contaminated to such a degree as to prevent the future development of the land for residential purpose. Therefore, it is considered that the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

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

The proposed draft instrument will not change the outcome of this assessment.

***EP&A Act - Section 4.15(1)(a)(iii) - any development control plan;***

The Greater Hume Development Control Plan (GHDCP) 2013 applies to the proposal. Relevant to this Application are the following Chapters of the Greater Hume Development Control Plan 2013 (“the DCP”):

- Chapter 5 – Townships Structure Plan
- Chapter 6 – Subdivision
- Chapter 8 – Flood Liable Land
- Chapter 10 – Notification Policy

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<b>CHAPTER 5 - TOWNSHIP STRUCTURE PLANS</b>	
<b>CONTROLS</b>	<b>COMMENT</b>
<p>This chapter of the GHDCP relates to the role of township structure plans in guiding the location of types of land uses and development within the zoned urban areas of the Shire. Such guidance is necessary because of the use of one broad-based zone in the GHLEP (the RU5 Village zone) across much of the townships.</p> <p>The structure plans are based on those prepared as part of the Greater Hume Shire Strategic Land Use Plan 2007-2030 (“the SLUP”). The overall purpose of the SLUP is to guide the future development and use of land within the Shire for the next 20 years and beyond.</p> <p>In some cases the structure plans within the SLUP indicate non-rural activities around the fringes of the current zoned urban boundaries of townships. Further investigation of these areas is required before they can be considered suitable for inclusion in the zoned urban area of townships. These areas are excluded from this chapter of the GHDCP.</p>	<p>The ‘<i>Jindera Structure Plan</i>’ applies for the development site.</p> <p>The proposal will deliver an increased supply of medium density residential housing in an area which Council is anticipated to have more residential accommodation. Therefore it is considered that the proposal is consistent with this Chapter.</p>
<b>CHAPTER 6 - SUBDIVISION</b>	
<b>6. 1 Staging</b>	
<p>1. <i>Where staging of a subdivision is proposed, a staging plan must be submitted with the Development Application.</i></p>	<p>A staging plan is provided.</p>
<p>2. Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative impacts upon infrastructure provision and/or design.</p>	<p>Council’s Engineering and Planning Departments have reviewed the proposed staging plan and are satisfied that the proposal can proceed as proposed.</p>

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## 6.2 Movement Network

<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>The application was referred to Council's Engineering Department and they did not object to the proposed subdivision in general, subject to imposition of relevant conditions on any consent granted. Therefore if in the event that Council consented to this DA, a general condition will be imposed on any consent granted stating that the development is required to be complied with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</p>
<p>2. <i>All development for subdivision must comply with the Council's standards for road design.</i></p>	<p>As per the subdivision layout, the applicant has proposed to construct a 16m wide road to enable direct movements through and between all allotments created as a result of the subdivision. The proposed subdivision layout plan was referred to Council Engineering Department, who advised that that the proposed road is required to be designed and constructed to Council's road design specifications. A condition will be recommended on any consent granted to reflect this requirement.</p>
<p>3. <i>For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</i></p>	<p>It is noted that the proposed Lot 2 and 9 will have access from the Mitchell Street and the proposed 16m wide internal road. Driveway locations for the proposed new allotments have been taken into account by the Engineering Department and they consider the proposal to be acceptable having regard to the requirements specified in this criterion.</p>
<p>4. <i>All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</i></p>	<p>No access easement is required in this instance as all lots will have access from the proposed new internal road.</p>
<p>5. <i>Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</i></p>	<p>Noted. A general condition will be recommended in this regard.</p>

## 6.3 Lot design

<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>As above. Refer to the assessment against Section 6.2(1).</p>
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<p>2. <i>Multi-lot subdivisions should provide for a range of lot sizes.</i></p>	<p>As per supplied subdivision master plan, the proposal includes a variety of lot sizes ranging from 600m<sup>2</sup> to 10613.7m<sup>2</sup> (residual lot) whilst stage 2 (Community Title Subdivision) will consist of parcels that range from 324m<sup>2</sup> to 508.7m<sup>2</sup>. This approach will facilitate smooth transition between lower to higher density.</p>
<p>3. <i>Lots are to be provided with legal and practical public road access.</i></p>	<p>As noted in Section 6.2(3), all proposed new lots are provided with legal and practical public road access.</p>
<p>4. <i>Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.</i></p>	<p>The site subject of this application is zoned RU5: Village. In accordance with the GHLEP 2012, one objective of this zone is to provide a range of land uses, services and facilities that are associated with a rural village (i.e. dwelling houses and ancillary developments). Based on the allotment sizes and their orientation, Council staff are satisfied that residential accommodation and or ancillary structures can comfortably fit within a new proposed allotment.</p>
<p>5. <i>For battle-axe allotments a minimum width of the access handle is to be 4.5m.</i></p>	<p>No battle-axe allotments are proposed.</p>
<p>6. <i>Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling</i></p>	<p>Due to proposed length and width of the proposed allotments Council staff are satisfied that the lots resulting from this subdivision are capable of supporting a rectangular building envelope of 10m x 15m for a dwelling.</p>
<p>7. <i>Lots are to be designed to maximise solar access.</i></p>	<p>As per the preliminary layout, the majority of parcels are orientated towards north-south or east-west directions. Therefore, it is considered that the proposal is consistent with this objectives.</p>

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#### 6.4 Infrastructure & services

1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i>	As above. Refer to the assessment against Section 6.2(1)
<p><b>Higher density and Average density, Lower density and Rural living</b></p> <p>2. <i>Where a reticulated external potable water supply is provided, all lots shall be connected.</i></p>	As noted in Section 6.7 within this report, a condition is to be incorporated on any consent granted stating that the applicant is required to connect each allotment with Council's stormwater, water and sewer reticulated systems prior to the issue of the Subdivision Certificate.

#### 6.5 Hazards

1. <i>On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide Planning for Bushfire Protection (2006).</i>	Not applicable.
2. <i>On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the Floodplain Development Manual: the management of flood liable land (2005).</i>	Please refer to the detailed assessment against "Section 5.21- Flood Planning" within this report for comment.
3. <i>On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government's Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998)</i>	Refer to the assessment against the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> within the body of this report.

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**6.6 SITE MANAGEMENT**

1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i>	As above. Refer to the assessment against 'Section 6.2(1).'
2. <i>Compliance with Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga &amp; Hume Councils</i>	The DA was referred to Council's Engineering Department for comment and no objection was received. It is therefore considered that the DA is not inconsistent with this guideline.

**10.0 NOTIFICATION POLICY**

<i>This chapter of the GHDCP applies to Council's policy for notifying development Applications.</i>	In accordance with the GHDCP 2013, the application was notified to adjoining landowners whilst it was also advertised on the NSW Planning Portal from 23 March 2023 to 19 April 2023. As outlined above, Council received a total of seven submissions (7). Please refer to <b>Section 4.15(1)(d)</b> within this report for further discussion..
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**Section 4.15(1)(a)(iia) – Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4;**  
No related planning agreement has been entered into under section 7.4 of the EP&A Act 1979.

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

The following division within the EPA Reg 2021 has been considered in the assessment of the application;

- Division 2, Subdivision 1 development generally – Section 69-74 & Section 81 within Subdivision 2.

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

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

CONTEXT	COMMENT
Context & setting	<p>The proposed subdivision support the residential use of the site and surrounding locality. Whilst the immediate area surrounding the subject land is generally considered to be large lot residential allotments with rural character, as per the ‘Jindera Structure Plan’ the sites subject of the application are designated for future development with greater density. Therefore, the proposed subdivision will reinforce the residential character in the locality through the redevelopment of currently under-utilised large urban RU5 zoned parcels of land for an efficient high-density detached development.</p> <p>The site is also located within close proximity to a range of community and education facilities including recreational facilities, educational establishments, and the Jindera Central Business District. It should be noted that as part of the proposal, the applicant is required to provide additional landscaping measures to soften the overall appearance of the development.</p> <p>In this regard, the proposed subdivision would provide an acceptable social and economic impact to the locality, while not adversely impacting the built and natural environment of the locality.</p>
Access, parking, Roads & traffic	<p>The proposed subdivision will create an additional thirty-three (33) residential lots to the area and is also accompanied with an internal road. The internal road will then connect to a collector road Mitchell Street. As outlined in “Section- 10.0 Notification Policy” of this report, some of the submissions received were concerned about volume of traffic generated as a result of the development and the width of the proposed internal road. As such, this was discussed with Council’s Engineering Department. It was concluded that the proposal can proceed as they are satisfied with the preliminary plans submitted as part of the application if in the event that Council approves the application. In addition to that Council’s Engineering Department also recommended that a new 1.5m concrete foot path be included along the proposed internal road and along Mitchell Street property frontage to Council’s footpath specification at developer’s cost. Therefore these requirements will form part of any consent granted.</p>



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Utilities	As discussed within the body of the report, standard conditions requiring the applicant to provide the following for the proposed new allotments will be incorporated on any consent granted: <ul style="list-style-type: none"> <li>- electricity;</li> <li>- Water;</li> <li>- Sewer;</li> <li>- Telecommunication;</li> <li>- Gas.</li> </ul>
Heritage	The subject site has not been identified as a heritage conservation areas in accordance with the Greater Hume Shire Community Based Heritage Study 2010. It is noted however as discussed above the proposal is not inconsistent with Section 5.10 of the GHLEP 2012 and GHDCP 2013 subject to imposition of a suitable condition on any consent granted.
Economic Impacts	New subdivisions and the subsequent provision of new housing lots will have a positive economic impact on the area, providing new jobs during construction and new accommodation to prospective buyers.
Social Impacts	The development is unlikely to create any adverse social impact. The proposal will deliver an increased supply of average density residential housing in an area which Council is anticipated to expand its infrastructure. The design of each future dwelling will be separately assessed.
Safety, security & crime prevention	The proposed subdivision does not raise any concerns in relation to these matters. <i>Of note</i> , any new future dwelling on the proposed new allotments are to be assessed separately.
Soils & erosion	The proposed subdivision also includes considerable amount of earthworks. This may have potential to create issues such as additional noise generated from construction equipment, dust, destabilisation of soil and sediment transfer to other properties. However, Council is satisfied that the conditions of development consent will address potential impacts associated with development construction.
Flora & fauna	Please refer to discussion against ' <b>Section 1.7</b> ' within this report.
Waste	Waste can be disposed to an approved collection site during the construction stage. A condition will be imposed to ensure consistency.
Technological hazards	As a result of earthwork associated with the development and associated tree removal work, additional noise impacts can anticipated for a relatively short period of time. A general condition related to maximum noise level to be adhered during works will be included on any consent granted.

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

The internal referral response received together with the above assessment against the applicable planning controls concluded that the proposal is suitable for the locality and the site subject of this application is suitable for the particular development for the following reasons:

- a) There are no constraints from surrounding land uses that would make this development prohibitive subject to adopting relevant measures outlined in the reports submitted with the Application.
- b) The proposal is generally consistent with what was expected as part of the '*Jindera Township Structure Plan*' as outlined in the GHDCP 2013.
- c) The respective internal referral response received for the development application indicates:
  - that subject to implementation of standard and specific conditions the matters related to flood and storm water management can appropriately be addressed;
  - adequate services and utilities can be provided to the site at an acceptable level prior to intended use as per the respective referral response from Council's Engineering Department.

As there are no known specific site constraints that would render site unsuitable it is considered that the site is suitable for the particular development.

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

External Referral	Response
Department of Planning and Environment—Water (DPIE Water)	The DA was referred to DPIE Water for their respective referral response via the NSW Planning Portal. In their respective referral response dated 2 August 2023 they have provided a General Terms of Approval. A condition has been placed on the consent to reflect DPIE Water's requirement.
Internal Referrals	Response
Engineering Department	As per the referral response received, Engineering Department has no objection to the proposal subject to imposition of relevant conditions on any consent granted.
Public Submissions	
The seven (07) submissions received were forwarded onto the applicant on 28/04/2023. The applicant has also provided a further response to the issues raised within the submissions on 18/05/2023. A copy of all submissions received has been attached as <b>ANNEXURE 3</b> . A key summary noted within the submissions and a response from the assessing officer is summarised as follows:	

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<b>Submission</b>	<b>Response from the assessing officer</b>
Flood and stormwater management	As discussed within the report, Council's Engineering Department has reviewed the documentation provided as part of the application and responded that the applicant is required to submit a comprehensive hydraulic assessment report from a suitably qualified person analysing the flood risk applying to the site prior to issue of the Subdivision Works Certificate. The submitted report is to demonstrate that there will be minimal impact upon adjacent properties. Therefore it is considered that this matter can be appropriately addressed with any consent granted.
The proposal is inconsistent with the local character including proposed allotment sizes	The application has been assessed against the relevant environmental planning instruments and the applicable provisions within the GHDCP 2013. As discussed previously, the proposal is consistent with the GHLEP 2012 in relation to the minimum lot size provision.  It is important to note that the historical subdivision layout pattern within the locality has been completed in accordance with the legislation applicable at that time by the Council. Council is unable to solely rely on the historical subdivision layout pattern to make a decision on another development application unless required otherwise by the current design controls (GHLEP 2012 and or GHLEP 2013). As the proposal is a permitted form of subdivision notwithstanding the proposal is inconsistent with the historical subdivision pattern in this instance, Council staff are satisfied that the proposal can proceed.
Amenity impacts (i.e. noise impacts during the subdivision and as a result of new dwellings being established)	A condition related to management of noise has been imposed within the consent. In addition to that any residential development is required to comply with the noise guidelines issued by the NSW Environmental Protection Authority (also available at: <a href="https://www.environment.nsw.gov.au/resources/noise/20130127NGLG.pdf">https://www.environment.nsw.gov.au/resources/noise/20130127NGLG.pdf</a> ) in perpetuity and applicable Local Laws endorsed by the Council.
Building materials to be used for the future dwellings/outbuildings	No structures will form part of this application other than resubdivision of three allotments into thirty three lots. As a separate application is required for erection of a dwelling and or an outbuilding, the matters related to external look can be appropriately dealt with by any development application for any new use on the land in accordance with the applicable legislation at the time. Once an application is received Council assessment staff are required to notify the development to adjoining property owners in accordance with Greater Hume Council Community Participation Plan 2019.
Ownership of the proposed easement	The proposed 10m wide stormwater easement on the northern section of the development site is required to be handed over to the Council. This requirement will be appropriately included on any consent granted. As the applicant proposed to dedicate proposed Lot 20 to Council, this matter was extensively discussed with Council Engineering and Planning staff. Due to the net community benefit generated in the long run as a result of the proposal, it was agreed that the ownership of the land be taken over by the Council. A condition has been included on the consent, in order to ensure that the land has been gifted to Council in a satisfactory manner.

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Insufficient reticulated facilities (sewer system and water pressure)	This matter was discussed with Council's Engineering Department who responded that subject to imposition of a condition on any consent granted these matters can be appropriately addressed.
Proposal does not meet a specific contract of sale	Council is only required to assess the development application in accordance with Section 4.15 of the EP&A Act 1979 and contract of sale is not a criterion that Council is able to consider during this process.
Additional traffic movements	As noted previously, Council's Engineering Department is satisfied that the proposed access arrangement in general is able to service the additional traffic generated as a result of the development. In addition to that, to avoid over development over Community Titled allotments, a covenant has been included prohibiting construction of more than one dwelling per allotment.
Impact on natural habitat	As discussed within Section 1.7 of this report, Council staff are satisfied that the proposal is not inconsistent with the applicable section of the Biodiversity Conservation Act 2016.

**Section 4.15(1)(e) - The Public Interest**

The public interest is served through the detailed assessment of this application under the EP&A Act 1979, the EP&A Regulation 2021, State Environmental Planning Policies, GHDCP 2012 and applicable strategic policies and guidelines. Based on the above assessment, the proposed development is consistent with the public interest.

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

Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application. Where relevant, conditions have been recommended to manage the impacts attributed to these issues.

**Section 7.12 Fixed development consent levies**

Not applicable in this instance.

**BUDGET IMPLICATIONS**

In the event that Council approves the development application, Section 64 Contributions pursuant to the Local Government Act 1993 is to be payable based on the number of new allotments created.

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### **CONCLUSION**

An assessment of the proposal against Section 4.15 of the Act has been undertaken and the proposal is satisfactory having regard to the relevant environmental planning instruments and regulations which apply to the development.

The proposal is permissible form of development and subject to the imposition of conditions is seen to be acceptable within the context of the locality. As also discussed the issues raised by the submission makers can be appropriately managed subject to imposition of relevant conditions.

It is recommended that the proposal be supported subject to the recommended conditions of consent contained within this report.

### **RECOMMENDATION**

That Council resolves to:

1. Approve Development Application No. 10.2023.18.1 on Lot: 2612 DP: 708334 & Lot: 1-2 sec 23 DP: 758544 & at 80 Goulburn Street and 81-89 Mitchell Street, Jindera NSW 2642 for resubdivision of three (3) lots into twenty-one (21) lot Torrens Title & twelve (12) lot Community Title Subdivision, vegetation removal, road construction, and associated civil works in two (2) stages, subject to the conditions attached to this report pursuant to Sections 4.16(3) and Section 4.17 of the EP&A 1979 subject to the conditions attached to this report.

### **PRESCRIBED CONDITIONS OF CONSENT**

Section 69: Compliance with *Building Code of Australia* and insurance requirements under the Home Building Act 1989

Section 70: Erection of signs

Section 71: Notification of *Home Building Act* 1989 requirements

Section 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

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

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**GENERAL CONDITIONS WHICH MUST BE FULFILLED**

**1. Compliance with Plans and Conditions**

The subdivision must be carried out in accordance with the approved development plans, except as modified in red by Council and/or any conditions of this consent. All conditions of consent must be fulfilled at the expense of the Applicant to comply with Council's Engineering Guidelines for Subdivisions and Development Standards in conjunction with advice from Council.

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE SUBDIVISION WORKS CERTIFICATE**

**2. Hydraulic Assessment Report**

Prior to issuing of the Subdivision Works Certificate a Hydraulic Assessment Report from a suitably qualified Hydraulic Engineer analysing the flood risk applying to the site must be submitted and approved by Council for each stage. The report shall summarise the requirements for a subdivision approval. The report shall detail the following:

- a) Civil Engineering Details (earthworks, road construction and foot paving);
- b) Stormwater Drainage (existing drainage and catchments, proposed drainage strategy, hydrological modelling, detention basins and flooding);
- c) Stormwater quality (WSUD water quality modelling, water quality treatment, rainfall data, catchment parameters, rainwater tanks, MUSIC modelling);
- d) Proposed utility servicing infrastructure (reticulated water supply, Sewer reticulation, electrical reticulation, telecommunications reticulation and gas reticulation);
- e) Proposed safety in design elements; and
- f) Assumptions applied for design purposes.

Raise of land levels as part of proposed earthworks will require drainage of a number of adjacent properties to be incorporated with the proposed drainage system of the subdivision.

Once Council has approved the report, it will form a part of this Development Consent. The recommendations provided in the report are to be implemented and incorporated into the design and construction of the development. Please refer to **Condition 4** for additional requirements.

**3. Integrated Development - General Terms of Approval**

The Applicant must comply with all conditions and requirements outlined in the General Terms of Approval from the Department of Planning and Environment—Water and dated 2 August 2023, that are attached and form part of this consent **PRIOR TO THE RELEASE OF THE SUBDIVISION WORKS CERTIFICATE FOR STAGE 2 (TWO).** **ANNEXURE 4.**

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**4. Subdivision Works Plans**

Full Engineering Plans (Subdivision Works Plans) in respect to the provision of the following services must be submitted with the Subdivision Works Certificate application for each stage:

- a) Road Design,
- b) Sewer;
- c) Reticulated water;
- d) Stormwater Management;
- e) Details of any fill material to be brought on site;
- f) Concrete footpaths (1.5m wide);
- g) Certified Essential Energy (electricity) plans;
- h) Street name;
- i) Street lighting;
- j) Indicative details of utilities (gas, telecommunications);
- k) Details including easement(s) to be created are to be included with the plans and specifications;
- l) Perimeter fence that complies with the Hydraulic Assessment Report and DPIE –Water requirements as shown on the ‘General Arrangement Plan - Sheet 1’, drawing no 310852CA005, revision D, dated 08/02/2023. As follows. **Please also refer to 35 for additional requirements.**
  - along the northern boundaries of proposed Lot 1-7 abutting existing Lot 2611 DP 708334;
  - along the eastern boundary of existing Lot 2611 DP 708334 abutting proposed Lot 20 and 16m road reserve;
  - along the eastern boundaries of proposed Lot 20 and 19 abutting proposed Lot 21
  - along the southern boundary of proposed Lot 19 abutting existing Lot 33 DP 787558;
  - along the eastern boundaries of proposed Lot 8 and 18 abutting existing Lot 33 DP 787558 and Lot: 341 DP: 1189037; and
  - along the southern boundaries of proposed Lot 18-11 abutting Lot 7 & 8 Sec 23 DP 758544.
- m) Cost summary report.
- n) Land management plan for proposed Lot 20:
  - the plan is to ensure the land will be maintained by the applicant in an environmentally sustainable manner and gifted to Council prior to the release of the subdivision certificate for Stage 1.
  - the plan shall include the following detail:
    - an assessment of existing condition of the land
    - any improvements/maintenance required by Councils Engineering department
    - access
    - signage
    - lighting (if any). **Please refer to Condition 26 for additional requirements.**



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**NOTE: - The Subdivision Works Plans must conform and comply with the following requirements:**

- Hydraulic Assessment Report submitted to and approved by Council.
- any correspondence including conditions and requirements received from the Department of Planning and Environment—Water (**FOR STAGE TWO (2) ONLY**)

These plans must be approved by Council prior to the release of the Subdivision Works Certificate for each stage.

**5. Traffic calming details**

Traffic calming devices details must be submitted to Council with the application for a Subdivision Works Certificate for each stage. These details must be approved by Council prior to the release of the Subdivision Works Certificate for each stage.

**6. Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan must be prepared and submitted to Council with the application for a Subdivision Works Certificate for each stage. Exposed surface soil must be stabilised as soon as possible to avoid potential erosion and dust issue. Any stockpile of earth on the site must not be higher than 2m. This plan must be approved by Council prior to the release of the Subdivision Works Certificate for each stage.

**7. Payment of Long Service Levy**

It is noted a Subdivision Works Certificate will not be issued with respect to the plans and specifications for any subdivision work unless any long service levy payable under the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid in accordance with the cost summary report for each stage.

**8. Surrender of Previous Consent**

The applicant or landowner is to surrender previous Development Consent No 10.2018.47.1 issued on 25 May 2018 in accordance with [Section 68 of the Environmental Planning and Assessment Regulation 2021](#).

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE COMMENCEMENT OF ANY WORKS**

**9. Subdivision Works Certificate**

An application for Subdivision Works Certificate must be **submitted to and approved** by Council for each stage prior to any subdivision works taking place. The Subdivision Works Certificate must be lodged via the [NSW Planning Portal](#).



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**10. Notification and Appointment of a Principal Certifier**

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

- a) appoint a Principal Certifier;
- b) the Principal Certifier has provided notification to Council of its appointment no later than two days before the subdivision work is proposed to commence; and
- c) the person having the benefit of the consent has given at least two days' notice to Council of the person's intention to commence the subdivision work.

**11. Erosion and Sedimentation Controls**

The approved erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with: "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".

**12. Temporary Water Closet Accommodation**

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

**CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS**

**13. Aboriginal Objects Discovered During Work**

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au). Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the Heritage Act 1997.

**14. Vegetation removal**

There must be no clearing of any vegetation (including within Council's road reserve) other than the vegetation approved to be removed on the 'General Arrangement Plan'; Drawing No 310852CA005; Dated 1/12/2022; Drawn by Spiire. Temporary fencing must be placed around any other trees where any subdivision works are proposed within the drip line of the tree. The fencing must be in accordance with Australian Standard AS 4970-2009 'Protection of Trees on Development Sites' to ensure no interference occurs, with this fencing extending to the extent necessary to ensure there is no damage to the roots of the tree.

**15. Existing Water Meter on Lot 2612 DP708334**

The existing 'SECONDARY WATER METER' on the site must be removed at applicant's cost during subdivision works for Stage 1. Please contact Council's Manager Water and Sewer on (02) 6036 0100 to organise for its removal.

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**16. Imported Fill Material**

Any imported fill must comprise either uncontaminated Virgin Excavated Natural Material (VENM)(as defined within the *Protection of the Environment Operations Act 1997*) or Excavated Natural Material (ENM)(as defined within the *NSW EPA Resource Recovery Order 'The excavated natural material order 2014'*).

Certification supporting any source fill material must be provided to Council prior to the release of the Subdivision Works Certificate for each stage.

**17. Compaction – Landfill**

All fill including existing fill must be compacted in accordance with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

**18. Contaminated Soil**

A suitable soil chemical analysis and investigation report is required ***if any evidence*** of contamination on the subject site is found during works. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

**19. Vehicles During Construction**

Vehicles must be clean and free of debris prior to leaving the site during construction. Deposited material may be ordered to be removed at the Applicant/operator's expense.

**20. Hours of Work**

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

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

**21. Minimise Noise**

The operating noise level of plant and equipment during subdivision works must not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the [\*Protection of the Environment Operations Act 1997\*](#) apply to the development, in terms of regulating offensive noise.

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**22. Dust Control Measures**

Adequate measures must be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- a) All materials must be stored or stockpiled at the best locations;
- b) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent runoff occurs;
- c) All vehicles carrying spoil or rubble to or from the site must at all times be covered to prevent the escape of dust or other materials;
- d) Cleaning of footpaths and roadways must be carried out regularly; and
- e) Rumble grids must be installed at access points to the site.

**23. No Obstruction of Road Reserve Permitted**

The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

**24. Disposal of Waste**

Designated waste containment areas must be provided on site and must be maintained to prevent any windblown litter escaping from the site. The Applicant must also ensure all waste generated from construction of the development is disposed of at a site which can lawfully accept the waste.

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE SUBDIVISION CERTIFICATE**

**25. Subdivision Certificate**

An application for a Subdivision Certificate must be submitted to and approved by Council for each stage. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#). A fee is payable.

The application must include formal subdivision plans, an Administration Sheet and relevant Instrument Sheet (if applicable). Easements must be shown over all services and covenants as required by the conditions of consent must be incorporated into the appropriate instruments.

The Subdivision Certificate for each stage is not released prior to all applicable conditions of consent for this development being complied with to the satisfaction of Council.

**26. Land Dedication**

Prior to the issue of the subdivision certificate for Stage One (1) Lot 20 is to be dedicated to Greater Hume Council at no cost. Upon dedication, the land is vested in Council free of all trusts, obligations, estates, interests, contracts, charges and rates.

**27. Private Infrastructure**

Any private services/assets or alike which are located within the new allotments must be removed or be shown within an appropriate easement to be registered. Any such easements must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

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**28. Completion of Subdivision Works**

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by **Condition 4** of this consent and a satisfactory final inspection of the works by Council's Engineering Department for each stage.

**29. Flood Affection Certification**

The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to Greater Hume Council is required, prior to the issue the Subdivision Certificate for each stage. This report is required to certify that the 'as-constructed' development will not result in any detrimental flood related effects to adjoining properties or upon the subject land due to the loss of flood storage, changes in flood levels/velocities, diversion of floodwater, and/or alteration of flood conveyance.

**30. Scour Protection**

All stormwater outlets and surface flow paths (incl. flood flow paths) must be treated with appropriate scour/erosion protection measures designed in accordance with good engineering practice based on calculated 1 in 100 year ARI flow velocities. All scour protection measures and headwall structures shall be designed and constructed such that they will not protrude above adjacent surface levels. Stormwater outlets shall be oriented in the direction of flow of the receiving watercourse. Outlet scour protection is to be in accordance with Guidelines for Outlet Structures prepared by the Office of Water dated July 2012. The final details of the proposed scour/erosion protection measures shall be reflected on the plans and supporting documentation prior to the issue of the Subdivision Certificate for each stage.

**31. Community Scheme Services Plan For The Community Title Subdivision**

A plan shall be submitted for approval, showing services, proposed to be provided within the scheme and their maintenance.

**32. Community Management Statement**

Prior to the issue of the Subdivision Certificate for Stage 2, a full copy of the relevant Community Management Statement complying with Schedule 2 of the Community Land Development Act 2021 and a full copy of any relevant Community Development Contract must be submitted to and approved by Council.

A fee to assess the Community Management Statement and any relevant Community Development Contract is applicable.

**33. Section 64 and Landscape Contributions Fees**

The payment of Section 64 sewerage, water headwork charges and landscape contribution fees are applicable and must be paid to Council prior to the release of the Subdivision Certificate for each stage. Contributions are calculated per allotment created. **The fees will be charged and calculated in accordance with Council's Adopted Fees and Charges at the time the application for Subdivision Certificate for each stage is lodged with Council.**

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DEVELOPMENT APPLICATION 10.2023.18.1 – RESUBDIVISION OF THREE (3) LOTS INTO TWENTY-ONE (21) LOT TORRENS TITLE & TWELVE (12) LOT COMMUNITY TITLE SUBDIVISION, VEGETATION REMOVAL, ROAD CONSTRUCTION, AND ASSOCIATED CIVIL WORKS IN TWO (2) STAGES. – LOT: 2612 DP: 708334 & LOT: 1-2 SEC 23 DP: 758544 & AT 80 GOULBURN STREET AND 81-89 MITCHELL STREET, JINDERA NSW 2642.[CONT'D]

STANDARD RESIDENTIAL LOT	RETICULATED WATER	RETICULATED SEWER	LANDSCAPE CONTRIBUTIONS FEE - PER BLOCK TO SUPPLY, PLANT AND MAINTAIN A STREET TREE.	TOTAL \$ TO BE PAID
STAGE1	16 Lots	12 Lots	18 Lots	Rate at time of SC lodgement per lot
STAGE2	16 Lots	12 Lots	12 Lots	Rate at time of SC lodgement per lot

**34. Correspondence From Agencies**

Prior to the issue of the Subdivision Certificate for each stage, the following documents must be submitted to Council to demonstrate that the requirements of the public utility services and recommended conditions outlined in the Government Department respective referral responses have been met;

**(i) The Department of Planning and Environment—Water**

The applicant must provide evidence to Council outlining how conditions and requirements outlined in the General Terms of Approval/correspondence from the Department of Planning and Environment—Water have been complied with.

**(ii) Electricity**

A Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to 'Council' confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot;

**(iii) Natural gas**

APA Gas: Certificate of Acceptance;

**(iv) Telecommunications and Fiber-ready Facilities**

Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for:

- a) the installation of fibre-ready facilities to all individual lots (Except Lot 20 as shown on the stamped plan) in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

The submitted written correspondence/evidence must be to the satisfaction of Council.

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**35. Perimeter Fence**

Prior to the release of the Subdivision Certificate for “Stage Two (2)” a minimum height of 1.8 metre above natural ground level perimeter *‘rural style’* wire fencing must be erected.

The erection of the fence must be started from the western boundary of proposed Lot 7 and must run along the southern boundary of Lot 20 abutting Lot 7-11 as shown on the ‘General Arrangement Plan - Sheet 2’, drawing no 310852CA006, revision D, dated 08/02/2023 and ‘General Arrangement Plan -Sheet 1’, drawing no 310852CA005, revision D and dated 08/02/2023.

The **“1.8m safety fencing”** referred under this condition must be:

- 1) be constructed using post and wire or post and rail, and
- 2) if it is constructed of metal components—be of low reflective, factory pre-coloured materials, and

The registered proprietors of Lot 7 -11 as shown on the ‘General Arrangement Plan - Sheet 2’, drawing no 310852CA006, revision D, dated 08/02/2023 shall maintain this fence throughout the life of this development. **Please refer to 36 for additional requirements.**

**36. Conveyancing Act 1919 Instruments**

The proponent must submit a copy of an instrument prepared in accordance with the *Conveyancing Act 1919*, with the application for a Subdivision Certificate for Council's endorsement for each relevant stage.

The instrument must contain the following:

- (i) Perimeter Fence  
The **‘Perimeter Fence’** as required by **Conditions 4(I) and 35** must be maintained by the owners and occupiers of the respective allotments for the life of the development. Council holds no responsibility for the maintenance/ replacement of such fencing.
- (ii) New Fences  
Any new fences constructed on the site shall be of a type that will not obstruct the free flow of surface or ground water and not cause damage to surrounding land in the event of a flood.
- (iii) Restriction of Dwellings on the Community Title Allotments  
A restriction must be placed on the lots resulting from the “Community Title Subdivision” preventing the construction of more than one dwelling on each of the residential lots.
- (iv) Restriction of Dwellings on Proposed Lot 20  
A restriction must be placed on Proposed Lot 20 (the lot burdened by easement for stormwater management) to have no dwelling entitlement.
- (v) No structures on the community association lot  
Individual lot owners are prohibited from constructing structures on the community association lot.

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(vi) Habitable floor level

A restrictive covenant on all residential allotments requiring the floor level of all habitable rooms be constructed at least the height of the Flood Planning Level height of at least 300mm above the 1 in 100 year flood event as recommended within the Hydraulic Assessment Report as required under Condition 2 of this consent.

(vii) Drainage Easement

A 10m wide drainage easement as shown over Proposed Lot 20 shall not be altered by cut or fill and any fill, stockpiles, building materials and sheds shall not be placed.

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of the Subdivision Certificate.

**37. Compaction of lots**

Prior to the release of the Subdivision Certificate for each stage, the applicant must provide Council with the appropriate evidence outlining the entirety of the lots has been filled and compacted to the relevant Australian Standards. This evidence must be to the satisfaction of Council.

**38. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services (including all pipes and drainage structures are contained within the proposed drainage easements) must be provided to Council in electronic format (i.e. PDF and AutoCAD dwg. formats). The submitted WaE plans must be to the satisfaction of Council and must contain the true and correct locations and details of all installed infrastructure. The applicant must also provide Council with an asset value for all installed infrastructure which will be transferred to and/or managed by Council, along with street numbering shown on submitted plans.

**39. Council Property**

Any damage or deterioration to any portion of the footpath and/or kerb and guttering or other Council property including road reserves, during construction must be reinstated to its original condition at the owner's expense to the satisfaction of Council.

**40. Defects Liability Period**

The defects liability period for subdivision works shall be a minimum of twelve (12) months from the date of registration of the plan of subdivision at the Land Registry Services, upon which the subdivision road and associated infrastructure is dedicated to Council.

**41. Defects Liability Bond (Security)**

A defects liability bond to the value of 5% of the total cost of the subdivision works must be submitted to Greater Hume Council prior to issue of the Subdivision Certificate for each stage.

The bond will be held for the duration of the defect liability period.

During this period the developer shall be responsible to remedy any construction defects or omissions in the subdivision works.

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Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents.

The bond is refundable on application to Council and upon satisfactory final inspection by Council.

**CONDITIONS HAVE BEEN PLACED ON THE CONSENT FOR THE FOLLOWING REASONS:**

1. To ensure compliance comply with the [Biodiversity Conservation Act 2016](#).
2. To protect Aboriginal heritage and to comply with the [National Parks and Wildlife Act 1974](#).
3. To ensure compliance with the terms of the [Environmental Planning and Assessment Act 1979](#).
4. To comply with the [Community Land Development Act 2021](#).
5. To protect public interest, the environment and existing amenity of the locality.
6. To improve the amenity, safety and environmental quality of the locality.

**ADVICE TO APPLICANT**

- a. It is the Applicant's responsibility to ensure compliance with the requirements of the [Disability Discrimination Act 1992](#) (DDA). Note: Compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.
- b. The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the Applicant and owner/builder to ensure private covenants are adhered to. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
- c. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.



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**3. POLICY DEVELOPMENT – CONTAMINATED LAND MANAGEMENT POLICY**

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

**REASON FOR REPORT**

This report provides for Council's consideration of an updated Contaminated Land Management Policy.

**REFERENCE TO DELIVERY PLAN ACTION**

Outcome 3.3 – Our community share responsibility to increase sustainability and minimising our environmental impacts

**DISCUSSION**

Council currently has a Contaminated Land Management Policy which was adopted on February 2017 and since that time the policy has been utilised by Council's development assessment staff for the following purposes:

- The preparation and amendment of Local Environmental Plans.
- The preparation, approval and amendment of Development Control Plans.
- The preparation and adoption of Plans of Management for Community Land.
- The determination of Development Applications.
- The modification of Development Consents.
- The determination of activities pursuant to Part 5 of the Environmental Planning and Assessment Act 1979; and
- The storage and sharing of contaminated land information through Section 10.7 certificates.

Council has been a participant in a Contaminated Land Management Program administered by the Riverina and Murray Joint Organisation of Councils (RAMJO) and the Riverina Eastern Regional Organisation of Councils (REROC). Participation has resulted in the production of a draft Contaminated Land Management Policy which is accepted by the NSW Environmental Protection Authority and updates Council's current Contaminated Land Management Policy.

The updated Contaminated Land Management Policy imposes no new requirements however in accordance with Schedule 6 (3)(c) of the Environmental Planning and Assessment Act 1975 and Section 160 of the Local Government Act 1993 the policy will still need to be placed on public exhibition for 28 days and 42 days allowed for submissions to be made.

A copy of the draft policy is attached as **ANNEXURE 5** for councillors' consideration.

**BUDGET IMPLICATIONS**

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

**CONCLUSION**

Council's participation in the Contaminated Land Management Program (RCLM) has enabled the review and development of Council Contaminated Land Management Policy providing a document that aligns with Councils throughout the region and is accepted by the NSW Environmental Protection Authority.

**RECOMMENDATION**

That in accordance with Schedule 6 (3)(c) of the Environmental Planning and Assessment Act 1975 and Section 160 of the Local Government Act 1993 the policy will still need to be placed on public exhibition for 28 days and 42 days allowed for submissions to be made.

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**4. KERBSIDE COLLECTION TENDER**

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

**REASON FOR REPORT**

To recommend a preferred contractor for Contract No. 19/04045 Regional Kerbside Collection Services, due to commence 1 July 2024, through a qualitative and quantitative assessment.

**REFERENCE TO DELIVERY PLAN**

Outcome: Our community share responsibility to increase sustainability and minimising our environmental impacts

**DISCUSSION**

The Councils of Greater Hume, Albury City, Wodonga, Federation and Indigo participate in a collaborative agreement to provide Kerbside Municipal Solid Waste, Recycling and Food and Garden Organics Collection (FOGO) Services. The current contract commenced on 1 July 2012 and is due to expire on 30 June 2024.

The Regional Kerbside Collection Service presently consists of the following:

- collection and disposal of Kerbside Municipal Solid Waste (MSW) services;
- collection and processing of Kerbside Recycling (co-mingle) services;
- collection and processing of Kerbside Food and Garden Organics (FOGO) services; and
- Community compliance and education services with the support of Halve Waste.

More than 61,000 residences are serviced under the current Regional Kerbside Collection Service.

Greater Hume Councils operational costs over the term of the existing contract are estimated at \$4.3 million.

In readiness for the next contract, a Regional Kerbside Collection Working Group was established in 2019, made up of representatives from the participating Councils, with an aim to consider how these services could be provided beyond the current contract. The key priorities identified by the Working Group include:

- a regional approach to procuring Kerbside Collection & Processing Services;
- provisions for Municipal Solid Waste, Co-mingled Recycling, and FOGO (a three-bin service);
- provisions for Kerbside Glass Collection (Victorian Councils only);
- maintain the provision of a Recycling Material Recovery Facility (MRF) within the region;
- desirable to establish a composting plant or similar, within the region for the disposal of Food and Garden Organics material; and
- Utilisation of the NSW Model Waste and Recycling Collection documentation to guide the process.

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KERBSIDE COLLECTION TENDER [CONT'D]

These priorities are consistent with both the NSW and Victorian legislative requirements and meet the objectives of the NSW Waste and Sustainable Materials Strategy 2041.

During 2021, the Regional Kerbside Collection Working Group was approached by several NSW Councils seeking to join the group procurement process to provide Kerbside Municipal Solid Waste, Recycling, and Food and Garden Organics Collection Services. Three additional Councils joined the collaborative procurement process, these included Leeton, Berrigan, and Edward River Shire Councils. Representatives from these participating Councils joined the Working Group to plan and prepare for the release of the RFT during 2022. The eight participating Councils represent a regional population of approximately 244,000, with 75,550 households.

The joint tender project became known as “RKC8”, with Albury City taking the lead on behalf of the eight participating Councils to project manage the procurement process. Participating Councils executed a Memorandum of Understanding (MOU) to secure their involvement in the collaborative procurement process. Participating Councils would procure kerbside collection services under one Request for Tender process but enter into separate contracts with the preferred supplier.

Due to the complex nature, aggregated volumes, future contract values and extensive geographical area of the contract, an Australian Competition and Consumer Commission application was made on behalf of the participating Councils in December 2021. Following detailed review, the Australian Competition and Consumer Commission granted authorisation to the participating Councils to enable them to collectively tender and contract for waste and recycling collection, transport, sorting, and processing services until 30 June 2034.

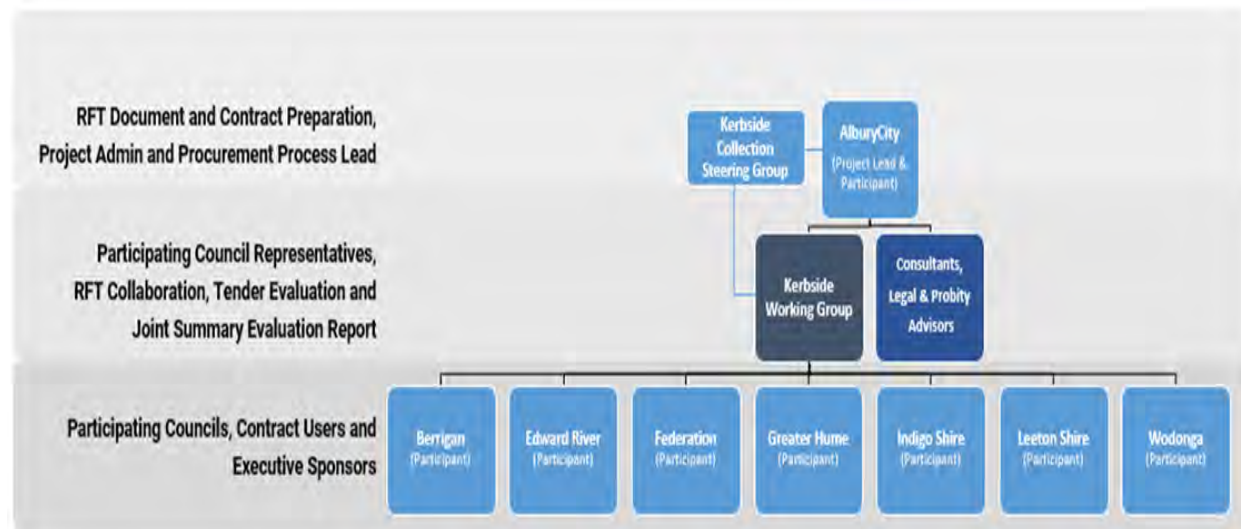
Participating Councils agreed to adopt the NSW Model Contracts for Kerbside Collection Services, which is a template as provided by the NSW EPA for the purpose of Kerbside Collection Service contracts. These documents are considered industry best practice and have been customised to ensure they model the requirements of all participating Councils. All documents have undergone reviews by key stakeholders, including legal, probity and an external independent industry experts.

To effectively manage the tender project, Albury City as project lead, established a project governance structure including an internal Kerbside Steering Group to work closely with the Working Group, manage key milestones, oversee key decision making and guide the process.

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KERBSIDE COLLECTION TENDER [CONT'D]

*Figure 1: Governance Structure – Participating Group of Councils and key stakeholders*



To ensure probity and ethical conduct were maintained throughout all phases of the process, a Probity Plan was developed for participating Council members. The Probity Plan objective is to maintain integrity and ethical conduct and observe the highest degree of probity, ensuring confidence is preserved in our processes and decisions. An independent Probity Advisor was engaged on behalf of the participating Councils to oversee all stages of the process, these stages included:

- Pre-Tender industry engagement;
- Final Tender document preparation;
- Tender release;
- Receipt of submissions;
- Assessment of submissions;
- Clarifications;
- Proposal to Award; and
- Final Review and report.

Halve Waste, the existing education and awareness program, will continue to be at the forefront and support all Councils who participate in the Regional Kerbside Collection Services contract.

In conjunction with Halve Waste, the Working Party developed the Kerbside Waste, Recycling & Organics 2024-2034 Roadmap to outline the Key Performance Indicators that would need to be met during the life of the contract. This Roadmap is critical in extending the life of local and regional landfills and meeting state government waste and recycling targets. These targets are captured in the 17 Action items within the Roadmap.

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KERBSIDE COLLECTION TENDER [CONT'D]

The group of participating Councils preference was to appoint a single Contractor to service all Councils, in anticipation that economies of scale will produce best value for all Councils. If warranted, the tender allowed for individual Councils to select different Contractors for their respective service requirements.

The scope of the tender centred on the provision of a regular scheduled collection and disposal service for domestic household waste, recyclables, food, and garden organics waste services for the term of the contract with the inclusion of a glass collection for Victorian Councils commencing in 2027.

Tender Evaluation Plan and Scorecard

The Working Party prepared a Tender Evaluation Plan and Scorecard, to assist in the tender assessment. This comprehensive Tender Evaluation Plan was developed to detail the process, probity protocols and assessment methodology for the Tender Evaluation Team to ensure best value is achieved. A two-envelope process was adopted to support the qualitative and quantitative assessment process utilising separate team members. The Tender Evaluation Team consisted of key representatives from the participating Councils, with Albury City and Wodonga Council financial members separately reviewing the quantitative components of submissions.

The Tender Evaluation Team has utilised a purpose-built Scorecard to determine fit for purpose and value for money outcomes for each submission in assessing the qualitative (non-price) responses.

**Tender Assessment**

The RKC8 Regional Kerbside Collection Services joint request for tender (RFT) was published in the Sydney Morning Herald and Border Mail newspapers, made available on LinkedIn and via the participating Councils' social media channels, with a notice also placed on the Waste Management & Resource Recovery Association Australia website. The RFT remained open for a 12-week period. A tender briefing session was held on 19 September 2022 to allow prospective tenderers to ask questions and seek clarification on tender aspects. Tenders for the Regional Kerbside Collection Services contract closed on 30 November 2022.

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KERBSIDE COLLECTION TENDER [CONT'D]

Submissions Received

The following submissions were noted as being received upon opening each Tender box.

*Table 1 Submissions received*

<b>Company Name</b>	<b>Tender Box 1 (Qualitative submission)</b>	<b>Tender Box 2 (Quantitative submission)</b>
Cleanaway Waste Management Limited	Yes	Yes
JR Richards & Sons Pty Ltd	Yes	Yes
LMS Energy Pty Ltd	Yes	Yes
Veolia Environmental Services (Australia) Pty Ltd	Yes	Yes
JJ Richards & Sons Pty Ltd*	General correspondence only	General correspondence only

\* Note: Documents received from JJ Richards & Sons Pty Ltd were not a tender submission, the correspondence was to advise of their decision not to tender.

Conformity Check

As the first phase of the Tender Evaluation Plan, a detailed conformity check was completed in December 2022 for each Tender submission. Submissions were reviewed and assessed by the Team Leaders of Procurement Services for AlburyCity Council and Wodonga City Council with oversight from the Probity Advisor. As JJ Richards & Sons Pty Ltd did not submit a tender, they were not considered further for this contract.

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**KERBSIDE COLLECTION TENDER [CONT'D]**

*Table 2: Summary of the Conformity check*

Item Assessed	Cleanaway Waste Management Limited	JR Richards & Sons Pty Ltd	LMS Energy Pty Ltd	Veolia Environmental Services (Australia) Pty Ltd
Councils nominated that the bid is addressed and applies.	Yes	Yes	Yes	Yes
Conformity with Section B – Conditions of Tendering Including; - Pricing Details - Supporting documents - WHS, QMS & EMS documentation	Yes	Yes	Yes	Yes
Addresses Specification for nominated Services (Collection and Processing)	Yes	Yes	No	Yes
Alternate offers submitted	Yes	Yes	No	Yes

Each tenderer had to provide a conforming submission as a primary and mandatory requirement in order to provide participating Councils with any alternate options or identified variations which may present savings for consideration.

The tender response received from LMS Energy proposed the receipt and processing of organics only for all participating Councils. It was therefore deemed that their offer was non-conforming, in that it did not satisfy the Councils' core requirements for collection and processing of kerbside organics. This submission from LMS Energy was therefore not considered further for this contract.

*Figure 2: Summary of the submissions received, relative to the Services offered as tendered for all Councils as a result of the Conformity Check.*

Tendered Services - offers received:																								
Tenderer:	AlburyCity			Berrigan			Edward River			Federation			Greater Hume			Indigo			Leeton			Wodonga		
Cleanaway	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
JR Richards				C	C	C	C	C	C										C	C	C			
LMS Energy			N			N			N			N			N						N			N
Veolia				C	C	C	C	C	C															

**Services Key:**  
 Garbage: Red square  
 Recycling: Yellow square  
 Organics: Green square  
 Glass: Purple square  
 No offer: Grey square  
 C: Conforming offer  
 N: Non-Conforming offer

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KERBSIDE COLLECTION TENDER [CONT'D]

All other tendered responses were deemed conforming, being Cleanaway Waste Management Limited (Cleanaway), JR Richards & Sons Pty Ltd and Veolia Environmental Services (Australia) Pty Ltd and thus progressed to the qualitative evaluation stage.

The conformity check process identified that Cleanaway provided a conforming submission for all eight Councils, JR Richards & Sons Pty Ltd provided a conforming submission for three Councils and Veolia Environmental Services (Australia) Pty Ltd provided a conforming submission for two Councils.

Qualitative (non-price) Assessment

The qualitative assessment considered a range of issues including:

- Past performance and future direction – including referee checks, relevant experience and expertise in performing same or similar works or joint tender projects, innovation and technology;
- Methodology and program delivery – work methodologies, operational management and proposed transition program;
- Capacity – current and future commitments, personnel, assets and facilities, vehicles and equipment;
- Capability – including skills and expertise, customer service, work health and safety systems, quality management systems, environmental management systems, third-party arrangements and resources; and
- Social and sustainable benefit to the region of Councils – social and community benefit to the region, local supply and provision of meaningful work.

As outlined above, for Greater Hume Council, the submission from Cleanaway is the only tendered option for consideration. This report will consider Cleanaway's conforming and alternate options only, with references to regional solutions and the other tenderers where applicable.

*Table 3: Combined scores and weightings for Conforming Submission*

<b>Weightings</b>	<b>15%</b>	<b>35%</b>	<b>20%</b>	<b>20%</b>	<b>10%</b>	<b>100%</b>
<b>Tenderer</b>	<b>Experienc e &amp; Future Direction</b>	<b>Methodolo gy &amp; Program Delivery</b>	<b>Capacit y</b>	<b>Capabili ty</b>	<b>Social &amp; Sustainabl e Benefits to the Region</b>	<b>Qualitativ e Score Index</b>
Cleanaway	11	26	15	16	7	<b>75</b>



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KERBSIDE COLLECTION TENDER [CONT'D]

Cleanaway is a national provider of waste management, collections, recycling, environmental and industrial services across Australia. Cleanaway has an established network of depots, satellite depots, transfer stations and material processing facilities in NSW and North East Victoria.

Cleanaway provided a detailed submission that addressed garbage, recycling, organics, glass, education, and compliance. Depots in Albury and Wagga Wagga are nominated as primary locations for which the group of participating Councils will be serviced, with their Shepparton Depot providing redundancy if needed. Cleanaway Albury is located in Reiff Street, Lavington.

Cleanaway has a proven history of service and experience relevant to joint tendering and rated highly in their experience and ability in performing kerbside collection contracts. Cleanaway currently supports over 50 Councils across Victoria and New South Wales for general waste, recycling, FOGO, and glass kerbside collections.

For methodology and program delivery, Cleanaway demonstrated their understanding of requirements and service coverage, and proposed methods of service delivery with a detailed schedule. A transition plan was provided with mention of several upgrades to the Material Recovery Facility (MRF) located in Lavington, if successful with this contract.

Cleanaway successfully manages the regional contamination program along with a range of other services including advertising, education and marketing services. Cleanaway has successfully delivered community compliance for kerbside contamination management as part of their current contract. They also continue to work with a dedicated resource (0.6 FTE) in Albury, committed to education delivery and supporting Halve Waste. The tender submission promises to increase the use of this resource (to 1 FTE) and will consider a further 0.5 FTE based regionally, should they be successful for all eight participating Councils.

Cleanaway was able to demonstrate their expertise in the waste industry by outlining the quality of management and staff, with a detailed organisational chart indicating key personnel with prime responsibility and accountability for performance. Many of these resources are part of the existing contract for kerbside services in our region.

Cleanaway's Albury Depot supports a management office, vehicle servicing area, parking depot and a MRF. This site has been processing recycling since 2017. The MRF accepts co-mingled recyclables with an intake of up to 30,000 tonnes per year. Cleanaway has included, as part of their submission, upgrades to the facility including dual fibre line with new optics and a glass clean up system. They will update to a state-of-the-art optical plastic sorting machine if successful.

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KERBSIDE COLLECTION TENDER [CONT'D]

Cleanaway's conforming submission includes;

- weekly Domestic Kerbside Food and Garden Organics Waste Collection, including the provision of mobile food and garden organics waste bins, bin maintenance and processing of food and garden waste;
- fortnightly Domestic Kerbside Garbage Collection, including the provision of mobile garbage bins, bin maintenance and disposal;
- fortnightly Domestic Kerbside Co-mingled Recyclables Collection, including the provision of mobile recyclable bins, bin maintenance and processing of recyclables; and
- education and bin contamination management.

Cleanaway has selected a Volvo FE Chassis as the preferred fleet option to service the needs of the contract. Across Albury and Wagga Wagga, they hold a variety of equipment such as balers, crushers, trommel's, sorting and screening technology. All Mobile Garbage Bins (MGBs) are made by Sulo, an Australian mobile bin manufacturer, with end-of-life options being 100% recyclable. Kitchen Caddy's are 100% recyclable with up to 80% post-consumer content with liners provided. Liners are made in China, however noted as certified compostable to Australian and International Standards. Cleanaway's submission included the provision of software which would be placed on all trucks, providing a method to instantly record contamination and issues with bins.

Cleanaway was able to provide evidence of their Work Health and Safety systems, Quality Management, Environmental Management systems, insurances, and accreditations.

Cleanaway has partnered with Carbon Mate (Wagga Wagga) to transport all FOGO materials for composting. Their proposal includes an initial bulk-up facility at the AWMC, where the product is shredded and decontaminated prior to transporting to the Carbon Mate composting facility in Wagga Wagga. Carbon Mate has an established distribution network of landscape supply and garden centres for retail sale of compost products in Albury, Wodonga, Wagga Wagga, Tumut and West Wyalong. Cleanaway, as part of their submission, has proposed to continue utilising the AWMC as a bulk-up facility, but indicated they would further explore the establishment of a new bulk-up facility for FOGO at their Knights Road, Albury site. This site is currently used for storage purposes, and no approval process has been actioned to further develop this location at this stage. Cleanaway identified in their proposal that upgrade works to the value of \$500,000 would need to occur at the current AWMC bulk-up site and \$1.6M would need to be invested in their Knights Road site. This component has not been costed within their proposal.

The submission from Cleanaway identified positive environmental outcomes as an important focus. This assessment considered their environmental management system in place, economic development for a facility to be located within the region, innovation, and improvement strategies. Cleanaway invests nationally into facilities and future innovation to support a circular economy. These projects include PACT (Albury), turning residual waste into energy, providing collection and processing for container deposit schemes, waste oil refineries in NSW to recycle waste oil, and a pilot partner with Australian Food and Grocery Council to undertake soft plastic recycling trials in Albury and Wodonga.

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KERBSIDE COLLECTION TENDER [CONT'D]

For social and sustainable benefit, Cleanaway's head office is based in Melbourne, although they have a local premise and presence with a large facility located in Lavington. Cleanaway also manages a liquid treatment facility locally and is a key partner in a circular economy facility at Nexus. Cleanaway is a substantial employer and contributor to the local economy, procuring engineering, safety equipment, skilled labour and consumables. Maintenance of trucks occurs locally, and the purchase of fuel and subcontractors are all sourced locally. Cleanaway employ 90 staff across Albury and Wagga Wagga, and they have committed to resource increases if awarded this contract. Cleanaway currently supports local groups via sponsorships.

Referee reports were independently undertaken and were sourced from Greater Geelong, La Trobe City and Mildura Councils. Referees supplied information on project management, customer service, contract management, innovation and Work Health and Safety (WHS). Highlights included Cleanaway's responsiveness to day-to-day issues, their compliance with contamination programs, reporting, and communication with residents and Councils. Transitional processes to new contracts were also rated highly, having skilled resources to handle requests and were found to be accommodating and flexible. Cleanaway will provide the Councils with full access to their truck footage and GPS information. All Councils experienced the 2017 China Sword impacts for service costs for recyclables and felt Cleanaway's negotiation processes were handled well. From a WHS perspective, Cleanaway treats this seriously and deals with incidents quickly and with detailed processes.

Following the detailed qualitative assessment of the tender, Cleanaway rated as being highly suitable in their ability to perform the key requirements of the contract.

Quantitative (Price) Assessment

The pricing component of the contract was assessed independently and confidentially, with nominated finance representatives from Albury and Wodonga Councils.

Contractor credit and financial checks were conducted by the finance representatives and provided to an external credit assessment agency for review. These reports provided financial and performance history of the tenderers and provided an indication as to the company's long-term financial stability and ability to service the proposed 10-year contracts for the participating Councils. The independent assessment scored Cleanaway as 'Satisfactory', with strengths in trading history, expanded ownership and positive trading results over several years.

To interpret the quantitative response, the indicative conforming tender submission for the 10-year contract is summarised below and based on the following assumptions:

- indicative cost using tendered unit rates for base service;
- not adjusted for inflation; and
- using current service volumes included in advertised tender.

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KERBSIDE COLLECTION TENDER [CONT'D]

*Table 4: Summary of conforming submission pricing and scores for Cleanaway*

<b>Stream</b>	<b>Estimated 10-Year Contract Value (incl. GST)</b>	<b>Rating</b>
Residual Waste Stream	\$2,905,045.00	
Recycling Stream	\$3,768,050.00	
FOGO Stream	\$8,119,540.00	
<b>Total</b>	<b>\$14,792,635.00</b>	<b>100</b>

Cleanaway has provided alternate offerings detailing a 'best outcome price' for each Council. Proposed alternate options were presented, generating savings compared to the conforming rate. Five options were provided for regional consideration; however three options relate specifically to Greater Hume Council and are detailed below. The other two options aligned with the remaining councils in the tender.

Alternate options are as follows:

**Option 1** – Utilisation of existing fleet of trucks incorporating a replacement program over the term of the contract.

Cleanaway proposed a replacement program similar to the existing contract, ie. replacement of two trucks per annum for the first eight years. Cleanaway agreed to updating all truck signage on the existing vehicles on commencement of the new contract.

*Summary Option 1*

This option represents a yearly saving of \$36,465 on fleet purchases. Cleanaway has been staging the replacement of their current fleet throughout the length of the existing contract and as such, the fleet of vehicles is in good condition. All existing trucks would be retrofitted with any technological updates. If this option is supported, Cleanaway will provide a revised replacement schedule prior to the contract commencing.

Based on the contract savings offered and the quality of the existing fleet, this Option 1 is **Recommended**.

**Option 2** – Utilisation of existing Municipal Garbage Bins (MGBs) with replacement as required over the term of the contract.

Cleanaway proposed to use the current MGBs that are in use. This would be a saving to Council however the current MGBs residents are using have been in use for the past two contracts (excess of 15 years) and are in need of replacement.

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KERBSIDE COLLECTION TENDER [CONT'D]

*Summary Option 2*

It is noted that regionally various bin sizes exist out in the field at present, inconsistent or no messaging is present on a majority of the bins.

Based on the existing MGBs not being fit for purpose, this Option 2 is **Not Recommended**.

**Option 3** – Council to pay the organics processing fee per tonne with an alternative contamination reporting/audit program to determine quarterly gate fees.

The conforming tender required the gate fee for the processing of organics to be included within the lift rate/service charge. Cleanaway proposed to separate the service cost from the organics processing fee per tonne. Cleanaway proposed that this can be confirmed via a weighbridge docket when the load is deposited at the bulk-up point. Council would be invoiced for organics processing and treatment at the appropriate rate for the tonnes collected and verified by the weighbridge dockets. This rate would include rise and fall adjustments in line with the agreed contract provisions.

Cleanaway proposed to conduct quarterly waste contamination audits (removing the need for biennial audits) with incentives provided for lower treatment charges aligning with lower contamination bands.

*Value Proposition:*

The indicative 10-year contract cost savings (including GST) relative to the conforming tender is \$340,340.00.

The Tender Evaluation Team were supportive of a direct organics processing fee per tonne. The risk for the contractor is FOGO density, which is extremely seasonal. Therefore, by separating the service and treatment charges, Council will be charged on actuals thus limiting the uncertainties and risks for the contractor. The concerns were around the level of confidence that the tonnage to be charged belongs to an individual Council when it is bulked up with other Council material. Cleanaway has articulated a process to measure volume on entry to their bulk-up facility.

The second component to this option proposed to conduct quarterly waste audits managed by a third party, with incentives provided for lower treatment charges at lower contamination bands. This option removed the biennial auditing of waste streams across all participating Councils.

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KERBSIDE COLLECTION TENDER [CONT'D]

Auditing of individual Council waste streams has occurred for the term of the current contract and provides data indicators on the progress towards regional and individual Council reduction goals. The biennial audit is designed to build on our understanding of the composition of the kerbside bin contents, to assist with increasing recycling and reducing waste to landfill. The audit data is used for performance management and planning of future education and infrastructure. The biennial audit has traditionally been conducted in alignment with the guidelines for Conducting Household Kerbside Residual Waste, Recycling, Food and Garden Waste audits in NSW Local Government Areas, as issued by the EPA. The Evaluation Team is not opposed to Cleanaway conducting quarterly waste audits, however no formal reporting or adherence to NSW EPA auditing requirements will be met using this methodology. Therefore, the Evaluation Team supports to maintain the biennial auditing as an additional process as part of this contract. The delivery of this function will be negotiated directly with the contractor.

The estimated cost for the biennial audit for all participating Councils is \$70K (estimated total of \$350K over the term of the contract).

This option proposes an organics processing charge based on actual tonnages and yields significant savings to Council, therefore this Option 3 is **Recommended**.

**Financial Summary**

To compare the conforming, alternate, and current quantitative options provided by Cleanaway, the indicative 10-year service costs (including GST) are presented in the following table. The alternate cost estimate includes:

- Accepting Option 1 – utilisation of existing fleet of trucks; and
- Accepting Option 3 – Council to pay for organics processing using a per tonne rate (1% contamination incentive).

*Table 5: Summary of conforming, alternate and current service costs over a 10-year period for Cleanaway*

<b>Stream</b>	<b>Conforming Offer</b>	<b>Alternate Offer</b>	<b>Current Contract</b>
Refuse	\$2,905,045.00	\$2,406,690.00	\$4,396,784.40
Recycling	\$3,768,050.00	\$3,585,725.00	\$2,513,654.00
Food & Garden	\$8,119,540.00	\$7,779,200.00	
<b>Totals</b>	<b>\$14,792,635.00</b>	<b>\$13,771,615.00</b>	<b>\$6,910,438.04</b>

As detailed above, the conforming offer with alternate options 1 and 3 from Cleanaway is more favourable from a cost perspective for Council and represents a 50% increase on the current service cost.

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KERBSIDE COLLECTION TENDER [CONT'D]

The alternate options for recycling show significant increases in comparison to the current contract. This increase reflects the substantial change for processing of recyclable material and market sale of materials, as well as the impact of China imposing import bans on materials. With the introduction of the Container Deposit Scheme (CDS) in 2017, this has significantly reduced a high value item at kerbside. Having a viable MRF operating in Albury is critical for the term of the contract, and thus Cleanaway have modelled all material inflow, impact of a Victorian CDS scheme and the proposed glass bin to determine a fee for Council.

The Tender Evaluation Team determined a value for money index for tenderers, having regard to:

- the qualitative (non-price) criterion totalling 100%; and
- the quantitative total price estimated for the contract totalling 100%.

With regards to the conforming submissions, the Tender Evaluation Team is satisfied that:

- all the responses meet all essential requirements;
- all responses meet all or most of the tender and contract objectives;
- the financial analysis for each tenderer was satisfactory and acceptable;
- there is an acceptable level of compliance with contract conditions; and
- value for money can be demonstrated for the group of participating Councils.

In reference to the alternate options provided by Cleanaway, the Tender Evaluation Team supports that the above requirements and objectives have been met by the alternate options, with the added benefit of providing a level of savings for Greater Hume Council.

Based on the qualitative and quantitative assessments, it is deemed that the conforming tender with the alternate submissions from Cleanaway Waste Management Limited provides the best value for Council to deliver this contract.

### **BUDGET IMPLICATIONS**

Annual cost of the tender initially will be \$1,251,965.00, which will be a component of an increased domestic waste charge commencing from 2024/2025.

### **CONCLUSION**

Greater Hume Council, Albury City, City of Wodonga, Berrigan, Edward River, Federation, Indigo, and Leeton Councils agreed to a joint procurement process to provide Regional Kerbside Collection Services for Garbage, Co-mingled Recycling, Food and Garden Organics and Glass (Victorian Councils only) from their Local Government Areas. This Contract is to commence 1 July 2024 for a 10-year term, with an expiry date of 30 June 2034. These Councils represent a regional population of approximately 244,000, with 75,550 households.

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KERBSIDE COLLECTION TENDER [CONT'D]

The scope of the Request for Tender included:

- weekly Domestic Kerbside Food and Garden Organics Waste Collection, including the provision of mobile food and garden organics waste bins, bin maintenance and processing of food and garden waste;
- fortnightly Domestic Kerbside Garbage Collection, including the provision of mobile garbage bins, bin maintenance and disposal;
- fortnightly Domestic Kerbside Co-mingled Recyclables Collection, including the provision of mobile recyclable bins, bin maintenance and processing of recyclables; and
- education and bin contamination management.

A governance structure was established to prepare and manage all key documents, monitored process stage gates, engagement, risk assessment, external and internal reviews, probity, legal, tender documentation, and evaluation protocols. AlburyCity was the lead agency for this contract.

The Request for Tender was released to the market late August 2022, and was open for 12 weeks, with submissions closing 30 November 2022.

Conforming submissions were received from Cleanaway Waste Management Limited, JR Richards & Sons Pty Ltd, Veolia Waste Management Services Limited and LMS Energy Pty Ltd. For Albury City, Wodonga, Indigo, Federation and Greater Hume Shire one submission was received (from Cleanaway Waste Management Limited).

As part of the conformity, qualitative and quantitative process, the conforming submission and alternate submission 1 and 3 from Cleanaway Waste Management Limited were deemed the most favourable option for Greater Hume Council.

The alternate options recommended include utilisation of existing fleet of trucks incorporating a replacement program (Option1), and Council to be charged organics processing fees based on actual tonnages (Option 3). These options 1 and 3 collectively offer a significant saving for Council.

The collaborative procurement process enables participating Councils to procure services under one Request for Tender with a regional focus. Following the detailed assessment undertaken, each Council will independently consider which proposal(s) provide best value for the respective Council and subsequently enter into separate contractual arrangements. Formal notifications to the relevant contractors will be deferred until all participating Councils have considered this assessment.

**RECOMMENDATION**

That Council accepts the conforming tender submission and the alternate submission options 1 and 3 from Cleanaway Waste Management Limited for Contract No. 19/04045 Regional Kerbside Collection Services for Greater Hume Council for a 10 year period, commencing 1 July 2024 until 30 June 2034, for an estimated contract value of \$13,771,615.00 (Including GST).



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**5. POLICY DEVELOPMENT - PRIVATE SWIMMING POOL INSPECTION POLICY**

**Report prepared by Approvals Coordinator – Barbara Campbell**

**REASON FOR REPORT**

For Council to consider the readoption of the Private Swimming Pool Inspection Policy.

**REFERENCE TO DELIVERY PLAN ACTIONS**

Objective      Our leadership and communication cultivate confidence in our future direction

Outcome L1    Our decision-making is inclusive, collaborative and encourages ownership of our future

**DISCUSSION**

This policy is now due for review as part of Councils commitment to continuous improvement. The reviewed policy is attached as **ANNEXURE 6**. There has been a minor editing amendment to ensure the policy is up to date as per legislation. The amendment is tracked in the draft document.

**BUDGET IMPLICATIONS**

There are no direct budget implications resulting from the readoption of the above 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 Greater Hume Council Policy relating to Private Swimming Pool Inspection Policy be adopted.

**GOVERNANCE**

Nil

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CORPORATE AND COMMUNITY SERVICES

**1. LICENCE – LOT 169 DP 753730, URANA ROAD, BURRUMBUTTOCK – CROWN RESERVE  
41865**

**Report prepared by Financial Accountant – Regan Mitchelson**

**REASON FOR REPORT**

To advise Councillors of a number of Expressions of Interest received for the licencing of Lot 169 DP 753730, Urana Road, Burrumbuttock approximately 3.95ha, which was advertised in the Border Mail on Saturday 10 June 2023 and Saturday 17 June 2023 and closing on 14 July 2023.

**REFERENCE TO DELIVERY PLAN ACTION**

Nil.

**DISCUSSION**

Expressions of Interest were advertised to enter into a licence for LOT 169 DP 753730 Urana Road, Burrumbuttock for a 12 month term. The total area of the land is approximately 3.95ha. A plan indicating the area is shown below



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LICENCE – LOT 169 DP 753730, URANA ROAD, BURRUMBUTTOCK – CROWN RESERVE 41865  
[CONT'D]

Recent advertising has resulted in the following Expressions of Interest being received.

<b>EXPRESSION OF INTEREST</b>	<b>AMOUNT EXCLUDING GST</b>
Amanda & Mahir Fejzic	\$590.90

It would be reasonable for council to accept the Expression of Interest from Amanda & Mahir Fejzic in the amount of \$590.90 (ex GST) per annum taking into consideration their previous management of this parcel of land.

It is expected that the successful applicant will commence the term from 1 September 2023 for a period of twelve months terminating 31 August 2024.

**BUDGET IMPLICATION**

No significant impact on budget.

**CONCLUSION**

It is recommended that council accept the Expression of Interest from Amanda & Mahir Fejzic in the amount of \$590.90 (ex GST) per annum taking into consideration proven compliance with Crown land management guidelines and their dedication to ensure the continuation of such management of the land.

**RECOMMENDATION**

That Council accept the Expression of Interest from Amanda & Mahir Fejzic in the amount of \$590.90 (ex GST) to enter in to a licence over Lot 169 DP 753730, Urana Road, Burrumbuttock, Crown Reserve 41865 commencing 1 September 2023 for a period



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LICENCE – PART LOT 2 DP 1271058 WAGGA ROAD, HOLBROOK [CONT'D]

Recent advertising has resulted in the following Expressions of Interest being received.

EXPRESSION OF INTEREST	AMOUNT Excluding GST	
	Area 1	Area 2
Jake Smith	\$1,136.36pa	\$83.33pm
Brett Strong	\$654.54pa	\$36.36pm
Alphonsus & Natalja Corbett	\$654.54pa	\$36.36pm
Stephen Neiberding	\$872.73pa	\$45.45pm

It would be reasonable for council to accept the Expression of Interest from Jake Smith in the amount of \$1,136.36 per annum for Area 1 and \$83.33 per month for Area 2 taking into consideration the costs to Council to undertake the maintenance and control of weeds and pests associated with this parcel of land.

The successful applicant will be permitted to graze stock on Area 1 for a period of twelve months and Area 2 on a month by month basis commencing on 1 September 2023 and terminating on 31 August 2024.

**BUDGET IMPLICATION**

No significant impact on budget.

**CONCLUSION**

It is recommended that council accept the Expression of interest from Jake Smith in the amount of \$1,136.36 per annum for Area 1 and \$83.33 per month for Area 2 taking into consideration the costs to Council to undertake the maintenance and control of weeds and pests associated with this parcel of land.

**RECOMMENDATION**

That Council accept the Expression of Interest from Jake Smith in the amount of \$1,136.36 per annum for Area 1 and \$83.33 per month for Area 2 to enter in to a licence over Part Lot 2 DP 1271058 Wagga Road, Holbrook commencing 1 September 2023 for a period of twelve months terminating 31 August 2024.



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**3. POLICY DEVELOPMENTS**

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

**REASON FOR REPORT**

To present new and revised policies for consideration.

**REFERENCE TO DELIVERY PLAN ACTION**

Objective                      Our leadership and communication cultivate confidence in our decision making

CSP Strategy L3.3      Deliver efficiency, effectiveness and probity in Council processes and services

**DISCUSSION**

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

**1. Corporate Credit Card and Purchasing Card Use Policy**

Minor amendments made to the policy to clarify administrative processes relating to authorising of monthly cardholder statements. **ANNEXURE 7.**

**2. Greater Hume Children Services policy – Payment of Fees - Family Day Care Policy**

The existing policy has been updated to comply with current regulatory requirements relating specifically to Family Day Care operations. **ANNEXURE 8.**

**BUDGET IMPLICATIONS**

Nil.

**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 within the local government sector.

**RECOMMENDATION**

That:

1. The Greater Hume Council Corporate Credit Card and Purchasing Card Use Policy be adopted
2. Greater Hume Children Services Payment of Fees - Family Day Care Policy be adopted

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## ENGINEERING

### 1. PROVISION OF FOOTPATH, ROSLER PARADE, HENTY

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

#### **REASON FOR REPORT**

To advise Council of the proposed cost and apportionment for the Rosler Parade Footpath Project at Henty as required by Council Policy.

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

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

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

#### **DISCUSSION**

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the Rosler Parade Henty Footpath Project.

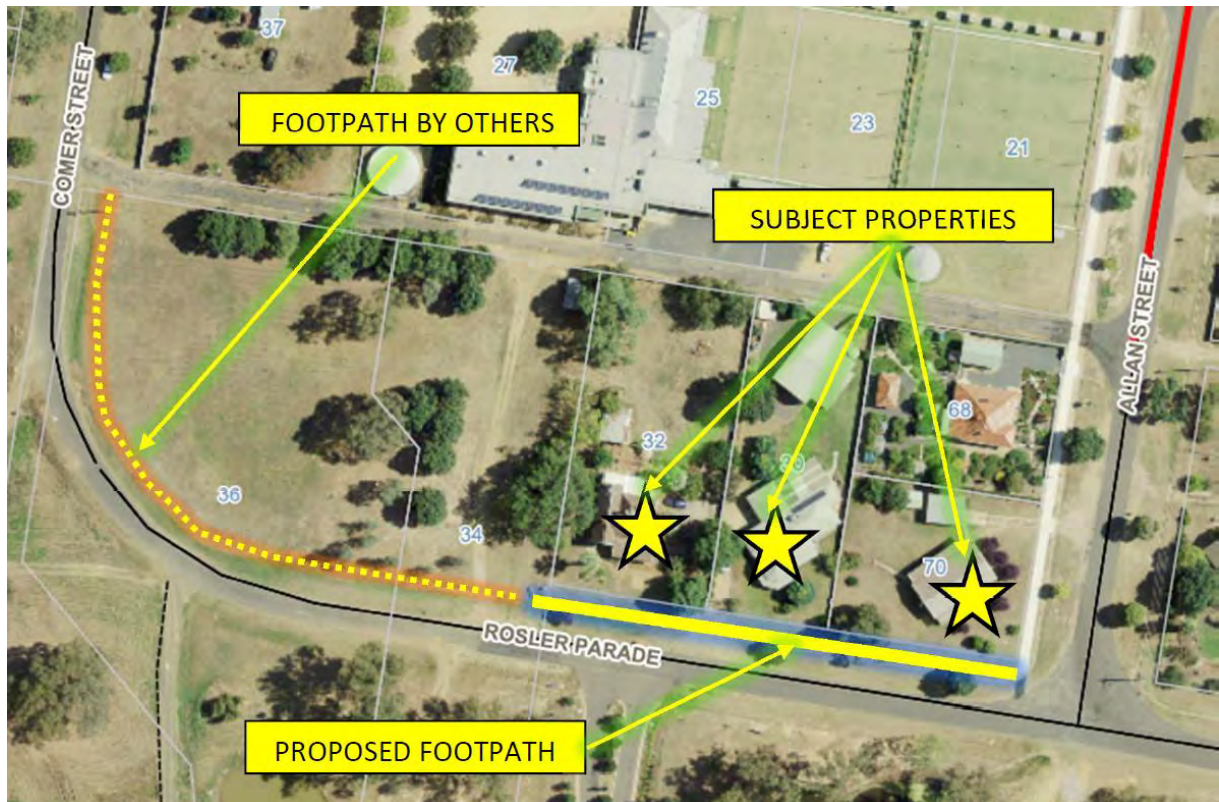
The proposed works include the construction of a 1.5m footpath on the northern side of Rosler Parade from the existing shared path in Allan Street to the new subdivision on the corner of Rosler Parade and Comer Street for approximately 100m.

A table showing the current estimate rates used to calculate the landowners contributions is **ENCLOSED SEPARATELY 1** for Councillors information.

A sketch of the proposed works is included for Councillor's information.

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**PROVISION OF FOOTPATH, ROSLER PARADE, HENTY**



**BUDGET IMPLICATION**

Cost of the project is within the engineers estimate and will be funded by the developer of the land shown as Lot 34 and Lot 36.

**CONCLUSION**

The completion of footpath within this street as planned will improve property owner amenity and public accessibility.

**RECOMMENDATION**

That Council:

1. Approve the construction of footpath in Rosler Parade, Henty.
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project



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**2. PROVISION OF FOOTPATH, URANA STREET, JINDERA.**

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

**REASON FOR REPORT**

To advise Council of the proposed cost and apportionment for the Urana Street Footpath Project at Jindera as required by Council Policy.

**REFERENCE TO DELIVERY PLAN ACTION**

CSP Strategy	N2 Our road and transport network is maintained and accessible
Initiative.	N2.1.1 Implement asset management and renewal programs in accordance with adopted budgets and capital works programs

**DISCUSSION**

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the Urana Street (Jindera) Footpath Project.

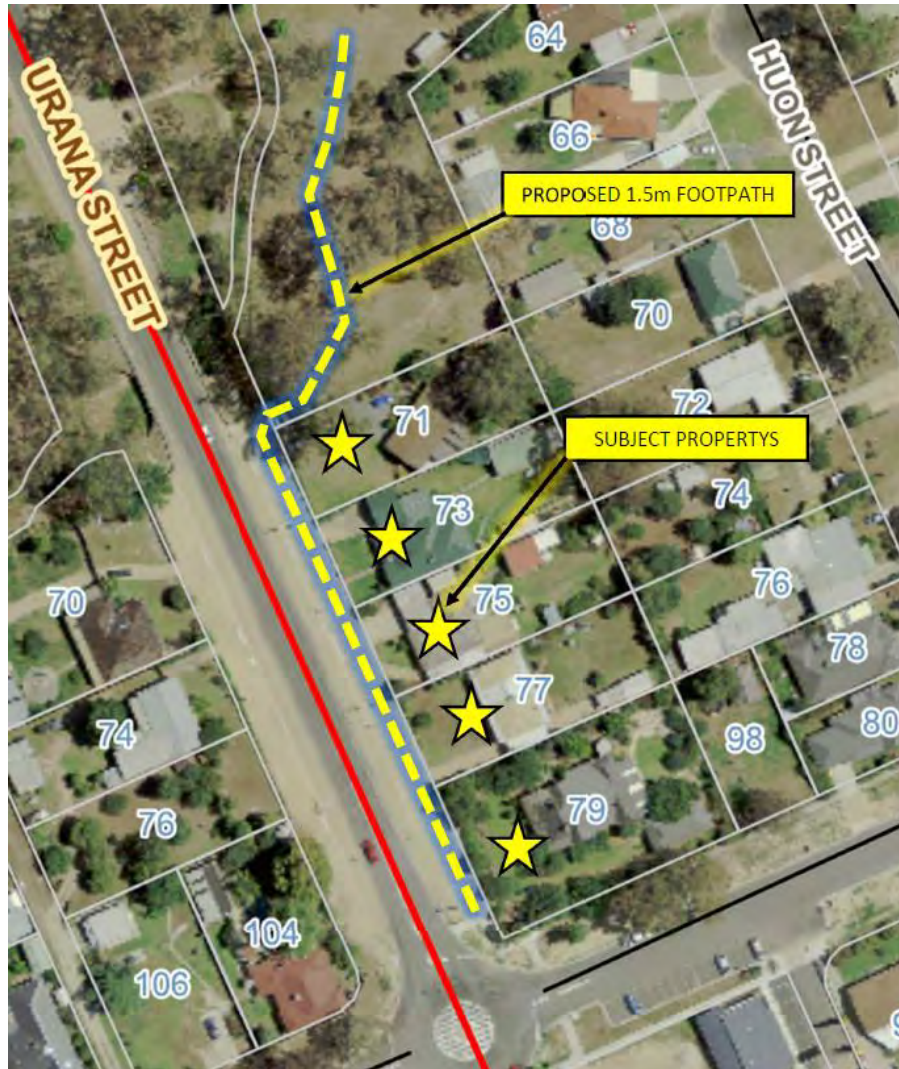
The proposed works include the construction of a 1.5m footpath on the eastern side of Urana Street from the Creek Street roundabout to the Pioneer Park for approximately 250m.

A table showing the current estimate rates used to calculate the landowners contributions is **ENCLOSED SEPARATELY 2** for Councillors information.

A sketch of the proposed works is included for Councillor's information.

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**PROVISION OF FOOTPATH, URANA STREET, JINDERA [CONT'D]**



**BUDGET IMPLICATION**

Council has allocated \$40,000 for the completion of this project in the 2023/24 Operational Plan.

**CONCLUSION**

The completion of footpath within this street as planned will improve property owner amenity and public accessibility.

**RECOMMENDATION**

That Council:

1. Approve the construction of footpath in Urana Street, Jindera
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

ITEM TO BE REFERRED TO CLOSED COUNCIL

ENGINEERING

**1. CULCAIRN RESIDENTIAL SUBDIVISION**

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

**REASON FOR REPORT**

To inform Council of the cost to undertake this development and determine its feasibility to proceed.

**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**

The preliminary estimates for a residential subdivision in Culcairn have previously been assessed by Council officers and found to have an acceptable chance of being viable. Land to the west of the Culcairn stock route has already been purchased by Council with a view to advancing this project.

Previous developments within Greater Hume Shire have been undertaken by Council with the conscious possibility of marginal financial returns. The disparity between the commercial cost of developing residential land and the market rates for the sale of land has discouraged independent developers from entering the market.

Justification for undertaking development for projects such as Jacob Wenke Drive subdivision included;

- Lack of vacant allotments on the market for sale.
- Lack of quality homes on the market for sale.
- Lack of opportunity for residential development will impact other services such as Doctor, Pharmacy and Children's Services.
- Employees for businesses within the area can be targeted in marketing campaigns.
- Towns will stagnate if there are no development opportunities placing further pressure on existing businesses, sporting and community groups.
- The cost of doing nothing.

Council has completed a detailed design and cost estimate for a sixty eight (68) Lot subdivision on the subject land to be released in three (3) stages. Stage 1 comprises of twenty four (24) Lots ranging in size from 1000 sq.m to 2237sq.m. Council officers have released a tender for these works to further ascertain an accurate current market cost for this development.

In determining the feasibility to undertake, the cost estimates and expected return from the sale of land in the subdivision is of a confidential nature, and it is recommended that the matter be referred to Closed Council in accordance with section 10 A (2) © information that would, if disclosed, confer an advantage on a person whom Council is conducting (or proposes to Conduct) business.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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CULCAIRN RESIDENTIAL SUBDIVISION [CONT'D]

**CONCLUSION**

In determining the feasibility to undertake, the cost estimates and expected return from the sale of land in the subdivision is of a confidential nature, and it is recommended that the matter be referred to Closed Council in accordance with section 10 A (2) (c) information that would, if disclosed, confer an advantage on a person whom Council is conducting (or proposes to Conduct) business.

**RECOMMENDATION**

On balance the confidentiality in determining the feasibility to undertake the proposed 68 residential lot subdivision at Culcairn, the cost estimates and expected return from the sale of land in the subdivision is of a confidential nature, outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information could compromise the commercial position of Council in future sale of the developed land

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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## **MAYORAL MINUTE**

### **1. GENERAL MANAGER'S INTERIM PERFORMANCE REVIEW TO 30 JUNE 2023**

**Report prepared by Mayor - Cr Tony Quinn**

#### **REASON FOR REPORT**

To report on the conduct of the General Manager's Performance Review for the twelve month period to 30 June 2023.

#### **DISCUSSION**

Council is aware that the twelve month review of the General Manager's Performance to 30 June 2023 took place on Monday 7 August 2023 at Culcairn, where the General Manager's Review Committee comprising Cr Annette Schilg (apology), Cr Ian Forrest, Cr Jenny O'Neill and Mayor, Cr Tony Quinn met with the appointed Consultant Terrey Kiss from Mason Black Adder and the General Manager, Evelyn Arnold, and discussed a number of items of interest.

#### **RECOMMENDATION**

That the matters of the General Manager's Performance Review and Contract of Employment are confidential in nature and that the matters be referred to Closed Council (Committee Of The Whole) for discussion, in accordance with the relevant section of the Local Government Act 1993 section 10a (2)(a) personnel matters concerning particular individuals (other than councillors).

#### **REASON**

That the ability of councillors to discuss the performance of the General Manager in a full and frank manner outweighs the need for the report to be discussed in Open Council.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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OFFICERS' REPORTS – PART B – TO BE RECEIVED AND NOTED  
CORPORATE AND COMMUNITY SERVICES

1. **2022/2026 DELIVERY PLAN AND 2022-2023 OPERATIONAL PLAN – REPORT AS AT 30 JUNE 2023**

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

**REASON FOR REPORT**

To ensure compliance with section 407 of the Local Government Act, 1993.

**REFERENCE TO DELIVERY PLAN ACTIONS**

Statutory matter.

**DISCUSSION**

Section 407 of the Local Government Act 1993 requires the General Manager to report to Council, within two months after the end of each quarter, regarding the extent to which the performance targets set by the Council's Delivery Program have been achieved.

The report to 30 June 2023 detailing key actions contained in the 2022/2026 Delivery Program and 2022/2023 Operational Plan and achievements is included as **ANNEXURE 9**.

The comprehensive Delivery Plan Report is available to the public at the following link:

<https://www.greaterhume.nsw.gov.au/Your-Greater-Hume-Council/Documents-and-Policies>

Satisfactory progress has been made in all Themes during the 2022/2023 Financial Year.

**BUDGET IMPLICATIONS**

Nil.

**CONCLUSION**

It is Management's view that overall satisfactory progress towards the achievement of Performance Targets included in the 2022/2026 Delivery Program and 2022/2023 Operational Plan has been achieved.

**RECOMMENDATION**

That Council receive and note the 2022/2026 Delivery Program and 2022/2023 Operational Plan review report to 30 June 2023.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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**2. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2023**

**Report prepared by Accountant – Camilla Webb**

**REASON FOR REPORT**

This report presents to Council details of all funds invested as at 31 July 2023 as required by the Local Government (General) Regulation 2021.

**REFERENCE TO DELIVERY PLAN ACTION**

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

**DISCUSSION**

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

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

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

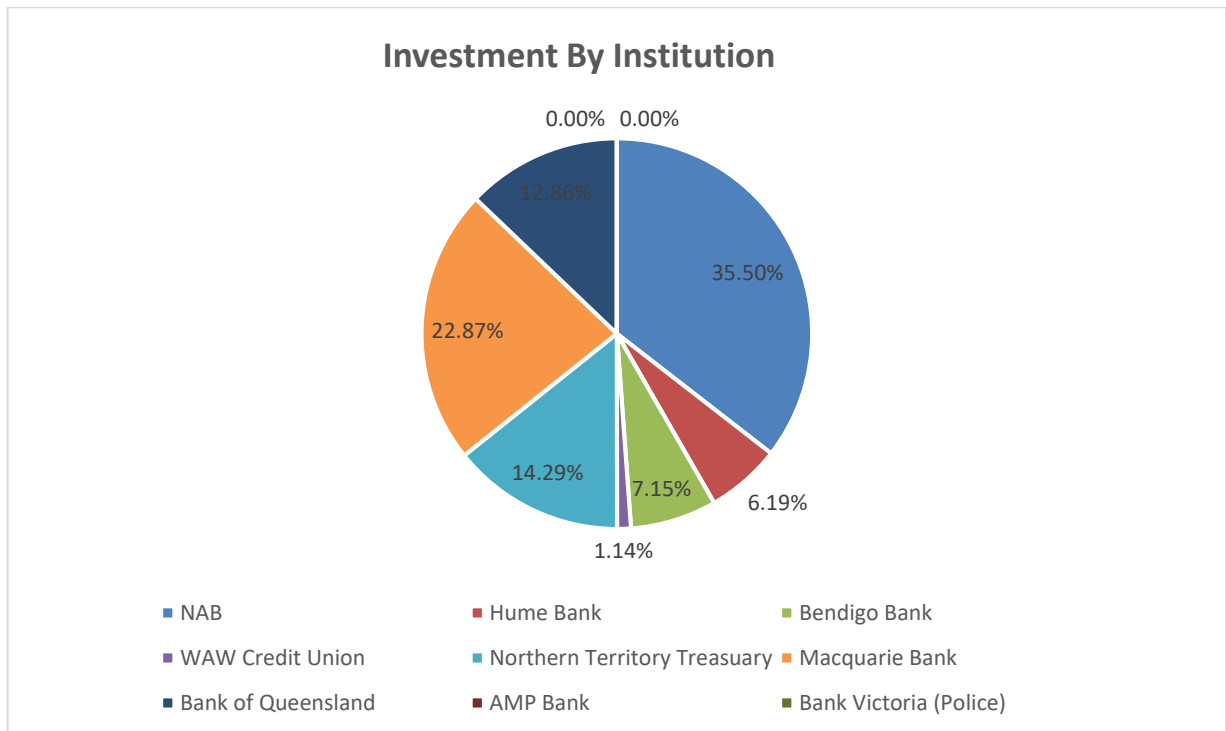
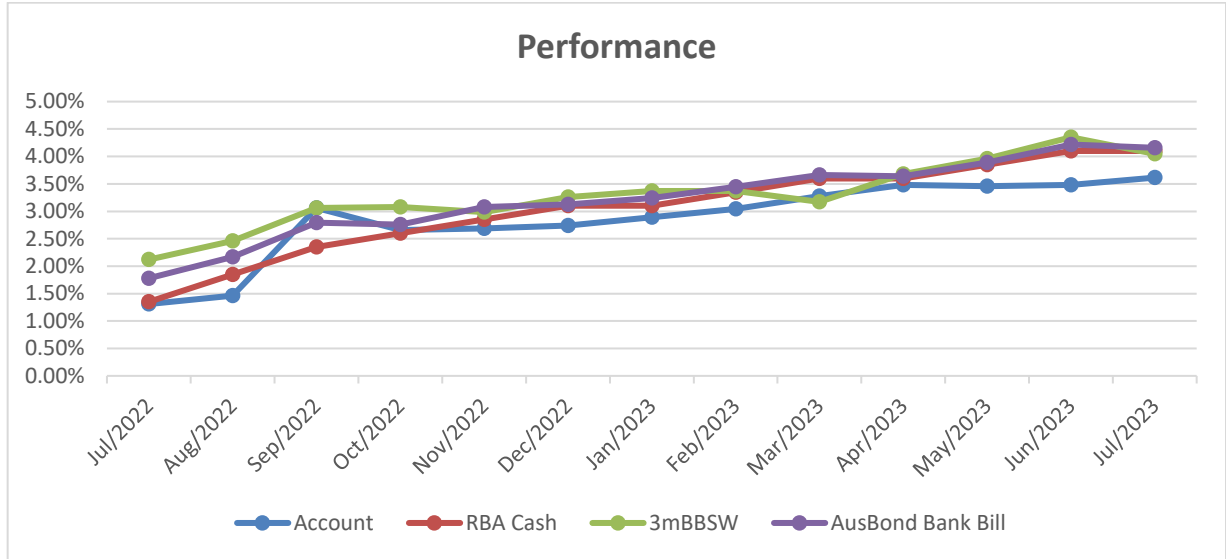
**Greater Hume's overall investment portfolio**

Total Portfolio Value	<b>\$34,987,908.03</b>
Weighted Average Term (days)	212
Weighted Average Yield	3.61%
Total Monthly Accrued Interest	<b>\$99,721.48</b>
Total Interest Received this month	<b>\$30,982.19</b>
Interest Payments this month	3
Matured Investments this month	5
Total Funds Matured this month	<b>\$4,000,000.00</b>
New Investments this month	10
Total Funds Invested this month	<b>\$8,500,000.00</b>

Note: The Reserve Bank of Australia cash rate remained on 4.10% from the 5<sup>th</sup> July 2023.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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**COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2023 [CONT'D]**





**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

**COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2023 [CONT'D]**

Investment Register

Contract Number	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Monthly Accrued Interest
63022	NAB	\$1,000,000	8/02/2023	8/08/2023	181	4.30%	\$3,652.05
63023	Macquarie Bank	\$1,000,000	9/02/2023	8/08/2023	180	4.17%	\$3,541.64
63314	Macquarie Bank	\$1,000,000	21/02/2023	11/08/2023	171	4.52%	\$3,838.90
65006	Macquarie Bank	\$1,000,000	19/05/2023	18/08/2023	91	4.63%	\$3,932.33
63557	NAB	\$500,000	2/03/2023	21/08/2023	172	4.55%	\$1,932.19
63562	Macquarie Bank	\$500,000	3/03/2023	22/08/2023	172	4.55%	\$1,932.19
63558	NAB	\$500,000	2/03/2023	30/08/2023	181	4.55%	\$1,932.19
63564	Macquarie Bank	\$500,000	2/03/2023	30/08/2023	181	4.55%	\$1,932.19
54123	NAB	\$2,000,000	16/09/2021	13/09/2023	727	0.60%	\$1,019.18
63907	Macquarie Bank	\$1,000,000	20/03/2023	20/09/2023	184	4.53%	\$3,847.40
63908	NAB	\$500,000	20/03/2023	20/09/2023	184	4.45%	\$1,889.73
60822	WAW Credit Union	\$400,000	9/10/2022	9/10/2023	365	3.50%	\$1,189.04
64397	Bank Of Queensland.	\$500,000	20/04/2023	16/10/2023	179	4.65%	\$1,974.66
63063	NAB	\$1,000,000	9/02/2023	6/11/2023	270	4.45%	\$3,779.45
65218	Hume Bank	\$1,000,000	22/05/2023	18/11/2023	180	4.65%	\$3,949.32
63559	NAB	\$500,000	2/03/2023	27/11/2023	270	4.70%	\$1,995.89
63565	Macquarie Bank	\$500,000	3/03/2023	27/11/2023	269	4.72%	\$2,004.38
65216	NAB	\$500,000	1/06/2023	28/11/2023	180	4.90%	\$2,080.82
63842	Macquarie Bank	\$1,000,000	15/03/2023	11/12/2023	271	4.62%	\$3,923.84
65482	Macquarie Bank	\$1,000,000	13/06/2023	12/12/2023	182	4.99%	\$4,238.08
65481	Macquarie Bank	\$500,000	13/06/2023	12/12/2023	182	4.94%	\$2,097.81
64367	Bendigo & Adelaide Bank	\$500,000	17/04/2023	13/12/2023	240	4.55%	\$1,932.19
66002	Hume Bank	\$1,000,000	6/07/2023	2/01/2024	180	5.50%	\$3,917.81
65949	Bank Of Queensland.	\$500,000	5/07/2023	3/01/2024	182	5.50%	\$2,034.25
65985	Bendigo & Adelaide Bank	\$1,000,000	7/07/2023	3/01/2024	180	5.25%	\$3,595.89
65987	Bank Of Queensland.	\$1,000,000	7/07/2023	3/01/2024	180	5.45%	\$3,732.88
65982	NAB	\$1,000,000	6/07/2023	1/02/2024	210	5.35%	\$3,810.96
65986	Bendigo & Adelaide Bank	\$500,000	7/07/2023	2/02/2024	210	5.30%	\$1,815.07
65988	Bank Of Queensland.	\$1,000,000	7/07/2023	2/02/2024	210	5.45%	\$3,732.88
63568	Hume Bank	\$68,304.65	2/03/2023	1/03/2024	365	4.30%	\$249.45
65983	NAB	\$1,000,000	6/07/2023	4/03/2024	242	5.35%	\$3,810.96
65984	NAB	\$500,000	6/07/2023	2/04/2024	271	5.35%	\$1,905.48
66105	Bank Of Queensland.	\$1,000,000	17/07/2023	12/04/2024	270	5.47%	\$2,247.95
64568	Hume Bank	\$46,751.06	2/05/2023	1/05/2024	365	4.25%	\$168.75
65005	Bendigo & Adelaide Bank	\$500,000	22/05/2023	21/05/2024	365	4.85%	\$2,059.59
65921	Hume Bank	\$51,490.30	30/06/2023	29/06/2024	365	5.55%	\$242.71
65217	Bank Of Queensland.	\$500,000	5/06/2023	26/08/2024	448	5.15%	\$2,186.99
56079	Northern Territory Treasury Corp	\$1,000,000	14/01/2022	15/06/2025	1,248	1.40%	\$1,189.04
52490	Northern Territory Treasury Corp	\$1,500,000	27/05/2021	16/06/2025	1,481	1.10%	\$1,401.37
51782	Northern Territory Treasury Corp	\$2,500,000	15/04/2021	15/06/2026	1,887	1.30%	\$2,760.27
49570	NAB	\$3,421,362.02	31/07/2023	1/08/2023	1	2.60%	\$243.71
<b>Total</b>		<b>\$34,987,908.03</b>					<b>\$99,721.48</b>

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2023 [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 July, 2023 total Investments held were \$34,987,908.03. The year to date accrued investment earnings for 2023/2024 was \$109,194.06 representing a weighted average yield of 3.61%.

**RECOMMENDATION**

That Council receives and notes the Investment Balances Report for the month of July 2023.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

PART C - ITEMS FOR INFORMATION

GOVERNANCE

**1. TOURISM AND PROMOTIONS REPORT – JULY 2023**

Prepared by: Emily Jones, Executive Assistant, Tourism and Communications

**Greater Hume Council Websites**

**Outcome 4.2** - Our communication is open, effective and purposeful to connect and educate our community. Continued implementation of the GHC Communication Plan. Maintain and manage the Greater Hume Council suite of websites which are compliant with accessibility standards. Seamless CMS (OpenCities) is the provider of Council's websites – Greater Hume Council, Visit Greater Hume, Greater Hume Children Services and Town and Village websites.

**Comments**

Please note, due to google changing over the statistical software, we have not been able to retrieve data for July 2023 period for ghchildren.com.au as the integration is not completed.

		greaterhume.nsw.gov.au		visitgreaterhume.com.au	
July 2023		Previous	Current	Previous	Current
Website Traffic	New	3936	4330	965	1137
	Returning	1190	1436	98	161
Traffic Source	Organic	3073	2929	484	680
	Direct	1265	960	74	150
	Referral	120	93	252	358
	Social	185	146	176	8
Device Paths	Desktop	2332	1870	342	400
	Mobile	2098	2347	543	678
	Tablet	144	115	80	59

**www.greaterhume.nsw.gov.au - top pages:**

1. Living in Greater Hume – Waste Facilities Opening Times Charges and Accepted Waste
2. Your Greater Hume Council – Careers with Us
3. Contact Us
4. Your Greater Hume Council – Building and Development
5. Your Greater Hume Council – Council Meetings

**www.visitgreaterhume.com.au – top pages:**

1. Culcairn – Explore Eat Stay/ Culcairn Caravan Park
2. Natural Wonders – Wymah Ferry
3. Natural Wonders – Old Hume Highway
4. Natural Wonders- Table Top Reserve
5. Natural Wonders – Morgans Lookout

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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**TOURISM AND PROMOTIONS REPORT – JULY 2023 [CONT'D]**

**Social Media**

**Outcome 4.2** - Our communication is open, effective and purposeful to connect and educate our community. Continued implementation of the GHC Communication Plan. Expand the information available to the community online and encourage online collaboration and self-serve service platforms

**Comments**

Instagram, #visitgreaterhume – 1099 followers

Individual facebook pages:

- Greater Hume Council – 3704 followers
- Visit Greater Hume – 665 followers
- Holbrook Submarine Museum – 1264 followers
- Greater Hume Children’s Services – 1000 followers
- Greater Hume Youth Advisory Committee – 490 followers
- Buy Local in Greater Hume – 592 followers

**Greater Hume Council Newsletters**

**Outcome 4.2** - Our communication is open, effective and purposeful to connect and educate our community. Develop quarterly Council newsletters and a rates notice insert whilst ensuring effective and targeted content

**Comments**

Spring edition of Greater Hume Council Newsletter is currently being developed. The Spring edition will be released first week of September 2023.

**Grants and Funding**

**Outcome 1.2** - Our infrastructure and services are aligned to the health, wellbeing and safety needs of the community

**Comments**

Greater Hume has now partnered with GrantGuru to provide is the most comprehensive grants database in Australia that includes grants and assistance across all levels of government and the private sector (philanthropic grants), each summarised into a one-page template for easy comparison. This grant portal is available to Council staff, local businesses, community and sporting groups throughout Greater Hume. Grant applications managed by writer are:

<b>Name</b>	<b>About</b>	<b>Current</b>
NSW Government - Bushfire Local Economy Recovery Fund - \$451,054 – Hanel’s Lookout	This project at Hanel’s Lookout (Woomargama National Park) will create viewing platforms, walk ways, sealed car park, sealed Hanel’s Road, toilet, picnic area and signage.	Linemarking has been completed, interpretational signage is being developed and opening is being planned.
Riverina Water	Painting and lighting for AE2 exhibition space.	Successful - \$20,000 – Acquitted
Reconnecting Regional NSW - Community Events Program	Greater Hume Council has been advised of an allocation of \$301,708 towards the NSW Government’s Reconnecting Regional NSW – Community Event Program.	17 events have been funded with the majority of events already held. The program has provided communities with some very successful events. Acquittal has been submitted
Maritime Museum	Submarine Museum Holbrook – Restoration and Framing of WWII Jolly Roger Flag \$1350.00	Successful - Work in Progress

**ORDINARY MEETING OF GREATER HUME COUNCIL  
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**TOURISM AND PROMOTIONS REPORT – JULY 2023 [CONT'D]**

**Greater Hume Tourism and Promotions**

**Outcome 2.3** - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

**Comments**

- Monthly newsletters are sent to all Greater Hume Tourism Operators, providing latest information on tourism opportunities, marketing, social media and promotional campaigns as well as relevant contacts and statistics.
- Managing over 160 Greater Hume ATDW Listings. The Australian Tourism Data Warehouse (ATDW) is Australia's national platform for digital tourism marketing in Australia. ATDW distributes information to over 60 partners' websites to support local tourism businesses in expanding their on line exposure, bookings and marketing.
- Submitted visitor and What's On advertising in Out and About Spring 2023 Edition in Border Mail. The print run is 24,000, 14,000 are inserted into The Border Mail and the additional 10,000 distributed. Distribution is to all Visitor Information Centres through NE Victoria and South West NSW/Riverina plus Canberra and Melbourne. Other business (inc motels) and advertisers.
- Emailed (over 600) 'What's On in August' to Visitor Information Centres in NSW and VIC, coach/bus/tour companies, tourism operators within shire and regional, media, visitor information points and to interested residents in shire.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and will now be rolled out from Spring 2023. The Destination NSW campaign will feature Morgan's Lookout at Walla Walla. #feelNSW

**Visitor Information Centre and Submarine Museum**

**Outcome 2.3** - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience.

Offering visitors to Greater Hume information and advice on accommodation, places to eat, attractions, maps, tours, road conditions, events and other general information. Reception and admission to Submarine Museum.

**Comments**

Visitor Information Centre Statistics:

July 23 - Walk In – 1360, Phone Calls - 17, Emails – 4.

July 22 - Walk In – 1637, Phone Calls - 25, Emails – 1.

Submarine Museum Statistics:

July 23 - Adult - 181, Child - 93, Concession - 132, Family - 79, Group - 6, Total - 491.

July 22 - Adult - 125, Child - 50, Concession - 104, Family - 122, Group - 0, Total - 401.

Note from author: 2022 was when Australians started to travel again, there was a significant rush to travel within Australia, therefore higher numbers, in 2023 travel within Australia and international is starting to get back to pre COVID, however our numbers are still remaining close to 2022 numbers.

**Events**

**Outcome 2.3** - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience To assist with the promotion of Greater Hume's many and varied events. Encourage more residents to be involved in Greater Hume and events.

**Comments**

During this period we are currently supporting various Holbrook Landcare events, Henty Machinery Field Days, and Wattle Day at Wirraminna Environmental Education Centre and various Library events.

**Australia Day**

**Outcome 1.1** - Our communities are welcoming and inclusive to support diversity and social connectedness

**Comments**

Australia Day 2024 will be held at Wymah.

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

TOURISM AND PROMOTIONS REPORT – JULY 2023 [CONT'D]

**Signage**

**Outcome 2.3** - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

**Comments**

Developing signage for Yambla View Wambariga Lookout.

**Murray Regional Tourism (MRT)**

**Outcome 2.3** - Our region's highlights are celebrated, maintained and promoted to enhance our visitor experience

MRT is a joint venture between Albury, Balranald, Berrigan, Campaspe, Corowa, Deniliquin, Gannawarra, Greater Hume, Mildura, Moira, Murray, Swan Hill, Wakool, Wodonga, as well as Tourism Vic and Destination NSW.)

**Comments**

- Currently attending monthly zoom meetings with MRT and the VIC network group.
- Advocacy for current flooding crisis along the Murray and positive promotions depicting The Murray as still open for visitors with a wide range of activities still open.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and has now been extended to Spring 2023.

**Museums and Heritage**

**Outcome 1.3** - Our connection to the local culture and environment fosters positive relationships and learning for sustained health benefits.

GHC currently has 11 public or private museums and three historical societies. Museum Advisor (Vanessa Keenan) – In partnership with Albury City Council and Museums and Galleries NSW.

**Comment**

A full training/workshop program has been developed for 2023 by the Museum Adviser with museum volunteers, staff of Albury and Greater Hume at the new Digitisation Hub. Planning is underway for a pest management and oral history workshops. Date to be confirmed later in 2023.

Greater Hume Community Museums now have an extensive library of objects on eHive, with over 250 objects now listed, (eHive is a web-based collection cataloguing system used worldwide by hundreds of museums, societies and private collectors to catalogue objects, store images, manage acquisition information and publish their collections online.) for those looking to learn more about some of the region's most significant objects/artefact's.

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

1. **GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS**

For Councillors information, the Customer Request Module reports are **ENCLOSED SEPARATELY 3.**

2. **STATEMENT OF BANK BALANCES AS AT 31 JULY 2023**

The statement of bank balances as at 31 July 2023 is attached at **ANNEXURE 10.**

**ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 16 AUGUST 2023**

**3. GREATER HUME LIBRARY SERVICES**

**Report prepared by Customer Relations Coordinator– Susan Kane**

**REASON FOR REPORT**

To inform Council on library membership and participation in Greater Hume Council Libraries.  
To inform Council on Youth Services programs and events held in Greater Hume Council  
To inform Council on grant funding being applied for Libraries and Youth Services

**REFERENCE TO DELIVERY PLAN ACTIONS**

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

**DISCUSSION**

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

**Library Programs- July 23**

<b>Library Programs</b>	<b>Location</b>	<b>Event</b>
Lego Club	All Libraries	Young People enjoy an hour of Lego building. This in an ongoing program
Promotion on 96.7 2GHR   Greater Hume Radio	Holbrook Local Radio	Library programs and Services are promoted on a monthly basis on Greater Hume Council Radio
Storytime	All Libraries	Community groups, children services, preschools and schools
Knitting Groups	Culcairn & Jindera	Knitting, chatting and lots of fun
Annual Knit-In	Henty Library	Participant attended from Culcairn, Henty and Wagga Wagga for a fun day full of lots of knitting and chatting with great company. All rugs go to the Wrap with Love Organisation
Henty Library Customer Satisfaction Survey Meeting	Henty Library	Members of the community were provided with an opportunity to discuss opening hours, collections and programs and services available at the Henty Library on Thursday 27 July 23
Outreach Storytime	Culcairn Children Services	Storytime with Tarran each month with books delivered from the library to Children Services Culcairn
Book Nooks	Henty, Culcairn, Holbrook	Books are currently being delivered to over 20 locations in Greater Hume Council. Increasing literacy in our community!
Customer Relations Coordinator selected as Mentor for Australian Library and Information Association (ALIA) program	Australian Libraries	ALIA Mentoring Scheme is a formal structured mentoring relationship that creates professional partnerships and provides ALIA Members with access to the wisdom and expertise of LIS professionals. The scheme matches experienced LIS professionals (mentors) with upcoming LIS professionals (mentees).



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GREATER HUME LIBRARY SERVICES [CONT'D]

**Youth Programs - July 23**

<b>Youth Programs</b>	<b>Location</b>	<b>Event</b>
Intergenerational Bring Your Own Device Program	Culcairn Library	Billabong High Schools students volunteer providing digital skills to members of the community
RSA & First Aid Courses	Billabong High School and St Paul's College	Adulting 101
Youth Skate Workshop and Competitions with Al's Skate School	Culcairn, Walla Walla and Henty	Greater Hume Council Libraries are promoting this event
Paint and Pizza Youth Holiday Program	All Libraries	Young people between the age of 12 and 24 will be invited to participate in painting and pizza program.

**Upcoming library programs – August 23**

<b>Upcoming Library Programs</b>	<b>Location</b>	<b>Event</b>
NAIDOC Week Storytime	Culcairn Library	Storytime at the Culcairn Library
Libraries and Children Services partner in delivery of books	Henty, Culcairn, Holbrook and Walla Walla	A selection of library books will be delivered on a monthly basis to GHC Children Services and will include storytime sessions
Book Week 2023	All Libraries	Enter our Book Week competition at any one of our Greater Hume Council libraries
Author Visit 2023 - Debra Tidball	All Libraries	Debra will present to students in the library about her love of books
Building Digital Skills	All Libraries	A series of free individual computer lessons to be held at all libraries
Auslan Workshop	Holbrook Library	The workshop covers the Auslan alphabet, numbers and simple conversation in a fun and interactive way.

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GREATER HUME LIBRARY SERVICES [CONT'D]

**Funding Applied - July 23**

<b>Funding</b>	<b>Amount</b>	<b>Description</b>
Get Online Week	\$4000	Bridging the digital divide with fun online programs

**Funding to be applied for- August 23**

<b>Funding currently being submitted</b>	<b>Amount</b>	<b>Description</b>
Seniors Week Festival	\$10000	Festival programs to be held in March 2024 to celebrate Seniors Week
Tech Savvy Seniors	\$4000	Tech Savvy Seniors program helps build the skills and confidence to use computers, tablets and smartphones.
Regional Youth – Spring Break	\$10000	To provide programs in the October school holidays for young people in the community

**Library Statistics: July 23**

<b>Library Statistics - February 23</b>	<b>Henty</b>	<b>Culcairn</b>	<b>Holbrook</b>	<b>Jindera</b>
Issues	445	301	543	150
Online Resources	111	80	173	16
Door Count	782	1318	1338	1584

**Mobile Library Statistics: July 23**

<b>Mobile Library Statistics</b>	<b>Brocklesby</b>	<b>Burrumbutt ock</b>	<b>Gerogery</b>	<b>Jindera</b>	<b>Walla Walla</b>	<b>Walbundrie</b>	<b>Woomarga ma</b>
Issues	51	13	9	70	79	32	18
Online Resources	0	0	21	27	18	0	5

**BUDGET IMPLICATIONS**

Nil. Works are funded from budget allocations.

**CONCLUSION**

Greater Hume Council Libraries continue to facilitate programs and services that meet the needs and wants of the community including increasing literacy levels of young people. Coming up in August 23 there is a strong focus on improving the digital skills of member of the community as well as increasing literacy levels for all through storytime and Bookweek sessions and Little Book Nook programs.

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## ENGINEERING

### 1. JULY REPORT OF WORKS

#### **Grants Program**

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

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

##### **Regional Roads**

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

Jingellic Road (MR331) 1km reconstruction works at Wantagong including table drains and road widening is nearing completion.

##### **Local Roads**

###### **Sealed**

General maintenance on local roads is continuing.

Brocklesby Balldale Road (Stage 1) – One triple cell culvert is still to be installed and road construction work is programmed to commence in September.

Tree trimming and removal has commenced in preparation for road reconstruction of 3.25km on Brocklesby Balldale Road (Stage 2). Culvert installation is programmed for commencement in September.

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

Replacement of the Coppabella Road Bridge is continuing following damage caused by storms/floods March 2021 (Natural Disaster AGRN 960) as approved by TfNSW.

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

Maintenance grading has been carried out on the following roads during July. See Map **ANNEXURE 11**.

Road Name	Location	Length Graded (km)
Burma Road	Whole length	1
Echerina Road	Whole length	1.7
Funks Road	Unsealed section	1.6
Groch Road	Whole length	2.2
Highfield Lane	Whole length	0.6
Knox Road	Whole length	3.8
Lindner Road	Drumwood Rd to Ortlipp Rd	1
Luther Road	Whole length	1.3
Morgans Road	Between Rockville Rd and Walla Walla Rd	2
Netwon Road	Whole length	1.8
Nioka Road	Whole length	1.2
Pioneer Drive	Unsealed section	0.8
Quartz Hill Road	Whole length	4
Rockville Road	Whole length	2.6
Rodgers Road East	Whole length	1.5
Rosemont Road	Whole length	1.4
Singe Road	Whole length	0.7
Walkyrie Road	Between bends on eastern end	0.5
Woodswallow Lane	Whole length	0.2
Total		29.9 km

**Urban Streets:**

General maintenance of urban streets and signage is continuing.

Underground stormwater drainage in Fraser Street, Balfour Street and Railway Parade, Culcairn is continuing, as part of CBD upgrade. Footpath and shop accessibility improvements in Balfour Street and Railway Parade in conjunction with the underground stormwater drainage is continuing.

Underground stormwater drainage construction in Adams Street, Jindera Street to Watson Street, Jindera is almost complete.

**General:**

General maintenance of public toilets and parks is continuing. Upgrade of public toilets at Jindera Recreation Ground is complete. Jindera adventure playground works on hold due to wet weather.

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JULY 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	Natural Disaster & Pothole Expenditure to Date	Comments
Urban Roads Maintenance	\$240,450	\$20,038	\$21,891	-\$1,854		Monitor
Urban Roads Town Maintenance	\$281,000	\$23,417	\$18,879	\$4,538		
Rural Roads Sealed	\$883,366	\$73,614	\$83,338	-\$9,724		Monitor
Rural Roads Unsealed	\$1,381,265	\$115,105	\$11,617	\$103,488		
Street Tree Maintenance	\$256,000	\$21,333	\$32,126	-10,793		Monitor

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	Natural Disaster & Pothole Expenditure to Date	Comments
Regional Roads Maintenance	\$750,000	\$62,500	\$47,710	\$14,790		

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Sportsground Maintenance	\$346,418	\$28,868	\$14,410	\$14,458		
Parks & Gardens Maintenance	\$278,752	\$23,229	\$6,690	\$16,539		
Public Toilets Maintenance	\$218,060	\$18,172	\$15,632	\$2,540		

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

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JULY REPORT OF WORKS [CONT'D]

**Major Projects Expenditure:**

Project	Budget	YTD	Committed	Total	Remaining	Comments
Gerogery Road Rehab	\$2,609,911	\$2,122,028	\$34,784	\$2,156,812	\$453,099	Guardrail contractor has been installing guardrail, but has been called away for Emergency Guardrail repairs for another Council / TfNSW.
Brocklesby Balldale Road Rehab	\$1,750,000	\$357,077	\$60,150	\$417,227	\$1,332,773	Drainage Works - only 1 triple cell culvert left to be installed.
Pothole Funding - State Government	\$3,801,504	\$307,166	\$1,500,000	\$1,807,166	\$1,994,338	Purchase orders issued for Heavy Patching Work and Asphalt Work.
Brocklesby Balldale Road Rehab - Stage 2	\$2,921,579	\$0	\$79,692	\$79,692	\$2,841,886	Trees have been removed and culvert works proposed to commence in September 2023.
Coppabella Bridge Replacement	\$1,566,500	\$173,951	\$824,461	\$998,412	\$568,088	Piles driven and abutments completed Super Ts to be installed shortly.
Balfour Street Culcairn - Project	\$1,883,055	\$1,044,975	\$278,667	\$1,323,642	\$559,413	Work is progressing - Approximately 75% completed.

Capital Works Program 2022-2023 spreadsheet is attached as **ANNEXURE 12**.

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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF JULY 2023**

The schedule of development applications processed for the month of July 2023 is attached at **ANNEXURE 13**.

PART D

COMMUNITY MEETING- MINUTES

Attached in **ANNEXURE 14**, are minutes of the following items:

1. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING 27<sup>TH</sup> JUNE 2023, 7PM,  
CULCAIRN COUNCIL CHAMBERS**
2. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING 18<sup>TH</sup> JULY 2023 7PM  
CULCAIRN COUNCIL CHAMBERS**
3. **HOLBROOK DISTRICT COMMUNITY AND BUSINESS GROUP MEETING 06/06/2023**