Greater Hume Council

Contaminated Land Management Policy

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Contaminated Land Management Policy	**1.0.3**	**August 2028**
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Purpose

The purpose of this policy is to establish a framework that outlines how Council will act in good faith with the *Contaminated Land Planning Guidelines* when considering the potential of site contamination in its land-use planning and development control decision-making processes.

This policy aims to:

- enable Council to consider the likelihood of land contamination as early as possible in land-use planning and development control processes
- avoid any inappropriate restrictions on land use
- ensure a proposed change in land use or any development will not increase the risk of harm to human health and the environment
- ensure any contaminant is remediated to a level that complies with relevant contamination criteria as required by regulation, thereby ensuring the land is suitable for its intended use
- enable Council to provide accurate and timely information and advice to inform and support decision-making in land-use planning and development control processes
- enable the community to be informed of Council's requirements regarding the management of contaminated land
- enable Council to exercise its land-use planning and development control functions with a reasonable standard of care and diligence.

Scope

This policy provides information to internal and external stakeholders, interested parties and the broader community on Council's position on managing land contamination.

This policy applies to all land within the Greater local government area.

This policy is predicated on the requirements of Chapter 4 ('Remediation of Land') of the *State Environmental Planning Policy (Resilience and Hazards) 2021* (*Resilience and Hazards SEPP*),[1] as elaborated in its contaminated land planning guidelines.[2]

This policy is applicable to staff involved in Council land-use planning and development control functions, as well as in waste management and in managing public land and Council assets.

This policy is also applicable to:

- a principal certifying authority
- consultants (for example, strategic and statutory planning, contaminated land practitioners, underground petroleum storage systems practitioners)
- property developers
- landowners and/or managers
- members of the public.

[1] The content of Chapter 4 of the *Resilience and Hazards SEPP* was formerly the *State Environmental Planning Policy No. 55 – Remediation of Land* (guidelines for which can be found in *Managing Land Contamination: Planning Guidelines: SEPP55 – Remediation of Land,* https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/managing-contaminated-land-guidelines-remediation.pdf).

[2] These guidelines, referred to in the *Resilience and Hazards SEPP*, are those found in Schedule 6(3) of the *Environmental Planning and Assessment Act 1979*.

Definitions

Term	Definition
Abbreviations	
ARA (appropriate regulatory authority)	Under section 6(3) of the *POEO Act*, Council is declared as the ARA for matters under the *UPSS Regulation*.

[1] The content of Chapter 4 of the *Resilience and Hazards SEPP* was formerly the *State Environmental Planning Policy No. 55 – Remediation of Land* (guidelines for which can be found in *Managing Land Contamination: Planning Guidelines: SEPP55 – Remediation of Land,* https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/managing-contaminated-land-guidelines-remediation.pdf).

[1] These guidelines, referred to in the *Resilience and Hazards SEPP*, are those found in Schedule 6(3) of the *Environmental Planning and Assessment Act 1979*.

PCA (principal certifying authority)	A certifier can be either a council or a registered certifier. A registered certifier is also known as a private certifying authority. Certifiers have statutory obligations and functions under the *Building and Development Certifiers Act 2018*, the *EP&A Act* and other legislation, including the *Building and Development Certifiers Regulation 2020*. This includes issuing construction and occupation certificates under Part 6 of the *EP&A Act*.
UPSS (underground petroleum storage system)	A system of tanks, pipes, valves and other equipment that is designed to either contain petroleum or to control its passage into, out of, through or within the system. The system includes any structure through which petroleum routinely passes from one part of the system to another.
Legislation	
Contaminated Land Management Act 1997 (*CLM Act*)	Establishes a process for the EPA to identify, investigate and (where appropriate) order the remediation of land if the EPA considers the land to be significantly contaminated.
Contaminated Land Planning Guidelines	Under Schedule 6 section 3 of the *EP&A Act*, the Minister can notify the publication of planning guidelines related to contaminated land under the *Resilience and Hazards SEPP* for purposes of Schedule 6 section 2 ('good faith' provisions) of the *EP&A Act*.
Environmental Planning and Assessment Act 1979 (*EP&A Act*)	The principal legislation of the NSW planning system that governs land-use planning and development control functions in NSW.
Protection of the Environment Operations Act 1997 (*POEO Act*)	Establishes a framework to protect, control and investigate pollution.
Protection of the Environment Operations (Underground Petroleum Storage System) Regulation 2019 (*UPSS Regulation*)	Establishes a framework for the design, installation, operation, maintenance and decommissioning of an underground petroleum storage system. Also designates Council as the 'appropriate regulatory authority' to administer the requirements of the *UPSS Regulation*.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (*Exempt and Complying Development Codes SEPP*)	Establishes the rules and standards for exempt and complying development.
State Environmental Planning Policy	Outlines a planning framework for the remediation of contaminated land. Formerly known as SEPP55 – Remediation of Land.

(Resilience and Hazards) 2021 (*Resilience and Hazards SEPP*)	
Processes	
Category 1 remediation work	Remediation work that requires the consent of Council under the *Resilience and Hazards SEPP*.
Category 2 remediation work	Remediation work not requiring the consent of Council under the *Resilience and Hazards SEPP*.
Detailed site investigation	An investigation to define the extent and degree of contamination, to assess the potential risk posed by contaminants to health and the environment, and to obtain sufficient information for developing a remediation action plan if required. Reporting requirements for a detailed site investigation are as outlined in the *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (amended 2013) and in relevant guidelines made by the EPA regarding reports to be prepared by contaminated land consultants.
Independent review	An evaluation by an independent expert, with the appropriate competencies and qualifications, of the work of a primary consultant for all types of contaminated sites.
Initial evaluation	A process undertaken by Council to consider the potential for land to be contaminated, and the impacts of that contamination on the suitability of the land for proposed uses, when determining development applications or when preparing environmental planning instruments.
Preliminary site investigation	An investigation to identify any past or present potentially contaminating activities; provide a preliminary assessment of site contamination; and, if required, provide a basis for a detailed investigation. Reporting requirements for a preliminary site investigation are as outlined in the *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (amended 2013) and in relevant guidelines made by the EPA regarding reports to be prepared by contaminated land consultants.
Remediation	The remediation of contaminated land is the (i) preparation of an environmental management plan (if required); (ii) removal, dispersal, destruction, reduction, mitigation or containment of the land contamination; and (iii) elimination or reduction of any hazard arising from the land contamination (including by preventing the entry of persons or animals on the land).
Remediation action plan	A plan that sets out remediation goals and that documents the proposed process for remediating a site. Reporting requirements for a remediation action plan are outlined in the relevant guidelines made by the EPA regarding reports to be prepared by contaminated land consultants.
Validation	The process of determining whether the objectives for remediation and any conditions of development consent have been achieved. A report on the validation is to detail the site work undertaken and demonstrate compliance with the remedial action plan for the site, and compliance with the contaminated land planning guidelines and all other applicable regulatory requirements. Reporting requirements for validation are elaborated in the relevant guidelines made by the EPA regarding reports to be prepared by contaminated land consultants.
Terms	
Authorised officer	Authorised officers have regulatory powers and functions under environment protection legislation, as prescribed in Council's delegations of authority.
Complying development certificate	A certificate indicating approval for straightforward residential, commercial and industrial development, generally for building works larger than exempt development.
Contaminated land	Contaminated land is typically land that have been used for industrial or agricultural activities, or individual sites that store chemicals, such as service stations and dry cleaners *Also see - Appendix 2*
Contamination	The presence in or under the land of a substance above the concentration at which the substance is normally present in or under that land at the same locality, being a

	presence that poses a risk of harm to human health or any other aspect of the environment (section 5 of the *CLM Act*). *Also see* – 'pollution incident'
Development control plan	Provides detailed planning and design guidelines to support the planning controls in the local environmental plan developed by Council.
Environmental management plan	An environmental management plan for contaminated land documents the mitigation measures and/or monitoring requirements where full clean-up of a site is not feasible or where the onsite containment of contamination is proposed.
EPA guidelines	Guidelines made or approved by the EPA in relation to managing site contamination.
Investigation area	Land declared to be an investigation area by a declaration in force under Part 3 Division 2 of the *CLM Act*.
Local environment plan	A plan that guides planning decisions for Council through zoning and development controls. Amendments to the local environment plan are through planning proposals.
Newbury test	The Newbury test states that a condition of consent must be imposed for a planning purpose (not an ulterior one); must fairly and reasonably relate to the development that is the subject of the development application; and must not be so unreasonable that no planning authority would have imposed it.
Planning proposal	Council may draft a planning proposal to amend a local environment plan and submit it to the department for Gateway determination.
Pollution incident	An incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises. *Also see* – 'contamination'
Section 10 planning certificates	Formerly section 149 planning certificates. Section 10 planning certificates provides information regarding the development potential of a parcel of land. There are two types of planning certificates – section 10.7(2) and section 10.7(5). These certificates show the zoning of the property, its relevant state, regional and local planning controls and other property constraints such as land contamination, level of flooding and bushfire prone land. Section 10.7(5) certificates also include advice from 'other authorities' and certain information that Council holds on a property that is relevant to the land but is not disclosed in a section 10.7(2) certificate.
Sensitive receptor	Receiving environment or sensitive receiver. This is either a use of land for residential, educational, recreational or childcare purposes, or for the purposes of a hospital, or land identified as sensitive environmental land.

Policy Content

1.1. Policy statement

1. Council acknowledges that land contamination poses a risk of harm to human health and the environment.

1.2. Responsibilities

1. Council will act in good faith with the *Contaminated Land Planning Guidelines* by ensuring due care and diligence in considering land contamination in Council's land-use planning and development control functions.

2. Council will identify, evaluate and manage contaminated land so as to not increase the risk of harm to human health and the environment:
    a. when preparing or making a planning instrument (including a planning proposal) and a development control plan (Part 3 of the EP&A Act)
    b. when considering the potential for land contamination in development assessment and consent processes (Part 4 of the EP&A Act) and in environmental impact assessment processes (Part 5.1 of the EP&A Act)
    c. in building and subdivision certification processes (Part 6 of the EP&A Act)

d. when managing public land and assets, including land managed or under the control of Council
e. when managing waste, including contaminants in soil.

3. Council will not approve a development application or lodge a planning proposal unless it is satisfied, based on information available to it under this policy, that that land is suitable, or can be made suitable, for its proposed use.
4. Council will consider the potential of land contamination in a process to furnish the contaminated land information that is required on planning certificates (section 10.7 of the *EP&A Act*).
5. With respect to sites with operational or abandoned underground petroleum storage systems, Council acknowledges that it is the ARA under the *UPSS Regulation*. Council also acknowledges the regulation of these sites is also under various other legislation administered by state departments and agencies, including SafeWork NSW and NSW Fair Trading.

1.3. Information management

1. Council will maintain and update a contaminated land site register so as to comply with section 59(2) of the *CLM Act* in furnishing contaminated land information on planning certificates under section 10.7 of the *EP&A Act*.
2. The contaminated land site register will include information on actual and potential land contamination to inform its land-use planning and development control functions in alignment with the *Contaminated Land Planning Guidelines*.
3. The list of sites in the contaminated land site register will be compiled, maintained and updated in good faith in the interests of responsible land-use planning and development control and is to be used as a first point of reference by Council.
4. Information on actual or potential land contamination contained in Council's contaminated land site register is to be supplied to the public only by either:
    a. issuing a section 10.7 planning certificate under the *EP&A Act*
    b. a Council officer with delegation to approve the release of reports identified in Appendix 3 that have been provided to Council
    c. providing access to information and documents in accordance with *Local Government Act 1993* and *Government Information (Public Access) Act 2009*.

Contaminated land site register

5. Council's contaminated land site register should contain accurate and reliable information for individual parcels of land on:
    a. land-use history and zoning so as to flag the potential for land contamination for a parcel of land if Council reasonably suspects historical land use or zoning may indicate a use of land involving a potential land use or activity listed in Appendix 2
    b. artefacts received by Council in relation to
        i. reports on the assessment of site contamination listed in Appendix 3
        ii. site audit statements
        iii. EPA notifications under section 59(1) of the *CLM Act*
        iv. notification for category 2 remediation works
        v. notification of completion of category 1 and category 2 remediation works
    c. any land-use restrictions on the land relating to possible contamination, such as notices issued by the EPA or other regulatory bodies.
6. If an EPA notification under section 59(1) of the *CLM Act* lists reports on the assessment of site contamination, Council will request copies of these reports to be included in its contaminated land site register.
7. Council will either modify an existing record or create a new record in its contaminated land site register if it approves a new or significant modification (as defined by the *UPSS Regulation*) to an existing underground petroleum storage system.
8. Information contained in this register is to be used by Council in

a. furnishing contaminated land information required on section 10.7 planning certificates under the *EP&A Act*

b. determining the suitability of land for its proposed use
c. determining conditions of development consent so as to not increase the risk of harm, to human health and the environment, of an approved use of land.

9. Council will consider the potential for contamination of adjacent land in any process prescribed in section 6.3(8).
10. Council will update records in the contaminated land site register with:
    a. information provided to it in relation to the (actual or potential) contamination status of land, including notifications, notices and orders, and reports on the assessment of site contamination
    b. information obtained from Council's inspection and monitoring of contaminated sites and from the inspection of sites operating underground petroleum storage systems
    c. information directly obtained by Council in land-use planning and development control processes from
        i. EPA online databases, in relation to sites subject to an investigation order and/or regulation under the *CLM Act*
        ii. SafeWork NSW, in relation to underground petroleum storage systems licensed under Schedule 11 of the *Workplace Health and Safety Regulation 2017*
        iii. NSW Fair Trading, in relation to registered retail fuel service stations
        iv. other sources of information used as input into an assessment of historical land use.
11. In lieu of a contaminated land site register, Council should identify and assess historical land use using information identified in section 6.3(10)(c) in any process prescribed by section 6.3(8).

    Section 10.7 planning certificate

12. Council will furnish contaminated land information required on section 10.7(2) planning certificates including:
    a. whether any adopted Council policy restricts the development of land subject to the planning certificate if Council knows or reasonably suspects land contamination
    b. information prescribed by section 59(2) of the *CLM Act*
    c. whether the land was or remains the subject of a preliminary investigation order under section 10(1)(a)–(b) of the *CLM Act*
    d. whether the land is a remediation site
    e. information on the potential of contamination of the land subject to the planning certificate due to its historical or current use. This information may be furnished using the annotations provided in Appendix 4 of this policy.
13. Council may furnish additional contaminated land information on section 10.7(5) planning certificates, including:
    a. report(s) possessed by Council and identified in Appendix 3 relating to the assessment or regulation of site contamination of that land or adjacent land
    b. a statement that the site has been assessed and/or remediated
    c. a statement that any person relying on the certificate is advised to consider these artefacts and to seek Council's advice regarding further development of the site.

1.4. Council land-use planning function

1. Council will consider land contamination in land-use planning processes in accordance with processes, procedures and standards prescribed by the *Contaminated Land Planning Guidelines*.
2. Council will consider the potential for land to be contaminated when there is a proposed change in the permissible uses of that land.

3. Council will not include land in a zone that would permit a change of use of that land from the existing use unless:
    a. Council has considered whether the land is contaminated

    b. if the land is contaminated, Council is satisfied that the land is suitable in its contaminated state or can be made suitable for its proposed use after remediation, for all purposes for which land in the zone concerned is permitted to be used
    c. if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, Council will impose conditions in development consent and approvals under Parts 4 and 5 of the *EP&A Act* to ensure the land is suitable for its proposed use through remediation prior to or during development works.

Initial evaluation

4. Council will undertake an initial evaluation to investigate the potential for land contamination when preparing or making a planning instrument, development control plan or planning proposal (rezoning proposal) under Part 3 of the *EP&A Act*, using the potential land uses and activities listed in Appendix 2 as a guide in this evaluation.

Preliminary site investigation

5. In alignment with *Local Planning Directions* 4.4 ('Remediation of Contaminated Land'), Council will prepare and submit a preliminary site investigation report with a planning proposal if that proposal seeks to rezone land to a proposed use that is a sensitive receptor (as defined by this policy), and there is no knowledge (or incomplete knowledge) as to whether that and adjacent land involve a land use or activity listed in Appendix 2.
6. The preliminary site investigation is to be carried out in accordance with the requirements of relevant guidelines made or approved by the NSW EPA in alignment with the requirements of the *CLM Act*. The proponent is responsible for engaging a suitably qualified consultant to undertake this investigation.
7. Council will require a preliminary site investigation to be provided if it reasonably suspects, from an initial evaluation, that land may be contaminated because of the land's history (or historical zoning), condition or other information known to Council.
8. If the risk of contamination of land subject to a land-use planning process makes the land unsuitable for its proposed use, and it is not feasible to make the land suitable (that is, remediate the land) for its proposed use, Council will either:
    a. restrict the range of permissible uses of that land in planning instruments
    b. elect not to proceed with the planning proposal to rezone that land.
9. If the preliminary site investigation identifies that the land can be made suitable for its proposed use through remediation, Council will include provisions in its local environment plan or development control plan that ensure the potential for contamination and the suitability of land for any proposed use is further addressed prior to the development of that land.

1.5. Council development control function

1.5.1. Development assessment

1. In alignment with section 4.15(1)(c) of the *EP&A Act*, Council shall consider land contamination in subdivision and development applications, particularly when a change in land use is proposed. This is to ensure that contaminated land:
    a. is suitable for its proposed use in its contaminated state
    b. can be made suitable for its proposed use through remediation
    c. presents no increased risk of harm to human health and the environment.

2. Council will undertake an initial evaluation to identify and consider the possibility of all forms of potential contamination based on an assessment of the historical or current use of that or adjacent land, particularly if the historical or current use is a use or activity listed in Appendix 2, and the proposed use is a sensitive receptor.
3. If the initial evaluation identifies a potential for land contamination then, in alignment with section 4.6(4) of the *Resilience and Hazards SEPP*, Council will initiate an assessment of site contamination (as prescribed in section 6.5.4 of this policy) to ascertain the nature and extent of contamination.

1.5.2. Exempt and complying development

1. Development must not be carried out on land designated as 'significantly contaminated land' within the meaning of the *CLM Act* for complying development specified for Codes identified in section 1.19 under Part 1 of the *Exempt and Complying Development Codes SEPP*.
2. During development work on land subject to a complying development certificate, if land contamination is detected or reasonably suspected, Council requires that:
    a. all development work immediately cease
    b. Council and the EPA be notified of the potential contamination
    c. the notification be sent by the PCA or by the person who issued the complying development certificate.
3. Exempt development must not be carried out on land designated as 'significantly contaminated land' within the meaning of the *CLM Act*.

1.5.3. Development consent

1. Council will, under section 4.17 of the *EP&A Act*, impose conditions in development consent to ensure there is no increased risk of harm to human health and the environment associated with:
    a. development works (including complying development) on land that is known to be or is potentially contaminated
    b. onsite management of contaminants in soil, including
        i. soil used as infill at a development site (that is, virgin excavated natural material)
        ii. soil that may contain asbestos
        iii. contaminated soil from remediation works
    c. offsite management of contaminants in soil, including waste material generated during remediation for offsite processing (a waste classification report[3] must be provided prior to transporting waste material offsite)
    d. the detection of contamination on land that is subject to a complying development certificate
    e. the ongoing operation of an approved use of land that involves a land use or activity listed in Appendix 2.
2. Standard conditions prescribed by Council in development consent related to contaminated land are those either:
    a. contained in the *Council Guidance on Implementing the Contaminated Land Policy* document
    b. developed by the NSW Department of Planning and Environment and located in the NSW Planning Portal (voluntary contaminated land conditions)
    c. developed by Council in accordance with the NSW Department of Planning and Environment's *Guide to Writing Conditions of Consent* and which align with the 'Newbury Test'.

[3] https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/20p2233-consultants-reporting-on-contaminated-land-guidelines.pdf

3. Council can impose a condition of development consent that requires the applicant to:
    a. prepare a report on the assessment of site contamination, and to submit this report to Council prior to issuance of a subdivision works or construction certificate
    b. submit a validation report to Council prepared by a certified consultant prior to commencing development works, confirming the land has been made suitable through remediation for its proposed use, and whether any ongoing monitoring is required to manage residual site contamination
    c. prior to lodging a construction certificate, provide Council with the design specifications for a new or significantly modified underground petroleum storage system that was prepared by a 'duly qualified person' (within the meaning of the *UPSS Regulation*)
    d. prior to lodging an occupation certificate, provide Council with
        i. works as executed plans related to the installation of new or significantly modified underground petroleum storage systems by a 'duly qualified person'
        ii. a copy of the fuel system operation plan that has been prepared in accordance with the *UPSS Regulation*
    e. engage an accredited site auditor to review an assessment of site contamination and reports thereon, including a validation report. This is most appropriate for high-risk sites involving a change in land use to a sensitive receptor.

1.5.4. Assessment of site contamination

1. Council will require:
    a. investigations on the nature and extent of land contamination to be undertaken by appropriately qualified contaminated land consultants
    b. reports on these investigations to be prepared, or reviewed and approved by, an appropriately qualified and certified consultant in accordance with relevant guidelines made by the NSW EPA.

<u>Preliminary site investigation</u>

2. If the initial evaluation identifies a potential for land contamination, then, in alignment with section 4.6(4) of the *Resilience and Hazards SEPP*, Council will require a preliminary site investigation to be submitted with a subdivision works or development application to carry out development where the land concerned is:
    a. land that is within an investigation area (within the meaning of the *CLM Act*)
    b. land on which development for a purpose listed in Appendix 2 is currently being, or is known to have been, carried out
    c. to the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land
        i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose listed in Appendix 2 has been carried out
        ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).
3. Council will also require a preliminary site investigation when:
    a. Council reasonably suspects the land is contaminated because of its historical use (or zone), its condition or other information known to Council
    b. the land has been investigated and/or remediated, but there is insufficient information available to Council on the nature and extent of contamination and/or remediation works undertaken, or the circumstances have changed
    c. there are restrictions on, or conditions attached to, the use of the land by a regulatory or planning authority that are or may be related to contamination, but there is insufficient information available to Council on the nature and extent of contamination
    d. Council records show that the land is associated with pollution incidents or the illegal dumping of waste

e. the land is adjacent to land historically or currently being used for a purpose listed in Appendix 2, and Council reasonably suspects it is likely that this use may have contaminated the land subject to the preliminary site investigation

4. The preliminary site investigation is to be carried out in accordance with the requirements of relevant guidelines made or approved by the NSW EPA in alignment with the requirements of the *CLM Act*. The applicant is responsible for engaging a suitably qualified consultant to undertake this investigation.

Detailed site investigation

5. Council will require a detailed site investigation to be undertaken when either:
   a. the results of the preliminary site investigation state the potential for or existence of contamination that may not be suitable for the proposed use of the land
   b. Council is not satisfied with the content and/or completeness of the preliminary site investigation.
6. Council may request the preliminary and detailed site investigations to be combined when the land is known to be contaminated.
7. The detailed site investigation is to be carried out in accordance with the requirements of relevant guidelines made or approved by the NSW EPA in alignment with the requirements of the *CLM Act*. The applicant is responsible for engaging a suitably qualified consultant to undertake this investigation.
8. A report on the detailed site investigation must include a statement as to whether the land is suitable for its proposed use or if remediation is necessary to make the land suitable for its proposed use. If remediation is required, the report must list the feasible remediation options available.

Remediation action plan

9. A remediation action plan is to be provided to Council if the report on the preliminary or detailed site investigation states that the land is not suitable for its proposed use but can be made suitable through remediation.
10. Prior to determining a subdivision or development application, Council must be satisfied that remedial measures have been or will be undertaken in accordance with the remediation action plan lodged with Council.
11. A remediation action plan must identify, upon completion of remediation works, the need for ongoing land management due to residual contamination. This plan may also include an outline of the environmental management plan.

Validation report

12. A validation report must be lodged with Council after remediation works have been completed.
13. Where applicable, Council will include a condition of development consent requiring this report to be provided to Council prior to issuance of the subdivision works or construction certificate.

Remediation works

14. Remediation work that is ordinarily category 2 remediation work but which is ancillary to designated development that requires development consent under Part 4 of the *EP&A Act* and an environmental impact statement under Part 5 of the *EP&A Act* may, as an applicant chooses, either:
   a. be made part of the subject of the development application for the designated development instead of being made the subject of a separate development application
   b. be treated as category 2 remediation work, which does not require the consent of Council.

15. All remediation work must be consistent with the *Contaminated Land Planning Guidelines* and carried out in accordance with guidelines made or approved by NSW EPA as required by the *CLM Act*.
16. Council requirements regarding site management of remediation works are outlined in Appendix 5 and are required to be included in a remediation action plan.
17. Council must be notified within 30 days of the completion of remediation works, in alignment with section 4.14(2) of the *Resilience and Hazards SEPP*. This notice is required to include:
    a. information prescribed in section 4.15 of the *Resilience and Hazards SEPP*
    b. a validation report.

Category 1 Remediation works

18. Remediation work that requires development consent is category 1 remediation work. Category 1 remediation work is remediation work that is either:
    a. identified in section 4.8(a)–(f) of the *Resilience and Hazards SEPP*
    b. not being work to which section 4.11(b) of the *Resilience and Hazards SEPP* applies
    c. not carried out in accordance with the site management provisions outlined in Appendix 5.

Category 2 remediation work

19. Remediation work that does not require development consent is category 2 remediation work. Section 4.11 of the *Resilience and Hazards SEPP* defines what constitutes category 2 remediation work.
20. Council must be notified of the intent to undertake category 2 remediation work at least 30 days before commencement. This notification is to include the information identified in section 4.13(3) of the *Resilience and Hazards SEPP*.
21. Council also requires the following information to be lodged 14 days before commencing these works:
    a. a copy of the preliminary site investigation report, detailed site investigation report and remediation action plan for these works
    b. a copy of the soil and water management plan, where applicable (that is, for the management of flooding and of contaminants in soil)
    c. the contact details of the contractor responsible for remediation works and of the party responsible for ensuring compliance of remediation work with all relevant regulatory requirements.
22. A validation report is to be submitted to Council upon the completion of category 2 remediation works.
23. For category 2 remediation works associated with underground petroleum storage systems, Council requires:
    a. if a storage system is to be decommissioned, that the person responsible for the storage system notify Council no later than 30 days before the storage system is decommissioned or removed, and that the notification include both
        i. a report on the assessment of site contamination, which is likely to be a report on the preliminary site investigation
        ii. a remediation action plan
    b. if a storage system is decommissioned, that the person responsible for the storage system either
        i. submit a site report (preliminary site investigation report) to Council no later than 60 days after the system is decommissioned
        ii. submit the site report and a validation report to Council if remediation of the site is required, and submit these 60 days after the completion of the remediation works

c. if a storage system is to be modified and involves the removal or replacement of an underground petroleum storage tank, that the person responsible
    i. not commission the modified underground petroleum storage system unless the reports prescribed by this clause are submitted to Council
    ii. submit an updated fuel system operation plan to Council
    iii. prepare, in accordance with guidelines made by the NSW EPA, the reports prescribed by this clause.

Site audit

24. Specific circumstances that may trigger an independent review ('audit') of information pertaining to an assessment of site contamination (including reports thereon) include when Council either:
    a. reasonably suspects that information provided by the applicant is incorrect or incomplete
    b. needs to verify that information provided by the applicant adheres to appropriate standards, procedures and guidelines
    c. does not have the capacity to technically review reports on the assessment of site contamination.
25. A statutory site audit is required only when there is a requirement to demonstrate compliance with:
    a. a requirement under the *CLM Act*
    b. an approved voluntary management proposal
    c. a requirement imposed by at least one of the following
        i. the *CLM Act*
        ii. the *Resilience and Hazards SEPP*
        iii. the *EP&A Act* (that is, development consent or any other approval under this Act)
    d. any other requirement imposed by or under a relevant Act.
26. Independent review ('audit') can be undertaken by a consultant with the necessary competencies and qualifications.
27. A statutory site audit must be undertaken by a site auditor accredited under the relevant provisions of the *CLM Act*.
28. For statutory site audits (within the meaning of the *CLM Act*), Council must be provided:
    a. the site audit statement that outlines the conclusions of a site audit
    b. the site audit report that summarises the information reviewed by the accredited site auditor.
29. Requirements of site auditors are prescribed in the relevant guidelines made by the NSW EPA on the site auditor scheme under the *CLM Act*.
30. Costs associated with an independent review or the site audit process are with the applicant.

Environmental management plan

31. An environmental management plan is required when either:
    a. residual contamination on land requires ongoing management to manage the risk of harm to human health and the environment, especially when onsite containment of contamination is proposed or is in place
    b. there are restrictions on the use of the land due to contamination.
32. An environmental management plan is to consider:
    a. suitable management systems (active or passive)
    b. potential for intrusive works, including any works arising from the maintenance of service infrastructure or exempt and complying development works
    c. ecologically sustainable development
    d. management of offsite contamination.

33. Council can, under section 4.17 of the *EP&A Act*, include a condition of development consent that requires an applicant to prepare and submit to Council an environmental management plan.
34. An environmental management plan is to be prepared in accordance with the requirements prescribed by the NSW EPA *Practice Note: Preparing Environmental Management Plans for Contaminated Land*.
35. An environmental management plan is to be prepared by an appropriately qualified contaminated land consultant and can be reviewed by an accredited site auditor. Environmental management plans prepared to comply with the *CLM Act* must be prepared, or reviewed and approved by, a contaminated land consultant who is certified under a certification scheme recognised by the NSW EPA.
36. Notations indicating that land is subject to an environmental management plan are required in:
    a. section 10.7(2) and 10.7(5) planning certificates under the *EP&A Act*
    b. covenants registered on a land title under section 88B of the *Conveyancing Act 1919*.
37. Provisions of environmental management plans must be legally enforceable. Council can rely on section 4.17 of the *EP&A Act* to include, as a condition of development consent, that an ongoing environmental management plan be prepared and may also consider orders under section 124 of the *Local Government Act 1993*.

6.5.5 Maintaining compliance with development consent

Contaminated land

1. Council will monitor sites subject to an environmental management plan in accordance with any role or responsibility prescribed to it under that plan.
2. Council may monitor sites subject to remediation works to confirm that those works are undertaken in accordance with the site management provisions in Appendix 5.

Underground petroleum storage system

3. Council authorised officers may inspect and monitor these sites to ensure that the operation of underground petroleum storage systems maintains compliance with development consent and does not present an increased risk of harm to human health or the environment through site contamination (for example, through leaks and spills). The following are excluded:
    a. sites with operational or abandoned underground petroleum storage systems licensed under Schedule 1 of the *POEO Act*
    b. Council-owned or managed sites with operational or abandoned underground petroleum storage systems for which the NSW EPA is the ARA.
4. The inspection and monitoring of underground petroleum storage systems will focus on:
    a. retail fuel service stations
    b. fuel depots
    c. multipurpose premises with retail fuel service (for example, general stores and post offices).
5. Council monitoring of these sites will be proportionate to the risk of harm posed by the underground petroleum storage system, which is to be determined by Council as a function of:
    a. the age of underground petroleum storage tanks
    b. existence of an onsite fuel system operation plan
    c. evidence of loss monitoring
    d. evidence leak detection
    e. proximity to a sensitive receptor, which would also include both
        i. irrigation channels for agricultural use
        ii. the use of groundwater for potable water use.

6. Council may determine and/or amend the potential risk of harm for an individual underground petroleum storage system site using information obtained from any of the following:
    a. an annual inspection
    b. an inspection at a frequency commensurate with the risk of the site
    c. an assessment of responses provided to the Council's survey of underground petroleum storage system sites by the person responsible for the underground petroleum storage system, with the survey to be sent every 2 years
    d. a formal notification received by Council under Part 5.7 of the *POEO Act* in relation to a potential leak in the underground petroleum storage system
    e. any other notification sent to Council regarding the operation or decommissioning of the underground petroleum storage system
    f. notifications under sections 91 and 96 of the *POEO Act* in relation to clean-up and prevention notices, respectively
    g. the finding of an abandoned underground petroleum storage tank on public or private land.
7. Artefacts generated from Council's inspection and monitoring of underground petroleum storage systems are to be kept in Council's electronic document and records management system and linked to Council's contaminated land site register and/or to Council's database of underground petroleum storage systems.

1.6. Duty to notify

1. Where Council considers that contamination on a site triggers the duty to report contamination under clause 60 of the *CLM Act*, and it is not clear whether or not the polluter or site owner has reported the contamination, Council may notify the EPA.
2. Where the land is under Council management and/or control, or Council is the polluter of land, Council will notify the EPA in accordance with clause 60 of the *CLM Act*.

1.7. Public land

1. Community or public land (or part thereof) under Council's control or management that is known to be contaminated will be managed so as to not increase the risk of harm to human health and the environment.[4]

1.8. Use of consultants

1. Contaminated land investigations will be undertaken by, and reports on these investigations are to be prepared, or reviewed and approved by, an appropriately qualified and certified consultant in accordance with relevant guidelines made by the NSW EPA.
2. The design and installation of underground petroleum storage systems will be undertaken by duly qualified persons within the meaning of the *UPSS Regulation*.

2. Documentation

This policy is supported by a range of capacity resources, documents, forms and templates that are either included or referred to in:

- Appendix 1 – 'Best Practice Resources on Managing Contaminated Land' (including the *Council Guidance on Implementing the Contaminated Land Policy*) to assist and inform Council's navigation of the contaminated land regulatory landscape
- Appendix 2 – 'Potential Land Uses and Activities That May Cause Site Contamination'
- Appendix 3 – 'Artefacts Generated in the Process of Managing Contaminated Land'
- Appendix 4 – 'Annotations for Section 10.7 Planning Certificates on Contaminated Land'
- Appendix 5 – 'Site Management Provisions for Remediation Works'.

[4] https://www.epa.nsw.gov.au/your-environment/contaminated-land/managing-contaminated-land/procedures-for-land-managers

Links to Policy
The following Council policies are relevant to this policy:

- Asbestos policy

Links to Procedure
The following Council procedures are relevant to this policy:

- Engineering guidelines and technical specifications
- Inspection and monitoring procedures
- Flood mapping

Links to Forms
Nil

References
- Asbestos policy
- Engineering guidelines and technical specifications
- Inspection and monitoring procedures
- Flood mapping

Responsibility
Director Environment & Planning

Document Author
Director Environment & Planning

Relevant Legislation
The following legislation and standards are referenced in this policy:

Legislation
- Building and Development Certifiers Act 2018
- Building and Development Certifiers Regulation 2020
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Environmentally Hazardous Chemicals Act 1985
- Government Information (Public Access) Act 2009
- Home Building Act 1989
- Local Government Act 1993
- Local Planning Directions
- National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended)
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- Protection of the Environment Operations (Waste) Regulation 2014
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4 (‘Remediation of Land’)
- Water Management Act 2000
- Workplace Health and Safety Act 2011
- Workplace Health and Safety Regulation 2017

Guidelines

- Guide to Complying Development (2022)
- Guide to Writing Conditions of Consent (2021)
- Guidelines for Implementing the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (2020)
- Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land (2003)
- Noise Policy for Industry
- Interim Construction Noise Guideline
- Liquid Trade Waste Management Guidelines (DPIE, 2021)
- Managing Land Contamination: Planning Guidelines: SEPP55 – Remediation of Land (1998) (and its revised form, the Contaminated Land Planning Guidelines, when released)
- Managing Urban Stormwater: Soils and Construction (4th ed., LANDCOM, March 2004)
- Waste Classification Guidelines (2014)
- Statutory guidelines made or approved by the NSW EPA under the *Contaminated Land Management Act 1997*
- Non-statutory guidance documents made by the NSW EPA

Standards

- Australian Standard AS 1940-2017: Storage and Handling of Flammable and Combustible Liquids
- Australian Standard AS 4897-2008: The Design, Installation and Operation of Underground Petroleum Storage Systems
- Australian Standard AS 4976-2008: The Removal and Disposal of Underground Petroleum Storage Tanks.

Best practice resources are available to assist Council in implementing this policy. These resources are listed in Appendix 1.

Associated Records

Appendix 1 – Best practice resources on managing contaminated land

The resources listed in Table A1.1 below are based on *Managing Land Contamination: Planning Guidelines: SEPP55 – Remediation of Land* (*SEPP55 Guidelines*), guidelines made or approved by the EPA and on resources developed by the EPA and other NSW councils. They have been updated, where applicable, to reflect changes in the regulatory landscape.

The resources are also provided for processes ancillary to managing contaminated land, including underground petroleum storage systems, onsite and offsite management of contaminants (including waste material) in soil, and the selection of consultants, among other processes.

A draft revision of the *SEPP55 Guidelines* (that is, the *Contaminated Land Planning Guidelines*) was released by the NSW Department of Planning and Environment in 2018 but has yet to be finalised at the time of finalising the model policy. As already noted, the Contaminated Land Framework includes (where appropriate) elements of the draft guidelines.

Table A1.1: Best practice resources available to Council on managing contaminated land and underground petroleum storage systems

Resource	Author	Description
Assessment of Site Contamination Reports	RAMJO-REROC, Ballina and Bathurst CRCB projects	A resource to assist Council to ascertain the completeness of the report and to assist in the interpretation and use of its content. Also includes checklists to provide Council with a degree of confidence and certainty on the report.
Managing Offsite Transport of Soil	Ballina, RAMJO-REROC and	A resource outlining best practices in the offsite management of soil, including soil that includes waste

	FNWJO CRCB projects	materials generated during remediation, for offsite processing.
Managing Asbestos in Development Control Processes	FNWJO CRCB project	A resource for Council on managing asbestos in its operations. It is complementary to the Council *Asbestos Management Policy*.
A Guide to Selecting a Consultant	RAMJO-REROC and Ballina CRCB projects	An important resource for Council to identify the required competencies and qualifications of consultants for specific stages of the assessment of site contamination, in the design and installation of underground petroleum storage systems, and in managing asbestos.
A Guide to Retail Service Station Owners on Managing UPSS Systems	NSW EPA (updated by RAMJO-REROC and FNWJO CRCB projects)	A quick reference guide on the obligations of owners, operators and site managers of UPSS infrastructure. This guide is a retired NSW EPA resource that has since been updated by RAMJO and its collaborators.
Council ARA Responsibilities and UPSS	RAMJO-REROC CRCB project	A quick reference guide for Council on their responsibilities as the ARA regarding UPSS infrastructure.
Decommissioning an Underground Petroleum Storage Tank or System	NSW EPA	A fact sheet for Council on the process to decommission an underground petroleum storage system.
Statutory guidelines made or approved by the EPA	NSW EPA	The NSW EPA has made or approved a range of statutory guidelines dealing with different types of contamination. These guidelines are to be considered by accredited site auditors, contaminated land consultants, and those with a duty to report contamination to the NSW EPA.
Non-statutory guidelines made or approved by the EPA	NSW EPA	The NSW EPA has made or approved a range of non-statutory guidance documents dealing with different types of contamination. These guidance documents are to be considered by accredited site auditors, contaminated land consultants, and those with a duty to report to the EPA.

Note: RAMJO = Riverina and Murray Joint Organisation; REROC = Riverina Eastern Regional Organisation of Councils; CRCB = Council Regional Capacity Building; FNWJO = Far North West Joint Organisation.

Appendix 2 – Potential land uses and activities that may cause site contamination

Information provided in this appendix is taken from the Department of Planning and Environment's draft *Contaminated Land Planning Guidelines*. This information relates to activities that may cause contamination, as well as industries and associated chemicals that may cause contamination. The coverage of activities, industries and associated chemicals are largely the same when compared to the corresponding table in the *SEPP55 Guidelines*. Differences are presented in *italics*.

The information in these tables is to be used as a guide by Council in an initial evaluation of the potential for site contamination. However, a conclusive find as to whether land is 'contaminated' or 'not contaminated' can only be determined after a preliminary site investigation or a detailed site investigation.

Table A2.1: Activities that may cause site contamination

Acid and alkali plant and formulation	Iron and steel work
Agricultural and horticultural activities	Landfill sites
Airports	Metal treatment
Asbestos production and disposal	Mining and extractive industries
Battery manufacture and recycling	Oil production and storage
Breweries and distilleries	Paint formulation and manufacture
Chemical manufacture and formulation	Pesticide manufacture, formulation and use
Council depots	Power stations
Defence works	Printing shops
Drum reconditioning works	Railway yards
Dry-cleaning	*Research institutions (laboratories)*
Electrical manufacturing (transformers, capacitors)	Scrap yards
Electroplating and heat treatment premises	Service stations and fuel storage facilities (depots)
Engine works	Sheep and cattle dips
Explosives industry	Smelting and refining
Firefighting training and the use of firefighting foams	Tanning and associated trades
Foundries	*Waste processing, storage and treatment*
Fuel storage	Water and sewerage treatment plants
Gas works	Wood preservation
Hospitals	

Source: Table 1 in Appendix 1 of the Department of Planning and Environment's draft *Contaminated Land Planning Guidelines*. The use of *italics* indicates an activity not identified in these guidelines but is known to cause site contamination.

Table A2.2: Industries and associated chemicals that may cause contamination

Industry or activity	Main chemical group	Associated chemicals
Agricultural and horticultural activities		*See* – 'chemical manufacture and use' ('fertiliser', 'fungicides', 'herbicides' and 'pesticides').
Airports	Hydrocarbons	Aviation fuels (total petroleum hydrocarbons, kerosene), *PFAS*
	Metals	Particularly lead, aluminium, magnesium, chromium, chlorinated solvents

Industry or activity	Main chemical group	Associated chemicals
Asbestos production and disposal	Asbestos	Asbestos (bonded and fibrous). Be aware of assessments in areas of naturally occurring asbestos.[1]
Battery manufacture and recycling	Acids	Sulfuric acid
	Metals	Lead, manganese, zinc, cadmium, nickel, cobalt, mercury, silver, antimony
Breweries and distilleries	Alcohol	Ethanol, methanol, esters
Chemical manufacture and use	Acid and alkali	Mercury; chlorine (chloralkali process); sulfuric, hydrochloric and nitric acids; sodium and calcium hydroxides
	Adhesives and resins	Polyvinyl acetate, phenols, formaldehyde, acrylates, phthalates
	Drum reconditioning works	Chemicals, paints, resins, tars, adhesives, oils, fuels, solvents, drum residues
	Dyes	Chromium, titanium, cobalt, sulfur organic compounds, nitrogen organic compounds, sulfates, solvents
	Explosives	Acetone, nitric acid, ammonium nitrate, pentachlorophenol, ammonia, sulfuric acid, nitroglycerine, calcium cyanamide, lead, ethylene glycol, methanol, copper, aluminium, bis(2-ethylhexyl) adipate, dibutyl phthalate, sodium hydroxide, mercury, silver
	Fertiliser	Calcium phosphate, calcium sulfate, nitrates, ammonium sulfate, carbonates, potassium, copper, magnesium, molybdenum, boron, cadmium, arsenic
	Flocculants	Aluminium
	Foam production	Urethane, formaldehyde, styrene
	Fungicides	Carbamates, copper sulfate, copper chloride, sulfur, chromium, zinc
	Herbicides	Ammonium thiocyanate, carbamates, organochlorines, organophosphates, arsenic, mercury, triazines
	Paints	Heavy metals – arsenic, barium, cadmium, chromium, cobalt, lead, manganese, mercury, selenium, zinc, titanium Solvents – toluene oils, either natural (for example, pine oil) or synthetic, hydrocarbon
	Pesticides	Active ingredients – arsenic, lead, organochlorines, organophosphates, sodium tetraborate, carbamates, sulfur, synthetic pyrethroids Solvents – xylenes, kerosene, methyl isobutyl ketone, amyl acetate, a wide range of chlorinated solvents
	Pharmaceutical	Solvents – acetone, cyclohexane, methylene chloride, ethyl acetate, butyl acetate, methanol, ethanol, isopropanol, butanol, pyridine methyl ethyl ketone, methyl isobutyl ketone, tetrahydrofuran
	Photography	Hydroquinone, sodium carbonate, sodium sulfite, potassium bromide, monomethyl para-aminophenol sulfate, ferricyanide, chromium, silver, thiocyanate, ammonium compounds, sulfur compounds, phosphate, phenylene diamine, ethyl alcohol, thiosulfates, formaldehyde
	Plastics	Sulfates, carbonates, cadmium, solvents, acrylates, phthalates, styrene
	Rubber	Carbon black

Industry or activity	Main chemical group	Associated chemicals
	Soaps, detergents	General – potassium compounds, phosphates, ammonia, alcohols, esters, sodium hydroxide, surfactants (sodium lauryl sulfate), silicate compounds Acids – sulfuric acid and stearic acid Oils – palm, coconut, pine, tea tree
	Solvents	General – ammonia Hydrocarbons – for example, BTEX Chlorinated organics – for example, tetrachloroethene (perchloroethylene) trichloroethene, trichloroethane, dichloroethane, carbon tetrachloride, methylene chloride
Council depots		Hydrocarbons, PAH, asbestos, heavy metals, pesticides, herbicides, *PFAS*
Defence works		Hydrocarbons, *PFAS*, asbestos *See also* – 'chemical manufacture and use' ('explosives'), 'foundries', 'engine works', 'service stations and fuel storage facilities (depots)'
Dry-cleaning	Chlorinated solvents	Tetrachloroethene (perchloroethylene), trichloroethylene, 1,1,1–trichloroethane, carbon tetrachloride, white spirit (mixed hydrocarbons)
Electrical manufacturing	Solvents, metals	PCBs (transformers and capacitors), solvents, tin, lead, copper, mercury
Engine works	Hydrocarbons, metals, solvents, acids, alkalis, refrigerants	Refrigerants – chlorofluorocarbons, hydro chlorofluorocarbons, hydrofluorocarbons
	Antifreeze	Particularly aluminium, manganese, iron, copper, nickel, chromium, zinc, cadmium, lead, and oxides, chlorides, fluorides and sulfates of these metals
Foundries	Metals	Particularly aluminium, manganese, iron, copper, nickel, chromium zinc, cadmium, lead, and oxides, chlorides, fluorides and sulfates of these metals
Firefighting training and the use of firefighting foam	*PFAS*	Hydrocarbons, solvents, chlorinated solvents, inorganics
Gas works	Inorganics	Asbestos, ammonia, cyanide, nitrate, sulfide, thiocyanate, aluminium, antimony, arsenic, barium, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, selenium, silver, vanadium, zinc
	Organics	BTEX, phenolics, PAHs and coke
Hospitals	Waste	Asbestos, various
	Radioactive material	Diagnostic and therapeutic isotopes
Iron and steel work	Organics, metals	BTEX; phenolics; PAHs; metals and oxides of iron, nickel, copper, chromium, magnesium, manganese and graphite
Landfill sites	Gases, metals, organics	Methane, carbon dioxide, ammonia, sulfides, heavy metals, organic acids, hydrocarbons, asbestos
Marinas	Antifouling paints	Copper, tributyltin *See also* – 'engine works', 'metal treatments' ('electroplating' metals)
Metal treatment	Electroplating	Metals – nickel, chromium, zinc, aluminium, copper, lead, cadmium, tin

Industry or activity	Main chemical group	Associated chemicals
		Acids – sulfuric, hydrochloric, nitric and phosphoric acids General – sodium hydroxide, 1,1,1–trichloroethane, tetrachloroethylene, toluene, ethylene glycol, cyanide compounds
	Liquid carburising baths	Sodium, cyanide, barium, chloride, potassium chloride, sodium chloride, sodium carbonate, sodium cyanate
Mining and extractive industries		Arsenic, mercury and cyanides. *See also* – 'chemical manufacture and use' ('explosives'). Aluminium, arsenic, copper, chromium, cobalt, lead, manganese, nickel, selenium, zinc and radio radionuclides. The list of heavy metals should be decided according to the composition of the deposit and known impurities. Consideration should be given to chemicals associated with any mineral processing that also occurred on the mine site. PFAS chemicals associated with firefighting equipment to protect mining infrastructure
Oil production and storage		*See* – 'service stations and fuel storage facilities (depots)'
Paint formulation and manufacture		*See* – 'chemical manufacture and use' ('paints')
Pesticide manufacture, formulation and use		*See* – 'chemical manufacture and use' ('pesticides')
Power stations		Asbestos, PCBs, fly ash metals, water treatment chemicals
Printing shops		Acids, alkalis, solvents, chromium, trichloroethene, methyl ethyl ketone *See also* – 'chemical manufacture and use' ('photography')
Railway yards		Hydrocarbons, asbestos, arsenic, phenolics (creosote), heavy metals, nitrates, ammonia
Research Institutions (laboratories)		Various, depending on the nature of work being carried out. A case-specific evaluation is required.
Scrap yards		Hydrocarbons, metals, solvents, asbestos
Service stations and fuel storage facilities (depots)	Petroleum hydrocarbons, PAHs and lead	Aromatic hydrocarbons, BTEX, naphthalene, PAHs, phenols, lead
Sheep and cattle dips		Arsenic, organochlorines, organophosphates, carbamates, synthetic pyrethroids
Smelting and refining		Metals, fluorides, chlorides and oxides of copper, tin, silver, selenium lead, and aluminium
Tanning and associated trades	Various	Metals – chromium, manganese, aluminium General – ammonium sulfate, ammonia, ammonium nitrate, arsenic phenolics, formaldehyde, sulfide, tannic acid
Water and sewerage treatment plants	Metals and chemicals used in water treatment and wastewater	Aluminium, arsenic, cadmium, chromium, cobalt, lead, nickel, fluoride, lime, zinc

Industry or activity	Main chemical group	Associated chemicals
	and biosolids treatment	
Waste processing, storage and treatment	Fire retardants, plastics	Polybrominated diphenyl ethers, PFAS, plasticisers
Wood preservation	Metals	Chromium, copper, arsenic, naphthalene, ammonia, pentachlorophenol, dibenzofuran, anthracene, biphenyl, ammonium sulfate, quinoline, boron, creosote, organochlorine pesticides

Note: PFAS = per- and polyfluoroalkyl substances; BTEX = benzene, toluene, ethylbenzene, xylene; PAH = polycyclic aromatic hydrocarbons; PCB = polychlorinated biphenyl.
Source: Table 2 in Appendix 1 of the Department of Planning and Environment's draft *Contaminated Land Planning Guidelines*. The use of *italics* indicates an activity not identified in these guidelines but is known to cause site contamination.

[1] https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06

Appendix 3 – Artefacts generated in the process of managing contaminated land

Table A3.1 lists artefacts either prepared by or for Council in a process to consider and assess site contamination. These artefacts should be retained in Council's electronic document and records management system and also linked to the respective record in Council's contaminated land site register.

These artefacts can also be provided with section 10.7 planning certificates under the *EP&A Act*.

Table A3.1: Artefacts generated in a process to assess site contamination

Process	Artefact	Prepared by	Description
Initial evaluation	Checklist	Council	To guide Council's consideration of the potential for site contamination.
Preliminary site investigation	Report on the preliminary site investigation	Consultant	Reports the possibility of potential contamination based on historical land use. It includes the development of the conceptual site model.
	Checklist	Council	Confirms whether the requirements of the investigation have been met.
Detailed site investigation	Report on the detailed site investigation	Consultant	Defines the extent and degree of contamination and assesses potential risks posed to health and the environment by contaminants. The investigation is also used to obtain sufficient information for the development of a remediation action plan if required.
	Checklist	Council	Confirms whether the requirements of the investigation have been met.
Remediation	Remediation action plan	Consultant	A plan that sets out remediation objectives and documents the proposed remediation process.
	Validation report	Consultant	Reports on whether the objectives for remediation and any conditions of development consent have been achieved.
Site audit	Site audit report	Consultant	A summary of information reviewed by the accredited site auditor.
	Site audit statement	Consultant	An outline of the conclusions of a site audit.
Environmental management plan		Consultant	Outlines the mitigation measures and/or monitoring requirements where the full clean-up of a site is not feasible or where onsite containment of contamination has been proposed.

Table A3.2 lists key artefacts generated in a process to regulate contaminated land and underground petroleum storage systems.

These artefacts should be retained in Council's electronic document and records management system, and also linked to the respective record in Council's contaminated land site register.

These artefacts may also be included on section 10.7 planning certificates under the *EP&A Act*.

Table A3.2: Artefacts generated in a process to regulate contaminated land and underground petroleum storage systems

Process	Artefact	Prepared by
EPA notices and orders under the *CLM Act*	Preliminary investigation order	EPA
	Significant contaminated land notice	EPA
	Management order	EPA
	Voluntary management proposal	Landowner, or person managing an activity that caused the site contamination
	Environmental management plan	EPA/landowner
	Revocation of orders under the *CLM Act*	EPA
Pollution prevention	Waste classification report	Person responsible for remediation
	UPSS inspection form	Council
	Contaminated land investigation form	Council
	POEO Act section 91 clean-up notice	Council/EPA
	POEO Act section 96 prevention notice	Council/EPA
	Leak notification under the *POEO Act* Part 5.7	Council / UPSS operator
	Fuel system operation plan	Council / UPSS operator
	Loss monitoring reports	Council / UPSS operator
	Leak detection reports	Council / UPSS operator
Decommissioning of a UPSS (category 2 remediation works)	Development application	
	Notifications (leak notification)	UPSS owner
	Validation report	Consultant
Information management	*POEO* Act section 192 and 193 requests for information	Council
	Survey of UPSS operators	Council
Compliance	Penalty infringement notices	Council

Appendix 4 – Annotations for section 10.7 planning certificates on contaminated land

Council is required to include contaminated land information on section 10.7 planning certificates. This requirement is anchored in:

- the *EP&A Act*
  - section 10.7(2), as elaborated by the *Environmental Planning and Assessment Regulation 2021*
  - section 10.7(5), in relation to advice on other matters affecting the land
  - section 10.7(6), in relation to furnishing of contaminated land information in good faith with Schedule 6 of the *EP&A Act*
- section 10(1) in schedule 2 of the *Environmental Planning and Assessment Regulation 2021* in relation to whether an adopted Council policy restricts the development of land because of site contamination
- the *CLM Act*
  - section 10(1)(a)–(b), in relation to preliminary investigation orders issued by the EPA for the land
  - section 44, in relation to the EPA's repeal or revoking of orders and notices issued under section 10 of the *CLM Act*
  - section 59(2), in relation to matters that are to be included in section 10.7 planning certificates.

The information required to be included on a planning certificate is outlined in Table A4.1. Council must note that information prescribed under section 59(2) of the *CLM Act* pertains to land that 'is' subject – not 'was' subject – to the prescribed regulatory processes. However, Council can elect to include this historical information on planning certificates in accordance with its *Contaminated Land Policy*.

Table A4.1: Contaminated land information required on section 10.7 planning certificates

Planning certificate	**Contaminated land information**
Section 10.7(2)	A statement that Council has adopted a policy to restrict the development of land because of the actual or potential likelihood of that land being contaminated. See Table A4.2 for annotations that Council can use.
	At the date of issue of the planning certificate, a statement that the land to which the planning certificate relates is: • significantly contaminated land within the meaning of the *CLM Act*, including whether only part or all of the land is significantly contaminated • subject to a management order under the *CLM Act* • the subject of an approved voluntary management proposal under the *CLM Act* • subject to an ongoing maintenance order under the *CLM Act* • the subject of a site audit statement under the *CLM Act*.
	Council may elect to include information on the potential of site contamination because the historical use of that land is known or reasonably suspected by Council to be an activity identified in Appendix 2. See Table A4.2 for annotations that Council can use.
Section 10.7(5)	Information provided on section 10.7(2) planning certificates and additional information Council may elect to disclose pertaining to the actual or potential contamination of the land. See Table A4.2 for annotations that Council can use.

Table A4.2: Annotations for additional information on section 10.7 planning certificates for land that is or may be contaminated

Situation	Annotation
Council has identified that the land: • has a previous land-use history that could have involved the use of contaminants on the site (for example, the land may have been used for an activity listed in Appendix 2) • is known to be contaminated but has not been remediated.	'Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land-use changes are proposed on lands that have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'
Council has identified that the land is known to contain contaminants but that it has been remediated for a particular use or range of uses, and some contamination remains on the site (for example, encapsulated).	'Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land-use changes are proposed on lands that are considered to be contaminated or on lands that have been remediated for a specific use. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'
Council records do not contain a clear site history without significant gaps in information, and Council cannot determine whether the land is contaminated and, therefore, the extent to which Council's policy should apply.	'Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land-use changes are proposed on lands that have previously been used for certain purposes. Council records do not have sufficient information about the previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application or provisions under relevant state legislation is warranted.'

Note: The information in this table applies where Council has adopted a policy to restrict the development of land because of the actual or potential likelihood of that land being contaminated.

Appendix 5 – Site management provisions for remediation works

Council can impose site management provisions for proposed remediation works. Council will request that these provisions be included in a remediation action plan that is to be lodged to Council prior to commencing these works. Council will require remediation works to be carried out in accordance with the remediation action plan.

The site management provisions listed in Table A5.1 are taken from the *Resilience and Hazards SEPP* and amended to reflect best practice site management, as included in the draft *Contaminated Land Planning Guidelines* and in other Council contaminated land policies.

Remediation work must comply with the requirements of the:

- *CLM Act*
- *Contaminated Land Planning Guidelines*
- *Resilience and Hazards SEPP*
- *POEO Act*.

Council will also require the validation report to be lodged with Council within 60 days of the completion of remediation works and, where applicable, prior to the issuance of a subdivision or construction certificate.

Table A5.1: Site management provisions to be included in a remediation action plan

Parameter	Provision to be included in a remediation action plan
Air quality	Emissions of dust, odour and fumes from a remediation site are to be appropriately controlled and in accordance with relevant regulations and guidelines made or approved by the EPA. These may include but are not limited to: • ensuring no onsite burning of material • maintaining equipment in a functional manner to minimise exhaust emissions • covering vehicles transporting soil (including contaminated soil) and/or infill onsite or offsite • establishing dust suppression and control measures to minimise windborne emissions of dust, having regard to site-specific wind conditions • monitoring and managing odours, including the use of a hydrocarbon mitigating agent on the impacted areas and materials • covering stockpiles of contaminated soil that remain onsite for more than 24 hours (see 'stockpiles' for additional provisions) • regularly monitoring air quality throughout remediation work.
Bunding	Any areas used for remediation or the stockpiling of construction materials or contaminated soils shall be controlled to contain surface water run-off and run-on and be designed and constructed so as to prevent the leaching of contaminants into the subsurface or groundwater. Locate stockpiles and construction materials away from drainage lines and provide bunding of disturbed areas and excavations to prevent run-off to waterways or stormwater where necessary. All surface water discharges from the bunded areas to Council's stormwater system shall not contain detectable levels of the contaminants of concern and must comply with the relevant EPA and ANZECC standards for water quality. Any discharge must satisfy the provisions of the *POEO Act*.
Capping or containment of contaminated soil	Capping of contaminated soil should occur only after alternative remediation works have been investigated, particularly in urban zoning or areas

Parameter	Provision to be included in a remediation action plan
	identified as future growth in Council's local environment plan or development control plan. Contaminated soil is only permitted to be capped if it does not prevent any permitted use of the land and if it can be demonstrated that there will be no ongoing impacts on human or environmental health. Capping of contaminated soil that exceeds zoning permissible levels is classified as category 1 remediation work and may only be permitted with development consent. The soil investigation levels for urban redevelopment in NSW are contained in *National Environment Protection (Assessment of Site Contamination) Measure 1999* (as amended). Where the proposed remediation involves the onsite containment of contaminated material, the need for a continuing monitoring program should be assessed by both the 's consultants and Council. To ensure that future owners of the site are aware of the contaminated material and any ongoing maintenance and monitoring, Council may impose a consent condition on any subsequent development application for the subject site, requiring a covenant to be registered on the title of the land that gives notice of the existence of onsite containment of the contaminated soil. The covenant may also bind the owners or any future owners to the responsibility of ongoing monitoring and maintenance (as described in an environmental management plan) and any future remediation works required. Records of any maintenance undertaken on the site shall be kept for future reference and provided to Council annually. The cost of preparing the covenant is borne by the applicant.
Consultants	Ensure consultants (or contractors) undertaking the remediation works have the required competencies and qualifications. Remediation work requiring validation by a site auditor (that is, a statutory site audit) must use a site auditor accredited under Part 4 of the *CLM Act*. Validation of remediation work that is not a statutory site audit is to be undertaken by a consultant with the necessary competencies and qualifications.
Consultation	Written notification to adjoining owners and occupants is to occur at least two days prior to commencing remediation works. This notification is to include: • the estimated length of remediation work • the hours of remediation work • the contact details of the site manager. Signage visible from the road and adjacent to site access is to display the site manager and remediation contractor contact details for the duration of the works.
Decommissioning of underground petroleum storage systems	The removal of all UPSSs is to be undertaken in accordance with the: • *UPSS Regulations* • SafeWork NSW requirements • *Australian Standard AS 4976-2008: The Removal and Disposal of Underground Petroleum Storage Tanks*. Decommissioning of an underground petroleum storage tank or system must be undertaken by a duly qualified person who holds a demolition licence from SafeWork NSW and is competent and experienced in the task. Following the removal of an underground petroleum storage tank or system, the site area, which includes bowser lines and fuel lines, shall be assessed, remediated if need be and validated in accordance with the requirements above and with guidelines made or approved by the NSW EPA.

Parameter	Provision to be included in a remediation action plan
	All documents must be submitted to Council, including (but not limited to) a validation report (or tank pit validation) prepared in accordance with relevant guidelines made or approved by the EPA.
Erosion and sediment control	An ESCP shall be prepared and submitted to Council for approval prior to commencing remediation works. The ESCP shall be developed with regard to the requirements detailed in Council's *Soil and Water Management Policy* and Council's *Engineering Guidelines and Technical Specifications* and must include leachate collection and disposal. Sediment control structures shall be provided to prevent sediment from entering drainage systems, particularly where surfaces are exposed or where soil is stockpiled. All erosion and sediment control measures must be maintained in a functional condition throughout the remediation works. Vehicles are to be cleaned prior to leaving the site. *Also see* – 'soil and water management' for related provisions.
Hazardous material	Hazardous and industrial wastes arising from the remediation work shall be removed and disposed of in accordance with the requirements of the NSW EPA and SafeWork NSW, together with the: • *Workplace Health and Safety Act 2011* • *Workplace Health and Safety Regulation 2017* • *CLM Act* and subordinate regulations • *Environmentally Hazardous Chemicals Act 1985* and subordinate regulations. Under the *POEO Act*, the transportation of Schedule 1 hazardous waste is a scheduled activity and thereby required by the EPA to be carried out by a transporter licensed by the NSW EPA. *Also see* – 'waste' for additional related site management provisions.
Health and safety	All works associated with remediation works must comply with workplace health and safety legislation and other applicable SafeWork NSW requirements. This requires: • the preparation of a health and safety plan • site fencing, public safety warning signs and security surveillance (where applicable) to be established for the remediation site.
Hours of work	All remediation work (including the delivery and removal of materials or equipment) shall be limited to the following hours of work (unless through an alternative mutual agreement in writing with Council): • Monday to Saturday – 7.00 am to 5.00 pm • Sunday and Public Holidays – no remediation work is permitted Note: The hours of work listed above are in accordance with the *Exempt and Complying Development Codes SEPP*.
Importation of infill	All fill imported to the site shall be validated as virgin excavated natural material as defined in the *POEO Act* to ensure that it is: • suitable for the proposed land use from a contamination perspective • compatible with the existing soil characteristics for site drainage purposes. Council may, in certain instances, require the details of the appropriate validation of imported fill material to be submitted with any application for the future development of the site. Hence, all fill imported onto a site is to be validated by one or both of the following methods during remediation works:

Parameter	Provision to be included in a remediation action plan
	• Imported fill should be accompanied by documentation from the supplier that certifies that the material is not contaminated, based upon analyses of the material or the known past history of the site where the material is obtained. • Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA *Sampling Design Guidelines* to ensure that the material is not contaminated. Fill should be imported and exported in accordance with the provision of a virgin excavated natural material exemption or an NSW resource recovery order and exemption. Fill is permitted for use provided that it: • is not itself contaminated, particularly with waste material (including asbestos) • is weed and pest free • is compatible with the existing soil characteristics so as not to adversely affect site drainage.
Landscaping and rehabilitation	The remediation work site must be stabilised to ensure that no offsite impacts occur on the site after completion. This requires: • the preparation of a landscaping plan • landscaping of the site in accordance with the landscape plan • the progressive stabilisation and revegetation of disturbed areas in accordance with the landscape plan. There shall be no removal or disturbance to trees or native understorey without prior written consent obtained through Council's tree preservation order process. All trees that will be retained on the site must be suitably protected from damage during remediation works. This includes the provision of protective fencing to protect the root zone of these trees. The fencing must extend, at a minimum, to the drip line of each tree. No stockpiling, storage, excavation, vehicle parking or vehicle movement is to occur within the root zone protection area. Tree protection fencing must remain in place until the end of remediation works. All exposed areas shall be progressively stabilised and revegetated upon the completion of remediation works.
Noise and vibrations	Any noise and vibrations from the site shall be limited by complying with the NSW EPA's *Noise Policy for Industry* (2017) and the *Interim Construction Noise Guideline*. All equipment and machinery shall be operated in an efficient manner to minimise noise from the site on adjoining properties, including (when necessary) ensuring that plant equipment noise is suppressed. The use of any plant or machinery shall not, on any premises, cause vibrations in excess of the relevant NSW EPA guidelines and Australian Standards.
Rodents and vermin	Rodents and vermin are to be adequately controlled and disposed of in an environmentally appropriate manner.
Site access and vehicle use	Vehicle access to the site shall be designated to prevent the tracking of sediment onto public roadways and footpaths. Soil, earth, mud or similar material must be removed from the roadway by sweeping, shovelling or a means other than washing on a daily basis or as required by an appropriate authority. Soil residue from vehicle wheels shall be collected and disposed of in an appropriate manner. All vehicles are to:

Parameter	Provision to be included in a remediation action plan
	• enter and exit the site in a forward motion • comply with all road rules, including vehicle weight limits • minimise the use of local roads by using state roads where available • be cleaned pre-work and post-work to prevent the movement of weed seeds • have all loads securely covered or sealed to prevent the release of any dust, fumes, soil or liquid emissions during transportation • conduct deliveries of soil, materials, equipment or machinery during the hours of remediation work (see 'hours of work').
Site security and lighting	The site shall be secured to ensure against all unauthorised access by using appropriate fencing. It is recommended that security lighting be used to deter unauthorised access. If security lighting is used, it shall be shielded to protect the amenity of adjoining landowners.
Soil and water management	All remediation works shall be conducted in accordance with a site-specific soil and water management plan prepared in accordance with the requirements of LANDCOM's *Managing Urban Stormwater: Soils and Construction*.[1] The plan should aim to segregate and manage both contaminated and non-contaminated areas in a manner that minimises the potential dispersal of contaminants and any cross-contamination of contaminated and non-contaminated materials. In some cases, standard erosion and sediment control requirements will be inadequate for managing contaminated soils and water. Where remediation work involves the excavation of soil, the person responsible for the remediation work shall consult Council's flood mapping. Where works are proposed to be undertaken within an area identified by Council as having the potential to be impacted by flood waters (that is, inundation), such works shall be undertaken in alignment with the responsive actions for such potential site inundation as described in the site-specific soil and water management plan. A copy of the remediation action plan and the soil and water management plan shall be kept onsite and made available to Council officers on request. Soil and water management measures for remediation work in relation to stockpiles, site access, excavation pump-out, landscaping and rehabilitation, and bunding are discussed elsewhere in this table. *See* – 'erosion and sediment control' for related provisions.
Stockpiles	No stockpiles of soil or other materials shall be placed on public land (for example, footpaths, reserves or nature strips). All stockpiles shall be placed away from drainage lines, gutters or stormwater pits or inlets. All stockpiles of soil or other material shall be maintained to prevent dust, odours or seepage. All stockpiles of contaminated soils shall be secured to prevent dust, odour or seepage if being stored for more than 24 hours. Stockpiling of contaminated materials requires special measures to manage the generation of leachate, run-off, vapours, odours and airborne particulates. Store any temporary stockpiles of contaminated soil in a secure area.
Unexpected finds during remediation works	Council is required to be notified of any new information that comes to light during remediation works that has the potential to alter previous conclusions regarding site contamination.
Validation report	The validation report is to be prepared in accordance with relevant guidelines made by the NSW EPA.

Parameter	Provision to be included in a remediation action plan
	A copy of the validation report is to be provided to Council within 60 days of completing the remediation works and prior to commencing development works at the site. The validation report is to: • contain a copy of any reports or records taken during remediation or following the completion of validation works • contain a validation statement detailing that all works have been undertaken and completed satisfactorily and in accordance with relevant guidelines made or approved by the EPA • demonstrate that the objectives of the remediation action plan have been achieved, any conditions of development consent have been complied with and whether any further remediation work or restrictions on land use are required • provide evidence confirming that all NSW EPA, SafeWork NSW and other regulatory authorities' license conditions, approvals and/or regulatory requirements have been met, including in respect of managing contaminated soil and other waste material generated by the remediation works • identify the need for continued monitoring in situations where clean-up is not feasible or onsite containment has occurred • state the suitability of the site for its current or proposed use. Successful validation is the statistical confirmation that the remediated site complies with the clean-up criteria set for the site. The full cost of the validation is borne by the applicant.
Vertical mixing (on agricultural land)	The *Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land* relates to the remediation of large agriculture properties with low-level but broad-spread contamination. The relevant NSW EPA guidelines are not designed or suitable for use in the remediation of contamination, including lead contamination, on small allotments. Therefore, Council will not support remediation action plans relying on this methodology, and an alternative remediation methodology shall be used for small allotments.
Waste	If contaminated soil and other waste material generated by the remediation works are to be treated and managed onsite, the treatment and management of each is to be in accordance with relevant guidelines made or approved by the EPA. If contaminated soil and other waste material generated by the remediation works are to be removed from the site, then this must be in accordance with the *POEO Act* and its waste regulation. This includes: • the preparation of a waste management plan • that the waste classification process complies with the *Protection of the Environment Operations (Waste) Regulation 2014* and is undertaken by an appropriately qualified consultant • record-keeping for waste going to a licensed landfill or a resource recovery facility regarding o how the waste is to be treated and transported o evidence that the landfill is licensed to accept this waste • the requirement that transport of the waste to or from a site must be by a licensed waste transport contractor. Any enquiries associated with the offsite disposal of waste from a contaminated site should be referred to the EPA helpline (phone 131 555).

Parameter	Provision to be included in a remediation action plan
	If contaminated soil or other waste generated by the remediation works is to be transported to Council's landfill or waste management facility: • Council's Waste Management Facility only accepts waste in accordance with its Environment Protection Licence (number *XXXX*). • Section L5 Waste requires that waste be general solid waste. Analysis of the contaminated soil is to be undertaken to verify that the waste is general solid waste. • All documentation is to be provided to Council's Waste Management Team and approved prior to the waste entering the landfill. *See* – 'hazardous material' for related site management provisions.
Water quality: dewatering – excavation and groundwater pump-out	Only clean and unpolluted waters are to be discharged to Council's stormwater system or any watercourse. Any discharge must satisfy the provisions of the *POEO Act*. Prior to any dewatering commencing, a dewatering management plan shall be submitted to Council. All pump-out water must be analysed for concentrations of suspended solids, pH and any contaminants of concern. The analytical results must comply with the relevant NSW EPA and ANZECC standards for the quality of water discharged to stormwater. If necessary, the water shall be treated prior to discharge. If the water quality does not comply with the identified criteria, then it cannot be discharged to stormwater. Alternative arrangements for the disposal of water shall be provided, if necessary (for example, offsite disposal by a licensed liquid waste transporter for treatment or disposal at an appropriate waste treatment or processing facility). Dewatering may require a licence from the NSW Office of Water.
Water quality: groundwater	Any contamination assessment, carried out in accordance with the requirements of the relevant guidelines made or approved by NSW EPA in accordance with the *CLM Act*, shall address the potential for contamination of groundwater at the site. Any work below the water table may require a licence from the NSW Office of Water. Such works include bores for water supply, testing and monitoring, and any dewatering or extraction. If the groundwater at the site is found to be contaminated, then Council, the NSW Office of Water and the NSW EPA are to be notified

Note: ANZECC = Australian and New Zealand Environment and Conservation Council; UPSS = underground petroleum storage system; ESCP = erosion and sediment control plan.

[1] https://www.environment.nsw.gov.au/research-and-publications/publications-search/managing-urban-stormwater-soils-and-construction-volume-1-4th-editon

ANNEXURE 2

habitat

Public Hearing Report

Reclassification of Public Land at Commercial Street, Walla Walla

NOVEMBER 2023

Submitted to Greater Hume Shire Council

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1.0	15/11/2023	Final	DH	DH

Contents

List of Figures

1. Introduction

This report has been prepared by David Hunter, Town Planner and Director of Habitat Planning, in relation to a Public Hearing held on Tuesday 31 October 2023 regarding a Planning Proposal To Reclassify Part of Council Owned Land at 1 Commercial Street Walla Walla NSW 2659 on Lot 5812 DP 1181658.

Greater Hume Shire Council are in receipt of a Planning Proposal to reclassify a portion of Council owned land located at 1 Commercial Street, Walla Walla (known as Lot 5812 DP 1181658, which seeks to reclassify the land from “Community Land” to “Operational” Land.” The Planning Proposal has been made by a private landowner of the adjoining property, who seeks to ultimately consolidate this parcel with their existing land holding.

The Department of Planning and Environment issued a Gateway Determination (for Planning Proposal ref PP-2023-1630) which included a requirement for a Public Hearing to be held pursuant to Section 3.34(2)(e) of the Environmental Planning and Assessment Act (“the EP&A Act”). The need for a Public Hearing into such a proposal is a requirement of Section 29(2) of the NSW Local Government Act 1993 (“the LG Act”).

David Hunter was appointed by Council to conduct the Public Hearing being a person meeting the requirements of Section 47G(2) of the LG Act. Specifically, this requires that the person conducting the Public Hearing who has not held the position of Councillor or been an employee of the Council within the past five years.

2. Subject Land

The subject site to which the proposed land reclassification relates is described as part of Lot 5812 DP1181658 and comprises a narrow rectangular strip of land with an area of approximately 456m^2 which fronts Commercial Street on the western boundary.

The lot, in its entirety, comprises a much rectangular shaped parcel at the southern extent of the Walla Walla Recreation Ground with an area of 1.062ha. The portion of land that is sought to be reclassified effectively forms a 'battle-axe' handle of the subject land to Commercial Street.

The site is noted as being undeveloped of any buildings or works, and contains a row of planted trees, which continue along the southern boundary of Lot 5812

A map showing Lot 5812 DP1181658 is provided below, noting that the portion that is subject to the Planning Proposal and reclassification is the western strip of land abutting Commercial Street.

Figure 1 – Aerial view and location of subject parcel

3. Public Land Classification

The subject land is currently classified by Council as ‘community’ under the LG Act.

The LG Act requires all public land under the control of Council to be classified either ‘community’ or ‘operational’ land. In simple terms, ‘community land’ is used to identify land managed by Council for a public use, such as a library or park. ‘Operational land’ is used to identify land owned by Council but used to generate a commercial return (including its sale). Consequently, for the subject land to be sold to a third party, as is sought in this instance, it must be classified accordingly.

In this instance, the process for undertaking the land reclassification is via an Amendment to the Greater Hume Local Environmental Plan 2012.

4. Public Hearing

4.1. Overview

When a proposal is made to reclassify land from “Community” Land to “Operational” Land, Council is required to convene an independent Public Hearing under the legislative provisions of Section 29 of the LG Act, Section 3.34(e) of the EP&A Act and the Community Consultation provisions of the Environmental Planning and Assessment Act 1979 and the transparency process provisions of the NSW Department of Planning LEP Practice Note.

The purpose of the Public Hearing is to enable the community to provide additional information regarding the re-classification and raise any issues regarding the matter.

The independent Chair, David Hunter, was appointed by Council to conduct the Public Hearing being a person meeting the requirements of Section 47G(2) of the LG Act.

The Public Hearing was conducted at the Walla Walla Sportsground, William Street, Walla Walla at 5.30 pm on Tuesday 31 October 2023.

4.2. Attendance

In attendance at the hearing were:

- David Hunter, as meeting Chair
- Colin Kane, Director Environmental & Planning, Greater Hume Shire Council
- Gayan Wickramasinghe, Town Planner, Greater Hume Shire Council

The Public Hearing commenced at 5.35pm with a welcome and introductory comments relating to the purpose of the Public Hearing, the reclassification process as well as the conduct of the hearing and approach to how submissions may be made.

Those in attendance at the meeting were then invited to make verbal presentations to the Public Hearing. Five (5) persons then made verbal submissions to the hearing, being:

- Daniel Nadebaum – It was indicated by the speaker that he was a Director of PJN and was making submissions on behalf of the proponent in the matter.
- Alan Odewahn – It was indicated by the speaker that he was the President of Walla Walla Sportsground Committee
- Anjay Williams
- Karen Wenke
- Wes Cunningham

4.3. Submissions

There were a number of submissions made at the hearing, with some speakers indicating support for the proposal and others expressing objection to the proposal.

Daniel Nadebaum presented as Director of PJN and indicated that he represented the proponent of the Planning Proposal, and made the following submissions:

- Identified that the intent of the Planning Proposal and reclassification is for the adjacent business to be able to purchase the narrow extent of land and consolidate into an adjacent lot, which is being proposed to the south of the subject land, which will enable them to expand their business.

- Believes that the laneway between the properties is not ideal for community access and believes that there are other opportunities to access the sportsground area.
- As it is only a pedestrian laneway, it is not considered suitable as an emergency access space. It also relies on having to access and cross PJN's entry crossover.
- Sportsground is Bushfire place of last resort and needs a better second point of access that can be accessed by vehicle. Believes this space does not provide that purpose.
- Advised that PJN approached the Walla Walla Sportsground committee as they were aware the proposal would impact them. PJN Spoke with committee and put forward the idea of them providing a new access point to replace the land being removed from community land.
- Sportsground committee appeared to be in support of the proposal.

Alan Odewahn presented and indicated that he was speaking in capacity as the President of the Walla Walla Sportsground Committee. He made the following submissions:

- Believed that Daniel Nadebaum had explained the context well and he agreed with the background and discussions that had occurred to date.
- He confirmed that the Sportsground Committee is supportive of the proposal, provided that there is negotiation and agreement for a second access to the Sportsground.
- It was questioned that if the land was not purchased, would the laneway remain. In response, Daniel Nadebaum advised that if the laneway was not possible to purchase, PJN would not have a practical use for that land.

At the conclusion of his verbal submissions, Mr Odewahn asked a question. He sought clarification about what would happen to the subject land (laneway) in the event the subdivision to the south did not occur and/or the proponent did not purchase the land. Daniel Nadebaum (as representative for the proponent) explained that if the subdivision to the south did not proceed, they would have no practical use for the subject land (laneway) and would not purchase the land from Council. Colin Kane also advised that if the land was not sold, it would remain with Council.

Colin Kane also advised Mr Odewahn that if the land was to be purchased, the process for adding this land to the adjacent property would most likely include the proponent undertaking a consolidation of titles..

Anya Williams, a local resident, also made verbal submissions to the Public Hearing:

- Hasn't seen any plans or information that the proponent had spoken about, other than the Planning proposal documentation.
- Is concerned that there is no clarity on where a second access point is to be located and that this has not been detailed.
- Believes that there is an opportunity to extend an existing road to access the Sportsground
- As an alternative to reclassifying and selling the land, it could be expanded and made into a more functional space for access and movement. Believes that the space is used by walkers and persons on horses. Better access could be provided all the way to the Sportsground.
- Concerned that the planted the trees along the land will be removed and there is a local historic connection to these planted trees..
- If PJN buys the land and takes up the full extent of the land, it will be dominant use at the frontage.
- Concerned that the proposal will lead to the loss of land and potential prohibit the potential for new retail, commercial and community outlets.
- Doesn't want industrial buildings to dominate the central area of Walla Walla. All the main shops should be in the centre of town and there should be a focus on retail and commercial uses rather than industrial.
- However, doesn't want industrial businesses to be lost. Rather they need to be carefully considered in context for the growth of the town.

- Industrial development is loud and will impact the residential,
- Industrial growth is impacting the ability for purchase of land in adjoining residential areas, specifically in that lenders are less likely to provide finance for properties in close proximity to industrial uses..
- The proponent's Planning Proposal states that the laneway was rarely used. Believes this is not correct and that 1-4 persons on average move through the lane regularly.

Karen Wenke, a local resident, also made verbal submissions to the Public Hearing:

- Her husband is the local Fire Captain and they have a good understanding about the bushfire and safety risks for the town. Believe that issues regarding access and fire safety are important.
- If there is going be a second access, where is this to be located. Is concerned about the risks to persons in the town and immediate area.
- Has spent a lot of time researching the history of Walla and understands the area well. Believes that residents and visitors want to see and experience the unique components and areas of Walla Walla.
- Is concerned that there does not appear to be a strong town plan and questions whether this plan is being implemented.
- Walla Walla needs more infrastructure and shops to be established to assist with growth.
- Not sure that expanding industrial development along the main street is the best outcome for the town.

Wes Cunningham, a local resident, also made verbal submissions to the Public Hearing:

- Believes that Walla Walla has been very successful largely as a result of industrial growth and development. The businesses in Walla Walla have contributed to this.
- Supports the growth of industrial uses and considers that Walla Walla won't remain competitive without the continued growth of industry.
- Believes that commercial uses can still be carried out in the town in addition to industrial uses.

There were no further persons in attendance wishing to address the Public Hearing.

The Chair asked if there were any further questions or comments prior to the close of the Public Hearing.

The proponent requested an opportunity to answer a number of questions that had been raised by other speakers. The other speakers agreed and the Chair allowed Daniel Nadebaum further time to answer questions of clarifications that had been raised.

At the completion of the verbal submissions, the Public Hearing was formally closed at 6.05pm.

5. Conclusion

This report has been prepared by the independent Chair of the Public Hearing as a record of the hearing and the submissions made by those in attendance.

A copy of this report on the outcomes of the Hearing is to be made available for inspection by the public no later than four days after it has received the final report from the person presiding at the Hearing. This report will also be presented to Council and form part of the assessment considerations for the progression of the Planning Proposal and reclassification process.

In conclusion, this report fulfils Council's obligations for a Public Hearing under Sections 29(1) and 47G of the LG Act in regards to the reclassification of land.

PLANNING PROPOSAL

Greater Hume Local Environmental Plan 2012

Rezoning of R5 Large Lot Residential Zone land to RU5 Village Zone and changes to minimum subdivision lot size

Lots 1-3 DP1287711, Commercial Street and Walla Walla Road, Walla Walla NSW

November 2023

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STATEMENT

This Planning Proposal relates to –	• rezoning of R5 Large Lot Residential Zone land to RU5 Village Zone (affecting 4.9 hectares of land), and • change to minimum subdivision lot size of the proposed RU5 Village Zone part of the land from 2 ha to 600 m^2 (affecting 4.9 hectares of land), • change to minimum subdivision lot size of the existing RU5 Village Zone part of the land from 0 to 600 m^2 (affecting 7.1 hectares of land), • with consequential changes to the Land Zoning Map and Lot Size Map, under the *Greater Hume Local Environmental Plan 2012.*
This Planning Proposal has been prepared in accordance with –	• section 3.33 of the *Environmental Planning and Assessment Act 1979*, and • *Local Environmental Plan Making Guideline* (NSW Department of Planning and Environment, August 2023).
This report has been prepared by –	James Laycock *BUrbRegPlan (NE), MBA (CS), MPIA, RPIA* Blueprint Planning 3/576 Kiewa Street ALBURY NSW 2640

blueprint PLANNING & DEVELOPMENT

Document Control

Ref.	Version	Date	Revision Details	Author
1637	1	27/10/23	Draft for Council review/Gateway Determination	JL
	2	22/11/23	Draft following following Council review	JL

EXECUTIVE SUMMARY

This Planning Proposal relates to land at Walla Walla NSW – more specifically part Lots 1-3 DP1287711, Commercial Street and Walla Walla Road, Walla Walla.

This report has been prepared in support of the rezoning change for part Lots 1-3 DP1287711 from R5 Large Lot Residential Zone to RU5 Village Zone and a change to the minimum subdivision lot size of part Lots 1-3 DP1287711 from 0 square metres and 2 hectares to 600 square metres under the *Greater Hume Local Environmental Plan 2012* with consequential changes to the Land Zoning Map and Lot Size Map.

The objective or intended outcome of these changes is to enable the land to be developed for residential purposes consistent with the existing Walla Walla township residential subdivision lot pattern and character.

This report has been prepared in accordance with –

- section 3.33 of the *Environmental Planning and Assessment Act 1979*, and
- *Local Environmental Plan Making Guideline* (NSW Department of Planning and Environment, August 2023).

Consideration of the Planning Proposal against the above requirements and guidelines demonstrates that the land is suitable 'in principle' for the proposed rezoning and minimum subdivision lot size changes because –

- the locations, sizes, areas, and shapes of the land proposed to be rezoned represents a considered and orderly response to existing township residential subdivision patterns and development, and
- the rezoning and minimum subdivision lot size changes of the land in the way proposed is consistent with relevant strategies, State environmental planning policies and directions.

TABLE OF CONTENTS

APPENDICES

FIGURES/TABLES

GLOSSARY

Land	Lots 1-3 DP1287711, Commercial Street and Walla Walla Road, Walla Walla NSW
Planning Proposal	rezoning of R5 Large Lot Residential Zone land to RU5 Village Zone and changes to minimum subdivision lot size from 0 m^2 and 2 ha to 600 m^2, with consequential changes to the Land Zoning Map and Lot Size Map under the LEP
Council; GHC	Greater Hume Council
EP&A Act	*Environmental Planning and Assessment Act 1979*
LEP	*Greater Hume Local Environmental Plan 2012*
LGA	local government area
Proponent	Annesley Holdings Pty Ltd ABN 14 111 716 637
Blueprint Planning	Blueprint Planning and Development Pty Ltd ACN 110 843 206 as trustee for Blueprint Development Trust ABN 87 492 545 653 trading as Blueprint Planning

1.0 INTRODUCTION

1.1 Preliminary

This report contains word abbreviations and terms listed in the **Glossary**.

This report has been prepared in support of a request by the Proponent to Council for the rezoning of part of the Land from R5 Large Lot Residential Zone to RU5 Village Zone and changes to the minimum subdivision lot size of parts of the Land from 0 square metres and 2 hectares to 600 square metres under the LEP.

1.2 Scope

This Planning Proposal has been prepared in accordance with the legislative and guideline requirements listed in the **Statement** at the beginning of this report, and have been prepared by Blueprint Planning on behalf of the Proponent.

1.3 Site and context description

The Land is located in the township of Walla Walla in southern NSW, situated approximately 34 kilometres to the north of Albury and 37 kilometres to the west of Holbrook, with access from Commercial Street and Walla Walla Road.

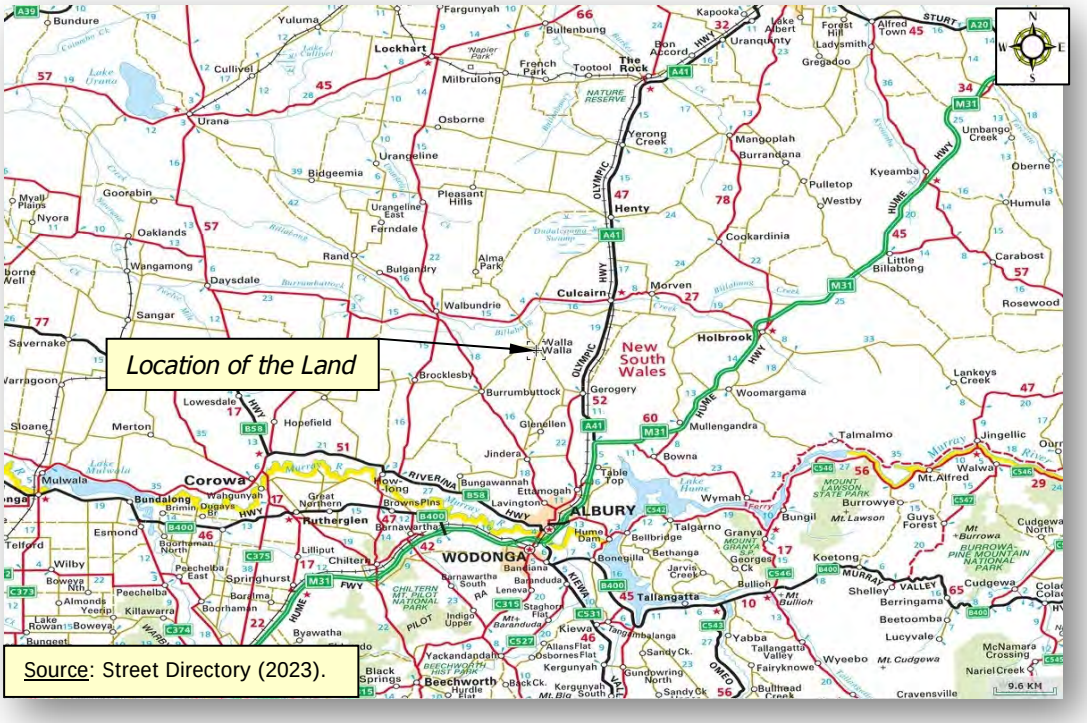
The Land proposed to be rezoned comprises approximately 4.9 hectares (subject to survey) and consists of vacant R5 Large Lot Residential Zone land on the south-eastern side of the Walla Walla township. The Land proposed to have a change to its minimum subdivision lot size has a total area of 12 hectares (subject to survey) and also consists of vacant land.

The location of the Land is shown regionally in **Figure 1: Regional location map** and locally in **Figure 2: Aerial photograph of the Land**.

Title diagrams of the Land are shown in **Appendix A: Title diagrams**.

Photographs of the Land and the surrounding area are shown in **Appendix B: Photographs of the Land and surrounding area**.

Figure 1: Regional location map



2.0 OBJECTIVES AND INTENDED OUTCOMES

2.1 Objectives

The objective of the Planning proposal is to amend the *Greater Hume Local Environmental Plan 2012* to enable the Land to be used for residential purposes consistent with the existing Walla Walla township residential subdivision lot pattern and character.

2.2 Intended outcomes

The intended outcome of the Planning Proposal is to facilitate the growth and sustainability of the Walla Walla township and local area by rezoning additional land for township-scale residential purposes, which in turn will support existing and future local employment generating commercial, industrial and agricultural land uses.

Figure 2: Aerial photograph of the Land

Legend: — The area subject to the Planning Proposal. Source: SIX Maps (12 December 2014).

3.0 EXPLANATION OF PROVISIONS

The objective and intended outcome mentioned in **Section 2.0: Objectives and intended outcomes** are to be achieved by amending the LEP as shown in **Table 1: Summary of LEP amendments**, **Figure 3: Proposed zoning change** and **Figure 4: Proposed minimum subdivision lot size changes**.

Table 1: Summary of LEP amendments

LEP map proposed to be amended	***Effect of proposed amendment***
Land Zoning Map - Sheet LZN_001B	Rezone part of the Land from R5 Large Lot Residential Zone to RU5 Village Zone.
Lot Size Map - Sheet LSZ_001B	For the western part of the Land, which is already zoned RU5 Village Zone, change the minimum subdivision lot size from 0 m^2 to 600 m^2 to be consistent with the existing Walla Walla township minimum subdivision lot size. For the eastern part of the Land, which is already zoned R5 Large Lot Residential Zone, change the minimum subdivision lot size from 2 ha to 600 m^2 to be consistent with the existing Walla Walla township minimum subdivision lot size.

A concept subdivision plan showing how the Land may be subdivided after the Planning Proposal has been implemented is shown in **Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)**.[1]

[1] Subject to a separate Development Application process including public notification and assessment by the Council.

Figure 3: Proposed zoning change

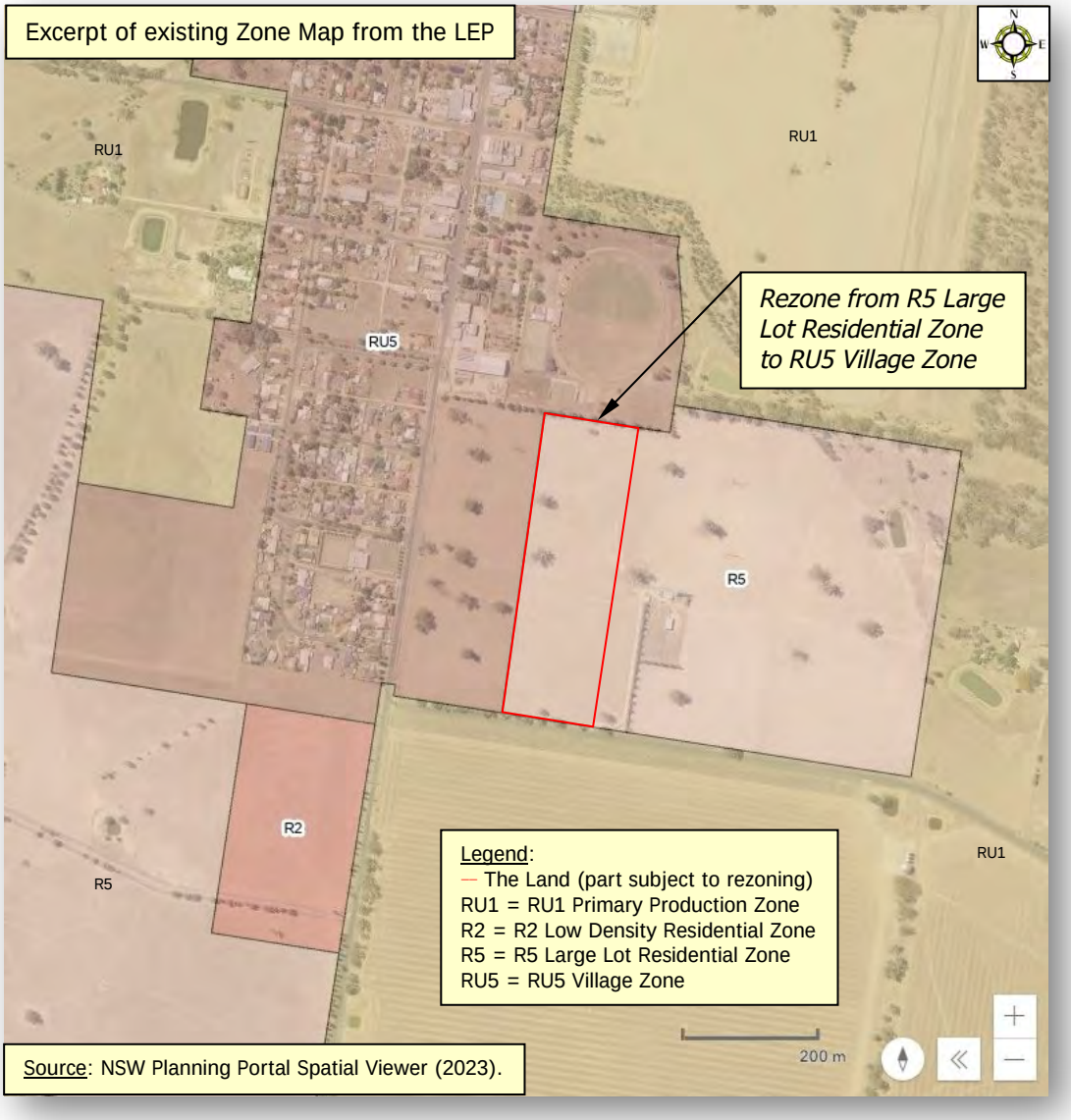


Figure 4: Proposed minimum subdivision lot size changes

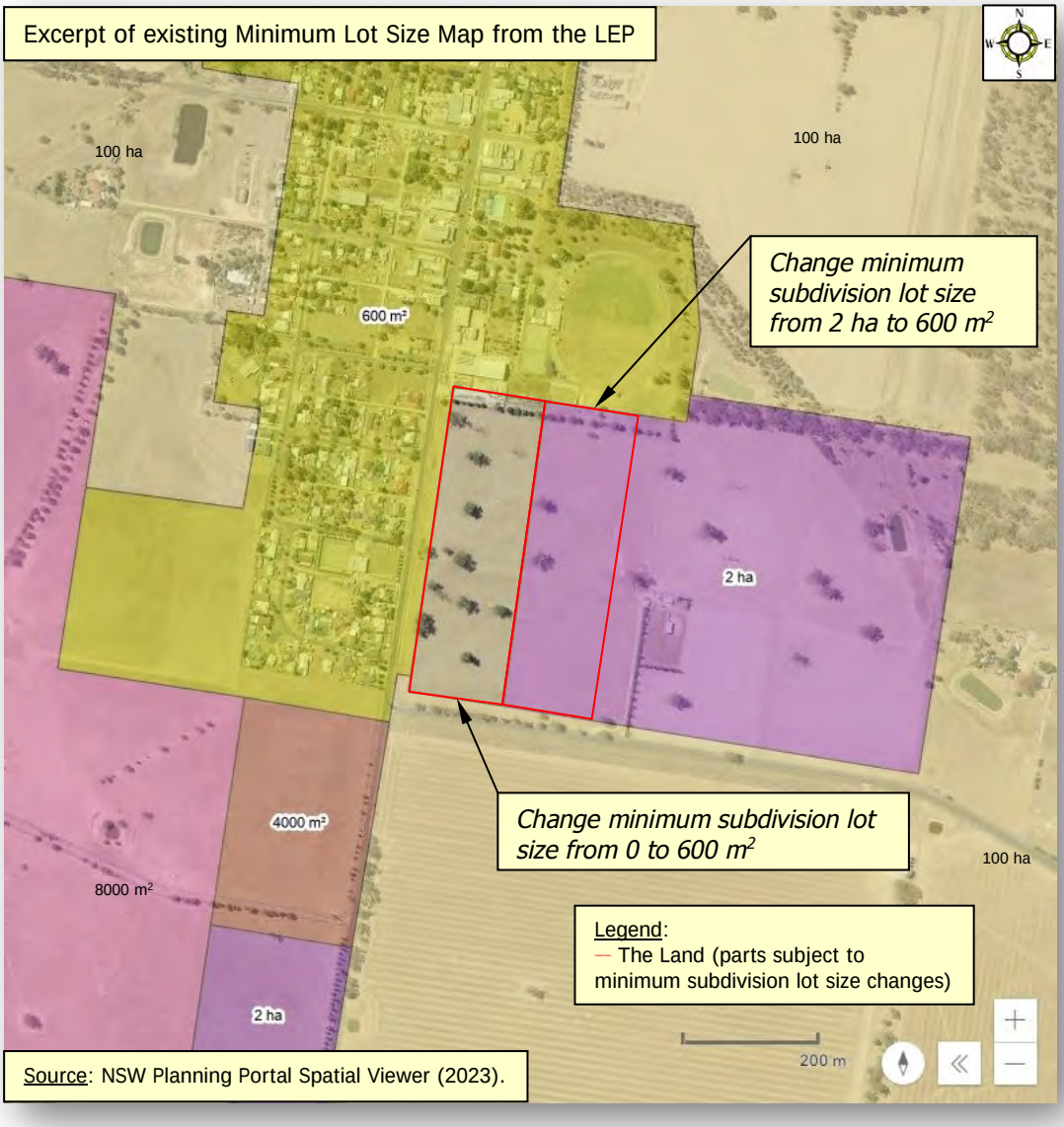


Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)

4.0 JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

4.1 Strategic merit

4.1.1 Need for the Planning Proposal

Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is not a direct result of the *Greater Hume Local Strategic Planning Statement 2020*[2] or other strategic study or report. This Planning Proposal is a Proponent-initiated project supported by prior consultation with GHC.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal as detailed in **Table 1: Summary of LEP amendments** is considered the best means of achieving the relevant objectives and intended outcomes mentioned in **Section 2.0: Objectives and intended outcomes**.

4.1.2 Relationship to the strategic planning framework

Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal is consistent with relevant objectives and actions of the *Riverina Murray Regional Plan 2041* (NSW Government, 2023)[3] as set out in **Appendix C: *Riverina Murray Regional Plan 2041***. There are currently no exhibited draft plans or strategies relevant for consideration.

[2] https://www.greaterhume.nsw.gov.au/Your-Greater-Hume-Council/Building-and-Development/Planning-Guides-and-Tools

[3] https://www.planning.nsw.gov.au/plans-for-your-area/regional-plans/riverina-murray-regional-plan-2041

Is the Planning Proposal consistent with a council local strategic planning statement that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

The Planning Proposal is consistent with the planning policies of the *Greater Hume Local Strategic Planning Statement 2020* (GHC, pp. 20-21; 24; 32) set out in **Appendix D: *Greater Hume Local Strategic Planning Statement 2020***.

The Planning Proposal is also consistent with the *Greater Hume Development Control Plan 2013* through being generally consistent with the Chapter 5.0: Township Structure Plan for Walla Walla, noting that –

- residential land use is 'permitted with prior consent' in the Land Use Table of the RU5 Village Zone under the LEP, and
- the boundaries of the Walla Walla Structure Plan would need to be amended to suit the Planning Proposal when the next general review of the DCP is carried out in accordance with the nominated DCP review schedule in the *Greater Hume Local Strategic Planning Statement 2020.*

Is the Planning Proposal consistent with any other State and regional studies or strategies?

There are no other State or regional studies or strategies or specific corridor/precinct plans applicable to the Land, including any draft regional, district or corridor/precinct plans released for public comment.

Is the Planning Proposal consistent with applicable state environmental planning policies?

The Planning Proposal is consistent with applicable state environmental planning policies as set out in **Appendix E: State Environmental Planning Policies**.

Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 directions) or key government priority?

The Planning Proposal is consistent with applicable directions or key government priorities as set out in **Appendix F: Directions under section 9.1(2) of the *Environmental Planning and Assessment Act 1979***.

4.2 Site-specific merit

4.2.1 Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?

The Land is currently zoned part RU5 Village Zone and part R5 Large Lot Residential Zone (not, for example, a rural or environmental zone) and is not recorded or known to have any significant environmental values or resource attributes.

Possible future subdivision and development of the Land in accordance with **Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)** is not likely to 'trigger' entry into the Biodiversity Offset Scheme[4] for the following reasons –

Assessment	*Reference*
• No part of the Land is identified as an area of "outstanding biodiversity value" (known as "critical habitat" under the former *Threatened Species Conservation Act 1995*).	Development is "likely to significantly affect threatened species" if it is carried out in a declared area of outstanding biodiversity value (section 7.2(1)(c) of the *Biodiversity Conservation Act 2016*).
• The likely clearing of native vegetation is less than 0.25 hectares.	The clearing of native vegetation of an area declared by clause 7.2 of the *Biodiversity Conservation Regulation 2017* as exceeding the threshold.
• No part of the Land is identified on the Biodiversity Values Map.	The clearing of native vegetation, or other action prescribed by clause 6.1 of the *Biodiversity Conservation Regulation 2017*, on land included on the Biodiversity Values Map published under clause 7.3 of the *Biodiversity Conservation Regulation 2017.*
• The future subdivision and development (with the likely clearing of native vegetation less than 0.25 hectares) is unlikely to significantly affect threatened species, populations or ecological communities, or their habitats.	Development is "likely to significantly affect threatened species" if it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3 of the *Biodiversity Conservation Act 2016* (section 7.2(1)(a) of the *Biodiversity Conservation Act 2016*).

[4] https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme

Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

The following specialist reports have been prepared in support of the Planning Proposal –

- Infrastructure report at **Appendix G**,
- Traffic Impact Assessment report at **Appendix H**,
- Preliminary Site Investigation report at **Appendix I**,
- Aboriginal Cultural Heritage Due Diligence report at **Appendix J**, and
- Bushfire Assessment report at **Appendix K**.

There are no likely environmental effects of the Planning Proposal, noting that any future residential development of the Land would require connection to reticulated services, including reticulated water, sewer, stormwater, electricity and telecommunication services. GHC has existing planning and civil engineering policies concerning road and footpath construction and water sensitive urban design (WSUD) for urban subdivision.

Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal provides for residential subdivision and development opportunities (approximately 38 new residential lots subject to Council approval) which will (incrementally) contribute to the social and economic fabric of Walla Wall township and local areas through (incremental) population growth which in turn will support employment generating commercial, industrial and agricultural land uses and businesses.

4.2.2 Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the Planning Proposal?

Adequate public infrastructure for the Planning Proposal already exists or will be made available to the Land via connecting public roads and reticulated services through a separate future development application for land subdivision to Council under Part 4 of the EP&A Act. An Infrastructure Report for the Planning Proposal is provided at **Appendix G**.

The Planning Proposal provides for new residential subdivision and development opportunities (approximately 38 new residential lots subject to Council approval) consistent with the existing residential streetscape, subdivision pattern and density of Walla Walla.

The Land is already connected to reticulated water, sewer, stormwater, electricity, natural gas, and telecommunications services and with adequate capacity to accommodate the expected additional future residential lots. The eventual residential subdivision of the Land would be subject to the Council's normal 'developer contribution' fees and charges.

4.2.3 State and Commonwealth interests

What are the views of State and Federal public authorities and government agencies consulted in order to inform the Gateway Determination?

Consultation will be carried out with public authorities/agencies as required by the Gateway Determination issued by the Department of Planning and Environment in accordance with section 3.34(2)(d) of the EP&A Act.

5.0 MAPS

The Planning Proposal requires LEP mapping changes as set out in **Table 1: Summary of LEP amendments**, **Figure 3: Proposed zoning change** and **Figure 4: Proposed minimum subdivision lot size changes** being changes to Land Zoning Map – Sheet LZN_001B and Lot Size Map – Sheet LSZ_001B.

6.0 COMMUNITY CONSULTATION

Community consultation is required under section 3.34(2)(c) of the EP&A Act and in accordance with *Local Environmental Plan Making Guideline* (NSW Department of Planning and Environment, August 2023) as follows –

- 28 day public exhibition period,
- notification provided to adjoining and surrounding landowners who may be directly or indirectly impacted,
- consultation with relevant government departments and agencies, service providers and other key stakeholders,
- public notices provided in local media i.e. The Border Mail newspaper,

- static displays and supporting material in Council public buildings, nominally –
  - Holbrook Office, 39 Young Street, Holbrook
  - Culcairn Office, 40 Balfour Street, Culcairn
  - Henty Office, RTC and Library, 30 Sladen Street, Henty
  - Jindera Community Hub, 83 Urana Street, Jindera
  - Walla Walla, RTC and WAW Credit Union, Commercial Street, Walla Walla

- electronically available via Greater Hume Council's website including provision for electronic submissions,

- hard copies of all documentation being made available to the community free-of-charge, and

- electronic copies of all documentation being made available to the community free-of-charge.

7.0 PROJECT TIMELINE

The anticipated timeframe for processing the Planning Proposal is set out in **Table 2: Project timeline**.

Table 2: Project timeline

Project milestone	*Estimated commencement date*	*Estimated completion date*
Consideration by Council	October 2023	November 2023
Council decision	December 2023	December 2023
Anticipated commencement date (date of Gateway Determination)	December 2023	February 2024
Anticipated timeframe to finalise required technical information	Not anticipated to be required	Not anticipated to be required
Timeframe for public agency consultation	February 2024	March 2024
Commencement and completion dates of public exhibition period, including a public hearing (if required)	March 2024	April 2024
Timeframe for consideration of public submissions	April 2024	April 2024
Timeframe for consideration of the Planning Proposal post exhibition	April 2024	May 2024
Date of submission of Planning Proposal to DPE	May 2024	May 2024
Anticipated date Council will make the plan (if delegated)	June 2024	June 2024
Anticipated date Council will forward the Planning Proposal to DPE for publication in the Government Gazette	June 2024	June 2024

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APPENDIX A:

Title diagrams

APPENDIX B:

Photographs of the Land and surrounding area

Photograph 1:

The Land (looking northeast from the southwest lot boundary corner of the Land at the road intersection of Commercial Street and Walla Walla Road).

Photograph 2:

The southern lot boundary of the Land (looking east from the southwest lot boundary corner of the Land at the road intersection of Commercial Street and Walla Walla Road).

Photograph 3:

The eastern lot boundary of the Land (looking north from the southeast lot boundary corner of the Land from Walla Walla Road).

Photograph 4:

The Land (looking northwest from the southeast lot boundary corner of the Land from Walla Walla Road).

Photograph 5:

The southern lot boundary of the Land (looking west from the southeast lot boundary corner of the Land from Walla Walla Road).

Photograph 6:

The Land (looking southeast from the northwest lot boundary corner of the Land from Commercial Street).

Photograph 7:

The western lot boundary of the Land (looking south from the northwest lot boundary corner of the Land from Commercial Street).

Photograph 8:

The northern lot boundary of the Land (looking east from the northwest lot boundary corner of the Land from Commercial Street).

Photograph 9:

The Land (looking southwest from the northeast lot boundary corner of the Land from the Walla Walla Recreation Reserve).

Photograph 10:

The northern lot boundary of the Land (looking west from the northeast lot boundary corner of the Land from the Walla Walla Recreation Reserve).

Photograph 11:

The eastern lot boundary of the Land (looking south from the northeast lot boundary corner of the Land from the Walla Walla Recreation Reserve).

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APPENDIX C:

Riverina Murray Regional Plan 2036

	Planning Proposal consistency
Objectives and actions of the *Riverina Murray Regional Plan 2041*	
Strategy 5.3 New urban development will:	
• *avoid constraints and hazards* • *minimise land use conflict with other uses, including agricultural land, freight corridors, industrial uses, and energy developments and corridors* • *protect sensitive land uses from sources of air pollution such as major roads, freight routes, and railway lines, using appropriate development controls and design solutions* • *protect areas of high environmental value and, ideally, avoid removal* • *be integrated with existing urban areas* • *provide a variety of housing that reflects community need* • *integrate land use and transport planning, including outcomes that support public and active transport opportunities* • *protect the viability of city and town centres* • *protect and enhance local character* • *consider access to existing, or provide new, services and infrastructure as an area is developed* • *be designed to support walking and cycle friendly neighbourhoods and connect to existing active transport networks* • *accord with staging and release plans.*	Consistent: The Planning Proposal provides for residential subdivision and development opportunities (approximately 38 new residential lots subject to Council approval) which will (incrementally) contribute to the social and economic fabric of Walla Walla township and local areas through (incremental) population growth which in turn will support employment generating commercial, industrial and agricultural businesses. The Planning Proposal is supported by the following specialist reports – • **Appendix G: Infrastructure report**, • **Appendix H: Traffic Impact Assessment report**, • **Appendix I: Preliminary Site Investigation report**, • **Appendix J: Aboriginal Cultural Heritage Due Diligence report**, and • **Appendix K: Bushfire Assessment report**.

APPENDIX D:

Greater Hume Local Strategic Planning Statement 2020

	Planning Proposal consistency
Strategic Vision, intent and priorities	
Planning Priority One – Housing and Land Supply	
Rationale	
Greater Hume will strive to provide opportunities in the townships and their surrounds that offer diversity of housing choice that meets the needs of the growing and changing community. *...*	Consistent: The Planning Proposal provides for residential subdivision and development opportunities (approximately 38 new residential lots) which will (incrementally) contribute to the social and economic fabric of Walla Walla township and local areas through (incremental) population growth which in turn will support employment generating commercial, industrial and agricultural businesses.
To deliver this planning priority, Council will:	
Monitor the uptake of residential land in the towns and villages and investigate future residential areas (as identified on the town maps). These areas will:	
• *Be located to avoid areas that are identified as important agricultural land or areas that create potential for land use conflict;*	Consistent: The Land is not identified as important agricultural land or an area that may create potential for land use conflict.
• *Align with the utility infrastructure network and its capabilities;*	Consistent: Prior consultation has been carried out with GHC in regard to road and reticulated sewer and stormwater infrastructure and Riverina Water in regard to reticulated water infrastructure and other service agencies have also been consulted as documented in the Infrastructure Report at **Appendix G: Infrastructure report**.
• *Avoid or mitigate the impacts of hazards, including the implications of climate change;*	Consistent: The Land is not identified as flood-prone land or contaminated land as documented in the preliminary site investigation report at **Appendix H: Preliminary Site Investigation report** and is partly identified as bushfire-prone land as documented in the Bushfire Assessment report at **Appendix K: Bushfire Assessment report**.
• *Protect areas with high environmental value and/or cultural heritage value and important biodiversity corridors;*	Consistent: The Land is not identified as an area of high environmental value or an important biodiversity corridor or an area of Aboriginal cultural heritage value as documented in the report provided at **Appendix I: Aboriginal Cultural Heritage Due Diligence report**.
• *Not hinder development or urban expansion and will contribute to the function of existing townships;*	
• *Create new neighbourhoods that are environmentally sustainable, socially inclusive, easy to get to, healthy and safe.*	The existing residential and streetscape character of the RU5 zone areas surrounding the Land would not be impacted as a result of future residential development because all proposed further subdivision and residential land use would fit and be compatible with established character through same or similar lot areas, dimensions, orientation and outlook with connecting and integrated street and services infrastructure. The practical effect of the Planning Proposal is that approximately 38 additional residential lots would be created in the future at lot sizes consistent with adjoining residential subdivision lot pattern and character.[5]
• *Investigate a mixture of smaller and larger residential lots in the towns and villages to create opportunity, respond to future demand, and to provide a range of housing options.*	

[5] Subject to a separate Development Application process including public notification and assessment by the Council.

Planning Priority Three - Utility Infrastructure	
Rationale	
Infrastructure is critical to the proper functioning and wellbeing of the community both now and in the future. *As the towns and villages continue to grow within Greater Hume, it is important to provide infrastructure in the right place at the right time.* *Understanding the current capacity and planned investments in utility infrastructure in the towns and villages will enable Council to capitalise on opportunities for economic and housing growth.* *...* *Aligning these utility infrastructure projects with future growth opportunities and Councils Delivery Program (2017-2021) and Operational Plan (2019-2020) is a key initiative of this planning priority.* *...*	Consistent: Prior consultation has been carried out with GHC in regard to road and reticulated sewer and stormwater infrastructure and Riverina Water in regard to reticulated water infrastructure and other service agencies have also been consulted as documented in the Infrastructure Report at **Appendix G: Infrastructure report**.
Planning Priority Nine - Climate change and natural hazards	
Rationale	
... *When planning and developing new urban areas, design and environmental considerations such as vegetation, water management (water sensitive urban design) and energy efficiency will be incorporated into the decision-making process. This will assist our communities to build resilience to climate change.*	Consistent: The Planning Proposal has been prepared in regard to the opportunities and constraints of the Site through and site analysis and design response process, with the likely future subdivision and development of the Land documented in **Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)**.

APPENDIX E:

State Environmental Planning Policies

State Environmental Planning Policy	Applicable?	Aims or principles of policy, if applicable?	Consistent?	Assessment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	*Chapter 2 Vegetation in non-rural areas* *Part 2.1 Preliminary* *2.1 Aims of Chapter* *The aims of this Chapter are—* *(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and* *(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.* *Chapter 4 Koala habitat protection 2021* *Part 4.1 Preliminary* *4.1 Aim of Chapter* *This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land
State Environmental Planning Policy (Exempt & Complying Development Codes) 2008	Yes	*This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by—* *(a) providing exempt and complying development codes that have State-wide application, and* *(b) identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and* *(c) identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and* *(d) enabling the progressive extension of the types of development in this Policy, and* *(e) providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land
State Environmental Planning Policy (Housing) 2021	Yes	*3 Principles of Policy* *The principles of this Policy are as follows—* *(a) enabling the development of diverse housing types, including purpose-built rental housing,* *(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,* *(c) ensuring new housing development provides residents with a reasonable level of amenity,* *(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,* *(e) minimising adverse climate and environmental impacts of new housing development,* *(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,* *(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,* *(h) mitigating the loss of existing affordable rental housing.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land
State Environmental Planning Policy (Industry and Employment) 2021	Yes	*Chapter 3 Advertising and signage* *Part 3.1 Preliminary* *3.1 Aims, objectives etc* *(1) This Chapter aims—* *(a) to ensure that signage (including advertising)—* *(i) is compatible with the desired amenity and visual character of an area, and* *(ii) provides effective communication in suitable locations, and* *(iii) is of high quality design and finish, and* *(b) to regulate signage (but not content) under Part 4 of the Act, and* *(c) to provide time-limited consents for the display of certain advertisements, and* *(d) to regulate the display of advertisements in transport corridors, and*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land

State Environmental Planning Policy	Applicable?	Aims or principles of policy, if applicable?	Consistent?	Assessment
		(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. *(2) This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.*		
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	Yes	*2 Aims, objectives etc* *(1) This Policy aims to improve the design quality of residential apartment development in New South Wales.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land
State Environmental Planning Policy (Planning Systems) 2021	Yes	*Chapter 2 State and regional development* *Part 2.1 Preliminary* *2.1 Aims of Chapter* *The aims of this Chapter are as follows—* *(a) to identify development that is State significant development,* *(b) to identify development that is State significant infrastructure and critical State significant infrastructure,* *(c) to identify development that is regionally significant development.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	*Chapter 4 Remediation of land* *4.1 Object of this Chapter* *(1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.* *(2) In particular, this Chapter aims 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—* *(a) by specifying when consent is required, and when it is not required, for a remediation work, and* *(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and* *(c) by requiring that a remediation work meet certain standards and notification requirements.*	Yes	The Planning Proposal does not derogate the aims of *State Environmental Planning Policy (Resilience and Hazards) 2021.* For the purposes of clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* and *Managing Land Contamination: Planning Guidelines* (DUAP & EPA, 1998) the Land: • is not located within an "investigation area" which means land declared to be an investigation area by a declaration in force under Division 2 of Part 3 of the *Contaminated Land Management Act 1997*; and • is not land on which development for a purpose referred to in Table 1 to the *Managing Land Contamination: Planning Guidelines* (DUAP & EPA, 1998) is being, or is known to have been, carried out. The Land is not listed on Council's contaminated land register. A Preliminary Site Investigation report is provided at **Appendix I**.
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	*1.3 Aims of Policy* *The aims of this Policy are as follows—* *(a) to encourage the design and delivery of sustainable buildings,* *(b) to ensure consistent assessment of the sustainability of buildings,*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land

State Environmental Planning Policy	Applicable?	Aims or principles of policy, if applicable?	Consistent?	Assessment
		(c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored, *(d) to monitor the embodied emissions of materials used in construction of buildings,* *(e) to minimise the consumption of energy,* *(f) to reduce greenhouse gas emissions,* *(g) to minimise the consumption of mains-supplied potable water,* *(h) to ensure good thermal performance of buildings.*		
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	*<u>Chapter 2 Infrastructure</u>* *2.1 Aim of Chapter* *The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State by—* *(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and* *(b) providing greater flexibility in the location of infrastructure and service facilities, and* *(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and* *(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and* *(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and* *(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and* *(g) providing opportunities for infrastructure to demonstrate good design outcomes.* *<u>Chapter 3 Educational establishments and child care facilities</u>* *3.1 Aims of Chapter* *The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—* *(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and* *(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and* *(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and* *(d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and* *(e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and* *(f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and* *(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and* *(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.*	Yes	The Planning Proposal does not alter the provisions and application of this Policy to the Land

APPENDIX F:

Directions or key government priority under section 9.1(2) of the *Environmental Planning and Assessment Act 1979*

Local Planning Directions	Applicable?	Requirement	Consistency? (consistent; justifiably inconsistent; inconsistent)
Focus area 1: Planning Systems			
1.1 Implementation of Regional Plans	Yes	*Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.*	Consistent: The Planning Proposal is consistent with the *Riverina Murray Regional Plan 2036* as set out in **Appendix C: *Riverina Murray Regional Plan 2041***.
1.3 Approval and Referral Requirements	Yes	*LEP provisions should encourage the efficient and appropriate assessment of development*	Consistent: The Planning Proposal only proposes Land Zoning and Minimum Lot Size mapping changes.
1.4 Site Specific Provisions	Yes	*Unnecessarily restrictive site specific planning controls are discouraged*	Consistent: The Planning Proposal only proposes Land Zoning and Minimum Lot Size mapping changes.
Focus area 3: Biodiversity and Conservation			
3.1 Environment Protection Zones	Yes	*Environmentally sensitive areas should be protected and conserved*	Consistent: The Land is not known to contain any environmentally sensitive areas and the Planning Proposal does not derogate the objective of this Direction.
3.2 Heritage Conservation	Yes	*Items, areas, objects and places of environmental heritage significance and indigenous heritage significance should be conserved*	Consistent: The Land is not known to contain any items, areas, objects or places of historical or Aboriginal cultural heritage significance having been assessed in **Appendix H: Aboriginal Cultural Heritage Due Diligence report** and the Planning Proposal does not derogate the objective of this Direction.
3.5 Recreation Vehicle Areas	Yes	*Sensitive land or land with significant conservation values should be protected from adverse impacts from recreation vehicles*	Consistent: No recreation vehicle areas are proposed.
3.6 Strategic Conservation Planning	Yes	*Areas with high biodiversity value should be protected, conserved or enhanced.*	Consistent: The Land is not known to contain any high biodiversity value areas and the Planning Proposal does not derogate the objective of this Direction.
Focus area 4: Resilience and Hazards			
4.3 Planning for Bushfire Protection	Yes	*To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas and to encourage sound management of bush fire prone areas*	Consistent: Acceptable outcomes are achieved as set out in **Appendix K: Bushfire Assessment report**.
4.4 Remediation of Contaminated Land	Yes	*To reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered*	Consistent: The Land – • is not located within an "investigation area" which means land declared to be an investigation area by a declaration in force under Division 2 of Part 3 of the *Contaminated Land Management Act 1997*, and • is not land on which development for a purpose referred to in Table 1 to the *Managing Land Contamination: Planning Guidelines* (DUAP & EPA, 1998) is being, or is known to have been, carried out. The Land is not listed on Council's contaminated land register. An investigation report is provided at **Appendix I: Preliminary Site Investigation report**.
Focus area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	Yes	*To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:* *(a) improving access to housing, jobs and services by walking, cycling and public transport, and*	Consistent: The Land has access to the local road network, with all adjoining roads being 'local roads' under control of GHC. A traffic report is provided at **Appendix H: Traffic Impact Assessment report**.

Local Planning Directions	Applicable?	Requirement	Consistency? (consistent; justifiably inconsistent; inconsistent)
		(b) increasing the choice of available transport and reducing dependence on cars, and *(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and* *(d) supporting the efficient and viable operation of public transport services, and* *(e) providing for the efficient movement of freight.*	
Focus area 6: Housing			
6.1 Residential Zones	Yes	*A variety and choice of housing types to provide for existing and future housing needs is encouraged, as well as making efficient use of and providing access to existing infrastructure and services, and minimising the impact of residential development on the environment and resources.*	Consistent: The Planning Proposal provides for residential subdivision development opportunities (approximately 38 residential lots) and any future development of the Land would need to be consistent with the 'objectives' of the RU5 Village Zone – • *To provide for a range of land uses, services and facilities that are associated with a rural village.* • *To protect the amenity of residents.*
6.2 Caravan Parks and Manufactured Home Estates	Yes	*Providing for a variety of housing types and opportunities for caravan parks and manufactured home estates is encouraged*	Consistent: The Land does not contain any existing caravan parks or manufactured home estates and the Planning Proposal does not derogate the objective of this Direction.

APPENDIX G:

Infrastructure Report

Premise

ANNESLEY HOLDINGS PTY LTD

116 COMMERCIAL STREET, WALLA WALLA

INFRASTRUCTURE REPORT

Report/Reference No: 32742
Rev: A
14 September 2023

DOCUMENT AUTHORISATION			
Revision	**Revision Date**	**Author**	**Review**
Rev A	14/09/23	A Musunuru	I Bignell

Scope

This report is associated with the proposed development of a 44-lot subdivision, across multiple stages, of land at Lots 2 & 3 of DP1287711, addressed as 104 and 116 Commercial Street, Walla Walla, NSW.

Figure 1 The Proposed Overall Layout of the Development, extract of plans provided with this application.

Methodology

Service authorities have been contacted and their servicing of the proposed development area investigated. All the existing & proposed services are detailed in the plans provided with this application.

➢ WATER

Responsible Authority: Riverina Water

Riverina Water has confirmed that the current capacity at the Walla Walla Reservoir is 450 kilolitres with a 95% peak day demand already exceeding this by an additional 60 kilolitres to 510kL. The proposed 44 lots (2 Industrial and 42 Residential lots) would incur an additional 160KL on top that accumulates to above a 30% over capacity at peak day demand.

Basic Stats:

- Existing Walla Walla Reservoir:
  - TWL 235.8m AHD
  - Capacity 450kL
- 95% Peak Day Demands (based on 5 years of historical daily demand data) is 510kL.
- 44 future lots @ 3.8kL/day (peak day's demand) = 160kL

After several discussions, Riverina water will allow the first 2 stages (2 Commercial and 5 residential lots) to be connected to the existing 100mm water main on commercial street as shown in figure 2.

In regard to Stages 3 – 5 (37 Residential lots) a broader discussion with Greater Hume council and information is required to determine the strategic future growth plan is for Walla Walla so RWCC can facilitate and plan the necessary upgrades / services to supplement and supply adequate water pressure and flow.

Figure 2 Existing 100mm diameter Water main on Commercial Street

➢ **STORMWATER**

Responsible Authority: Greater Hume Council

The land is falling to the North-West, with drainage concept demonstrated in the provided plans. Drainage will be connected to the existing waterway to the North of the property, connecting to existing culvert along Edwards Street as shown in Figure 3. Further detailed drainage calculations will be completed during the design phase.

Figure 3 Location of existing waterway and culvert.

➢ **GAS**

Responsible Authority: APA Gas

There is an existing medium pressure gas main running along the commercial street as shown in figure 4, which can be used to service this subdivision. The gas main location has been determined by conducting a dial before your dig search on 19/10/2022.

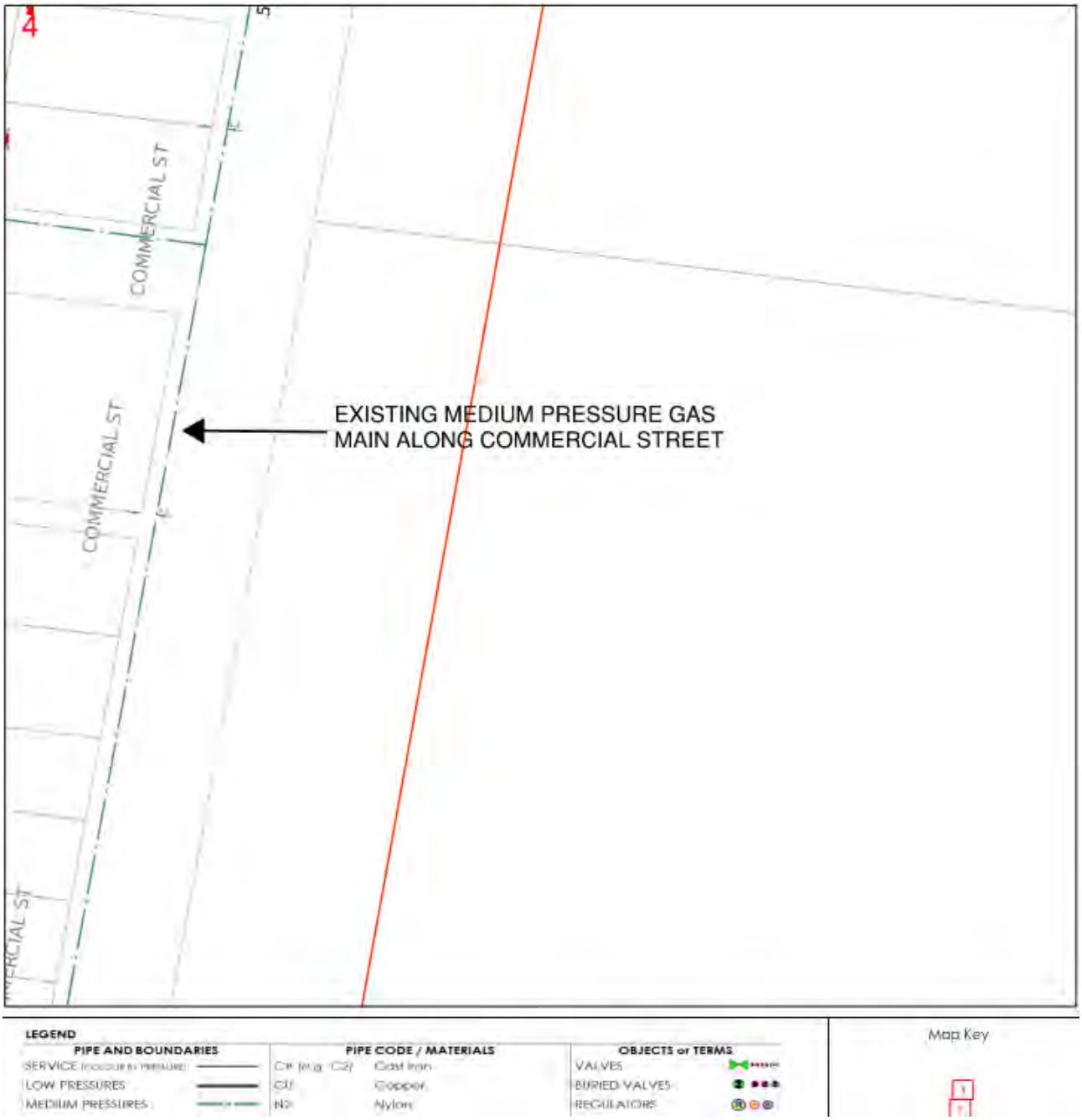

Figure 4 Location of existing medium pressure gas main

➢ **SEWER**

Responsible Authority: Greater Hume Council

A sewer pump station and rising main discharging into a council nominated manhole will be installed to service this subdivision as there are no existing sewer mains nearby to service these proposed lots. Please refer to figure 5.

Figure 5 Location of Proposed pumpstation and Council nominated manhole.

➢ **ELECTRICITY**

Responsible Authority: Essential Energy

There are existing low voltage and high voltage overhead powerlines running along Commercial Street and Walla Walla Road which will be used to service this subdivision as shown in figure 6. An electrical substation will be installed to provide electricity to all proposed lots and the proposed sewer pump station. The existing electrical asset's location has been determined by conduction a dial before you dig search on 19/10/2022.

Figure 6 Location of existing powerlines.

➢ TELECOMMUNICATION

Responsible Authority: NBN

This new development can be serviced via the existing NBN fixed wireless satellite service. Please refer to figure 7.

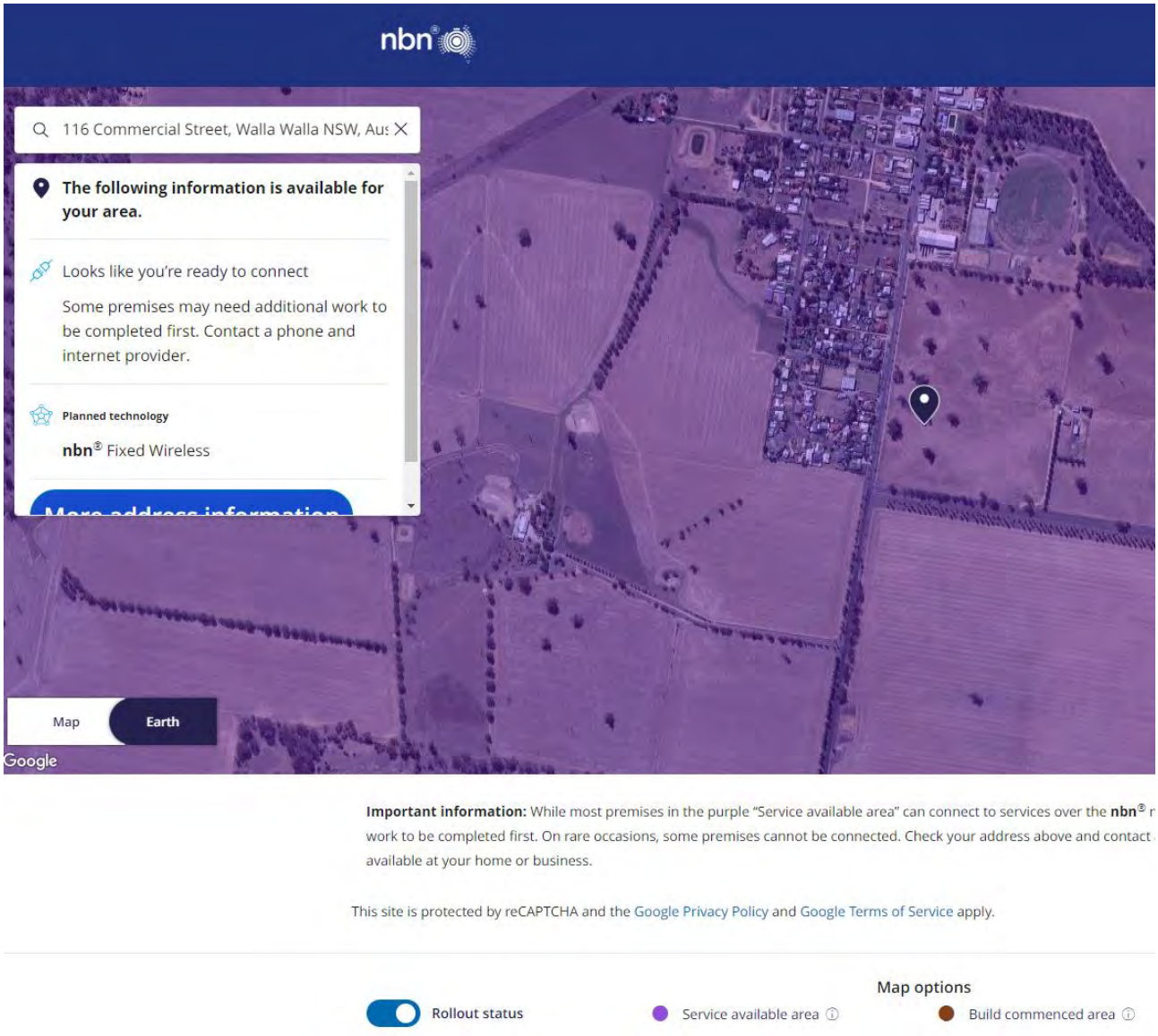

Figure 7 NBN fixed wireless map.

APPENDIX H:

Traffic Impact Assessment report

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Traffic Impact Assessment Report

Commercial Street and Walla Walla Road, Walla Walla, NSW

Project Number 220916
Final Report 8/08/2023

Client Annesley Holdings Pty Ltd

TRAFFICWORKS™

Document control record

Document prepared by:

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Document control	
Report title	Commercial Street and Walla Walla Road, Walla Walla, NSW
Project number	220916
Client	Annesley Holdings Pty Ltd
Client contact	James Laycock (Blueprint Planning)

Revision	**Date issued**	**Revision details / status**	**Prepared by**	**Authorised by**
Draft	31/07/2023	Preliminary draft	Said Diria	Kate Kennedy
Final	8/08/2023	Final	Said Diria	Kate Kennedy

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Executive summary

Blueprint Planning on behalf of Annesley Holdings Pty Ltd, engaged Trafficworks to undertake a traffic impact assessment (TIA) for the proposed development of a residential subdivision at the intersection of **Commercial Street and Walla Walla Road, Walla Walla, NSW**.

The table below summarises the site and the proposed development, and our conclusions and recommendations.

Address	Intersection of Commercial Street and Walla Walla Road, Walla Walla, NSW
Zoning	Village (RU5) / Large Lot Residential (R5)
Proposed development	Residential subdivision
Road network	Commercial Street Walla Walla Road
Traffic generation	Daily and peak hour traffic volumes of: — 800 vpd — 68 vph
Conclusion	We conclude there are no traffic engineering reasons that would prevent the development from proceeding, subject to implementation of our recommendations. — The SISD requirement of 97 m for a 50 km/h design speed is satisfied along Commercial Street north and south of the proposed site access location. — The sight distance available east and west of the proposed access along Walla Walla Road is appropriate. — Traffic calming devices should be considered on the development's internal road as it has a straight section of road that exceeds 250 m. — The site's frontage along Walla Walla Road within the land zoned R5: Large Lot Residential will likely remain unchanged post-development to ensure it reflects a rural type of environment (i.e. no footpaths and kerb and channel) expected within a low-density residential area. — Both the site accesses along Commercial Street and Walla Walla Road meet the turn warrants for BAR/BAL turn lanes.

	— No additional work is required at both the proposed site access along Commercial Street and Walla Walla Road to accommodate the development traffic.
Recommendations	It is recommended that: — **Recommendation 1:** the 50 km/h speed zone on Walla Walla Road is extended east of the site post development. — **Recommendation 2:** during detailed design, the shared driveways along Commercial Street and the individual driveways along the development's internal road should be checked to confirm they meet the ESD requirements of 40 m as stipulated in AS/NZS 2890.1. — **Recommendation 3:** lot boundary fence design should achieve the sight distance to pedestrians required in AS/NZS 2890.1. — **Recommendation 4:** all internal roads, court bowls and driveway accesses should be constructed to the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards. — **Recommendation 5:** all residential lots will have direct kerbside waste collection either along Commercial Street or the internal road network depending on their location. — **Recommendation 6:** traffic calming treatments should be installed at spacings of 80 m – 120 m on subdivision roads with straight lengths greater than 250 m. — **Recommendation 7:** the site's frontage along Walla Walla Road and Commercial Street within zone RU5: Village should be constructed consistent with an urban environment, including footpath and kerb and channel.

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Referenced documents

References used in the preparation of this report include the following:

- Australian Standards:
  - AS/NZS 2890.1 – Parking Facilities Part 1: Off-street car parking (AS/NZS2890.1)
- Austroads Guide to Road Design
  - Part 4A – Unsignalised and Signalised Intersections, for sight distance criteria and provision for turning vehicles at intersections (AGRD4)
- Austroads Guide to Traffic Management
  - Part 6 – Intersections, Interchanges and Crossings Management**,** for sight distance criteria and provision for turning vehicles at intersections (AGTM6)
  - Part 8 – Local Area Traffic Management (AGTM8)
- Greater Hume Shire Council
  - Local Environmental Plan 2010 (LEP).
  - Development Control Plan 2011 (DCP)
  - Engineering Guidelines for Subdivisions and Development Standards

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Table of Contents

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1 Introduction

Blueprint Planning on behalf of Annesley Holdings Pty Ltd, engaged Trafficworks to undertake a traffic impact assessment (TIA) for the proposed development of a residential subdivision at the intersection of **Commercial Street and Walla Walla Road, Walla Walla, NSW**.

For detail about:

- existing site conditions – see section 2
- description of the proposed development – see section 3.1
- traffic impact of the proposed development – see section 3
- assessment of the access to the proposed development – see section 4
- our conclusions and recommendations – see section 5.

2 Existing conditions

2.1 Subject site

The subject site:

- is located at the corner of Walla Walla Road and Commercial Street in Walla Walla
- accommodates a rural dwelling with the balance of the land consisting of vacant farm land
- is south of the Walla Walla township
- consists of:
  - 29 Walla Walla Road, Lot 1 of DP1287711
  - 104 Commercial Street, Lot 2 of DP1287711
  - 116 Commercial Street, Lot 3 of DP1287711.

Vehicular access to the subject site is available from Walla Walla Road.

The street frontage lengths are as follows:

- Commercial Street: 440 m
- Walla Walla Road: 760 m.

Figure 1 shows the site's location, surrounded by farmland and residential properties.

Figure 1: Location plan (reproduced with permission from Nearmaps)

The majority of the subject site is zoned R5: Large Lot Residential (Lot 1 of DP1287711) and the remainder RU5: Village (lot 2-3 of DP1287711) per the Greater Hume Shire Council (council) Local Environmental Plan 2010 (LEP).

The surrounding land uses consist of the following:

- RU1: Primary Production (light brown)
- R2: Low Density Residential (dark pink)
- R5: Large Lot Residential (light pink)
- RU5: Village (dark brown).

Figure 2 shows the zoning for the site and surrounding area.

Figure 2: Zoning plan (reproduced from NSW ePlanning Spatial Viewer)

2.2 Road network

The road network includes:

- Walla Walla Road
- Commercial Street

2.2.1 Commercial Street

Table 1 describes the features of this road.

Table 1: Commercial Street features

Feature	Description
Road type	Regional road funded by Transport for NSW and managed by council
Access	Provides access between the intersection of Walla Cemetery Road / Klemke Avenue / Pioneer Drive to the north and the intersection of Walla Walla Road / Walla Walla Jindera Road to the south
Carriageway	10 m seal, no kerb and channel or shoulders

Feature	Description
Road reservation	24 m wide
Speed limit	Posted speed limit of 50 km/h, transitioning to 100 km/h approximately 190 m south of Walla Walla Road

Figure 3 and Figure 4 provide further information about the road.

Figure 3: Commercial Street facing south

Figure 4: Commercial Street facing north

2.2.2 Walla Walla Road

Table 2 describes the features of this road.

Table 2: Walla Walla Road features

Feature	Description
Road type	Local road managed by council
Access	Provides access between the intersection of Walla Walla Jindera Road / Commercial Street to the west and the intersection of Cross Street / Station Street to the east (near Olympic Highway)
Carriageway	7 m seal
Road reservation	20 m wide
Speed limit	Posted speed limit of 50 km/h, transitioning to 100 km/h approximately 100 m east of Commercial Street

Figure 5 and Figure 6 provide further information about the road.

Figure 5: Walla Walla Road facing west towards the T-intersection with Commercial Street

Figure 6: Walla Walla Road facing east

2.3 Traffic volumes

The existing traffic volumes along Commercial Street and Walla Walla Road were observed on site by Trafficworks on the 7 July 2023 between the hours of 4:00 pm - 5:00 pm within the school holidays. The existing traffic volumes during the PM peak were observed to be in the order of:

- 100 vehicles per hour (vph) along Commercial Street distributed evenly northbound and southbound
- 80 vph along Walla Walla Road distributed evenly eastbound and westbound.

It is assumed that the existing traffic volumes during the PM peak are similar to the AM peak.

It is likely that the typical traffic volumes would be slightly higher outside of the school holidays as a result of the two schools (St Paul's College and Walla Public School) within the locality.

2.4 Crash history

TfNSW Centre for Road Safety website details all injury crashes on roads throughout New South Wales and reports that no casualty crashes have occurred on the roads near the subject site in the last five years (2016 – 2020).

Based on this, we conclude that no crash trend requires immediate investigation.

2.5 Public transport

The subject site has no access to public transport with the exception of public school bus service (S850), that operates between Culcairn and Jindera Schools via Walla Walla. The closest bus stop is located along Market Street, an approximate 11-minute walk (850 m) north of the site.

2.6 Pedestrians and cyclists

There are currently no on-road or off-road bicycle paths within the vicinity of the subject site. Concerning pedestrians, Commercial Street has a footpath along its western side, and between Jacob Wenkie Dr – Wenke Street and Railway Street – Queen Street along its eastern side. There are no footpaths provided along Walla Walla Road.

3 Traffic assessment of the proposed development

3.1 The proposal

The subject site at full development will consist of the following:

- 12.11 ha of land zoned RU5 subdivided to include two large commercial developments on the north-western corner of the site (subject to their own future separate development application), **80 general residential lots** and an internal road network
- 22.89 ha of land zoned R5, with no indicative lot/internal road layout
    - based on the percentage of land used for road development within RU5 (approximately 17%) and the minimum subdivision lot size of 2 hectares (specific to the zone R5), the designated area can accommodate a maximum of **9 low density residential lots**.

The current assessment however will only consider the proposed residential subdivision within the area zoned RU5. The balance of the land within R5 will be subject to a separate development application in future.

Vehicular access to the general residential lots will be via the proposed internal road network which provides access to Commercial Street and Walla Walla Road. The only exception being the 14 residential lots along the site's western frontage which are expected to be accessed directly off Commercial Street via seven shared driveways.

Approximately half the area designated for development is currently zoned RU5 with the remaining area zoned R5. As a result, the remaining land will need to be rezoned accordingly as represented in Figure 7. Refer to Appendix 1 – Proposed zoning plan with proposed lots for the complete plan.

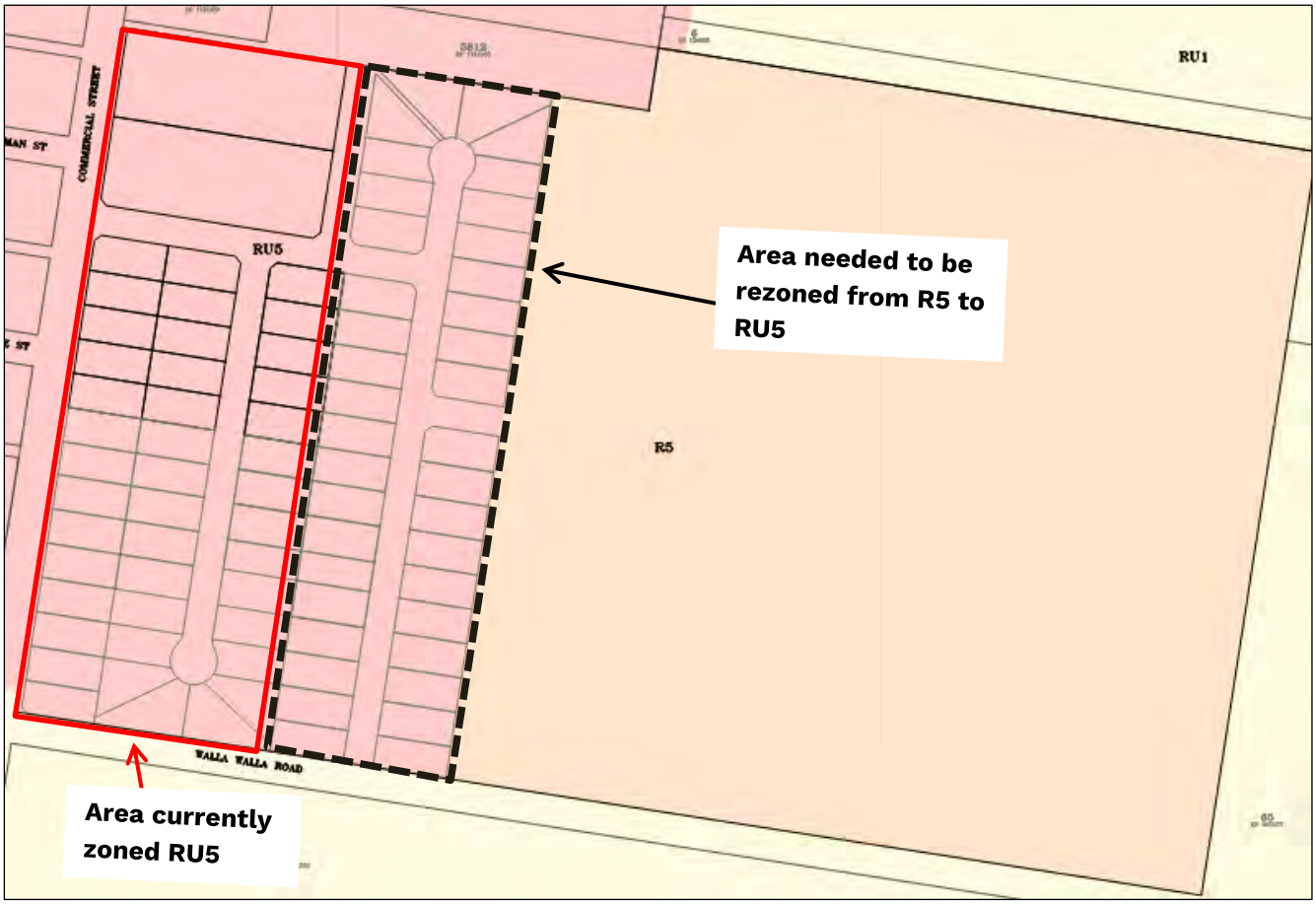


Figure 7: Proposed zoning plan with the proposed lots

3.2 Traffic generation

Traffic generation for new developments is typically estimated using the traffic generation rates provided in the RTA Guide to Traffic Generating Developments (2002).

The traffic generated by the proposed development is summarised in Table 3.

Table 3: Daily and peak traffic flow for the proposed development

Development type	Access	Trip Generation Rate		Trip Generation (No. of vehicles)	
		Peak Hour	Daily	Peak Hour	Daily
Residential subdivision	Internal access (66 lots)	0.85 vehicle trips per dwelling per hour	9 vehicle trips per dwelling per day	56	594
	Direct access via Commercial Street (14 lots)			12	126
Total				**68**	**800**

Table 3 demonstrates that the proposed development, when fully developed, is anticipated to generate approximately:

- 800 vehicles per day (vpd) to and from the development
- morning and afternoon peaks of 68 vehicles per hour (vph).

3.3 Traffic distribution assumptions

Our traffic distribution assumptions are that:

- AM peak – 80% departures / 20% arrivals
- PM peak – 30% departures / 70% arrivals

Based on the development's location from the Walla Walla town centre and neighbouring townships, it is anticipated that:

- 50% of the vehicles generated will travel to/from the north for work in neighbouring townships such as Culcairn, Henty and Wagga Wagga via Commercial Street
- 50% will travel to/from the south for work in Albury and Wodonga
    - 25%/25% split via Walla Walla Jindera Road and Walla Walla Road due to both routes having similar travel times and distances.

In regards to access into/out of the site it is expected that:

- all northbound vehicles will use the access along Commercial Street
- all vehicles travelling to/from the south via Walla Walla Road will use the access on Walla Walla Road
- vehicles travelling to/from the south via Walla Walla Jindera Road will be equally split between both accesses
- overall, there will be an approximate 37%/63% split between the access on Walla Walla Road and Commercial Street respectively.

3.4 Anticipated traffic volumes

It is assumed that the proposed residential development will be staged over eight years (10 - 12 lots per year). Assuming development begins in 2024 the site is expected to be fully developed by 2032.

Due to the site being located in a remote area, the growth on the surrounding road network by full development could be attributed to the additional traffic generated by the proposed development. However, to be conservative the existing traffic volumes along Commercial Street and Walla Walla Road were projected to 2032 adopting an annual compounded growth rate of 1%.

Figure 8 shows the anticipated peak hour traffic volumes at the proposed development in 2032.

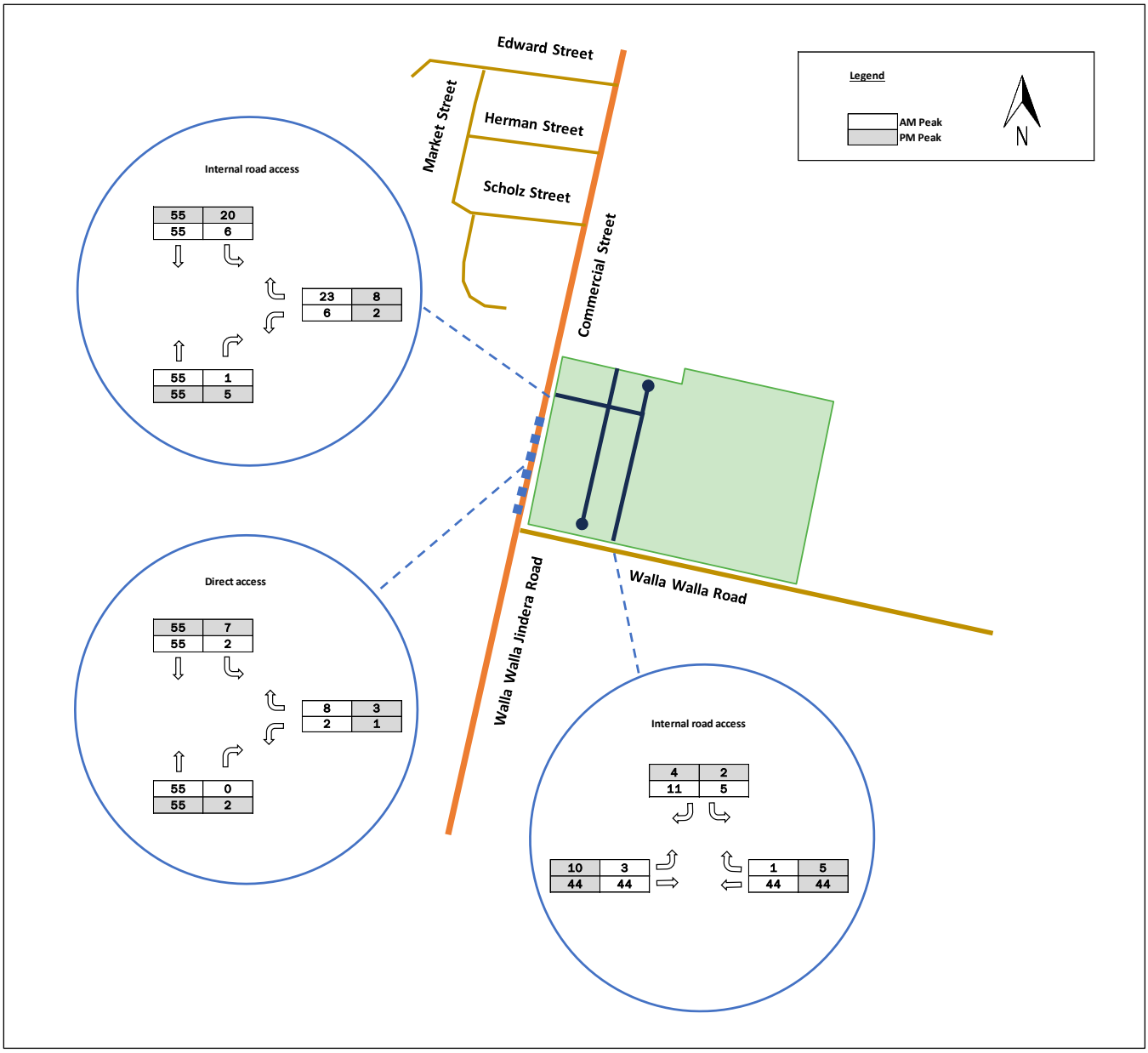


Figure 8: Anticipated peak hour traffic volumes at the proposed development in 2032.

4 Access to the site

4.1 Site access – Access road SISD requirement

The visibility criterion typically applied to intersections is Safe Intersection Sight Distance (SISD). Figure 9 shows the SISD, which:

- is nominated in the Austroads Guide to Road Design, Part 4A (AGRD4) as the minimum distance that should be provided on a major road at any intersection (refer to Section 3.2.2 in AGRD4A)
- provides sufficient distance for a driver of a vehicle on the major road:
  - to observe a vehicle from the minor access approach moving into a collision situation, e.g., in the worst case, stalling across the traffic lanes
  - to decelerate to a stop before reaching the collision point.

The minimum SISD criterion, specified in Table 3.2 of AGRD4A, requires clear visibility for a desirable minimum distance of:

- 97 m relating to the general reaction time RT of 2 seconds and a design speed of 50 km/h on Commercial Street
- 285 m relating to the general reaction time RT of 2 seconds and a design speed of 110 km/h for Walla Walla Road.

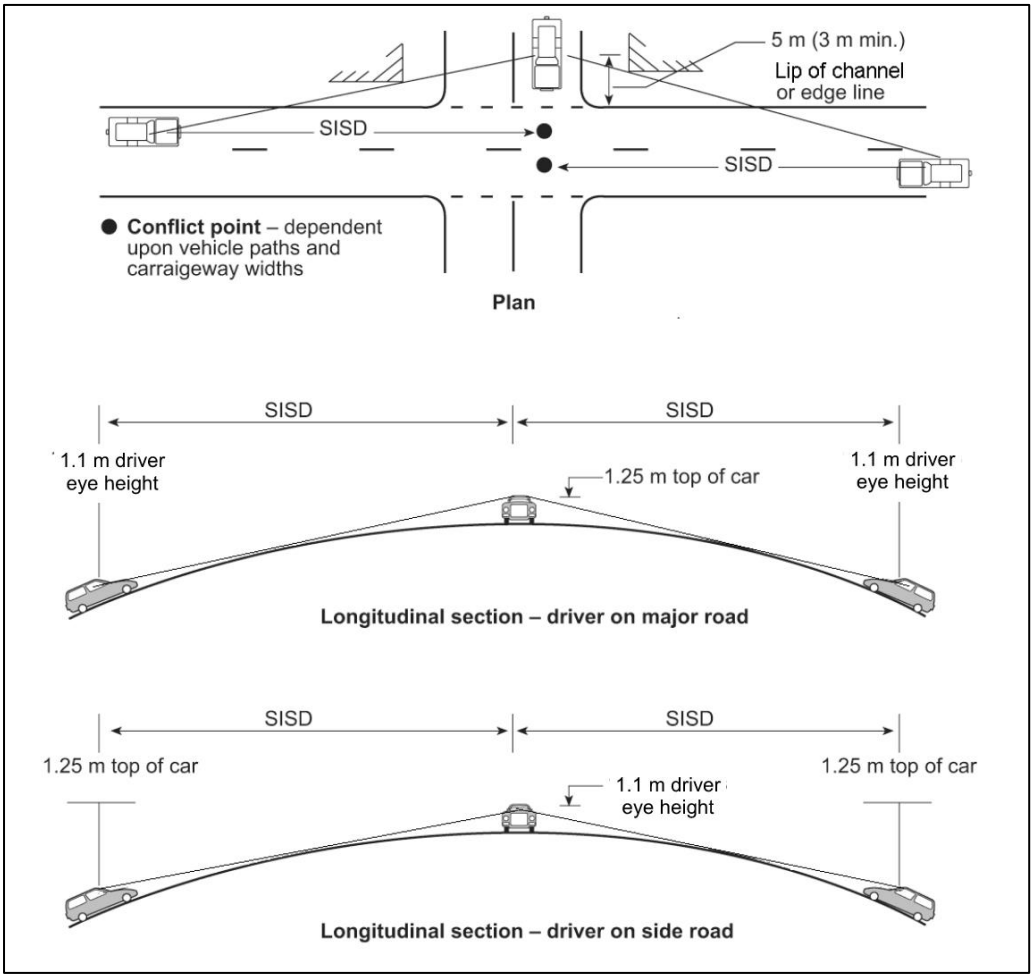


Figure 9: Safe Intersection Sight Distance (SISD) (Source: Figure 3.2 from AGRD4)

Impacts for this proposed development along Commercial Street

Commercial Street, adjacent to the proposed site access, has a design speed of 50 km/h. As a result, the corresponding SISD is 97 m. This is achieved to the north and south of the proposed site access.

Figure 10 and Figure 11 demonstrate the available site distance along Commercial Street.

Figure 10: Available sight distance to the north of the proposed site access along Commercial Street

Figure 11: Available sight distance to the south of the proposed site access along Commercial Street

Conclusion 1: The SISD requirement of 97 m for a 50 km/h design speed is satisfied along Commercial Street north and south of the proposed site access location.

Impacts for this proposed development along Walla Walla Road

Walla Walla Road, adjacent to the proposed site access, has a design speed of 110 km/h. As a result, the corresponding SISD is 285 m. This is achieved to the east of the proposed access location, as demonstrated by Figure 12.

To the west, the T-intersection of Commercial Street and Walla Walla Road is approximately 200 m away. Clear sightlines are available to the intersection, where vehicles are slowing to turn into Walla Walla Road. The available sightlines are adequate for the access, as shown in. Figure 13.

Figure 12: Available sight distance to the east of the proposed site access along Walla Walla Road

Figure 13: Available sight distance to the west of the proposed site access along Walla Walla Road towards Commercial Street

Conclusion 2: The sight distance available in each direction at the proposed access along Walla Walla Road is appropriate.

Post development, it is recommended that the 50 km/h speed zone on Walla Walla Road (currently ending 100 m past its intersection with Commercial Street) is extended east of the site to increase safety.

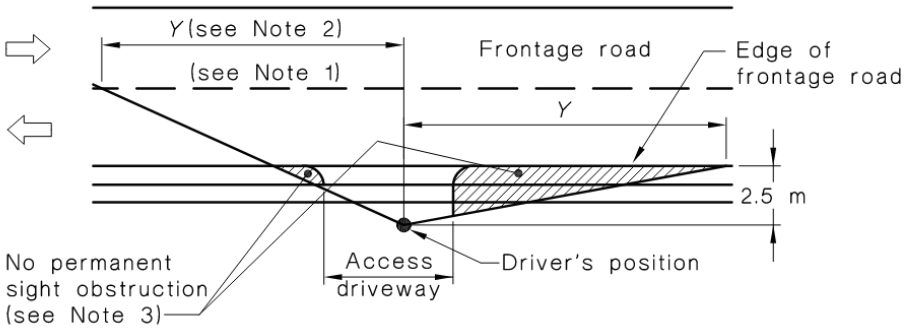
Recommendation 1: the 50 km/h speed zone on Walla Walla Road is extended east of the site post development.

4.2 Site access – Access driveway ESD requirement for lot driveways

Section 3.2.4 in AS/NZS 2980.1 Parking Facilities – Part 1: Off-street car parking, sets out:

- entering sight distance (ESD) criteria for a driver exiting an access driveway to traffic on the frontage road
- sight distance to pedestrians.

Un-signalised access driveways shall be located so the intersection sight distance available to drivers leaving the driveway along the frontage road is at least that shown in Figure 3.2 of AS/NZS 2890.1 (reproduced in Figure 14).



Frontage road speed (Note 4) km/h	Distance (*Y*) along frontage road m		
	Access driveways other than domestic (Note 5)		Domestic property access (Note 6)
	Desirable 5 s gap	Minimum SSD	
40	55	35	30
50	69	45	40
60	83	65	55
70	97	85	70
80	111	105	95
90	125	130	Use values from 2nd and 3rd columns
100	139	160	
110	153	190	

Figure 14: Sight distance requirements at driveways (Source: Figure 3.2 from AS/NZS 2890.1)

Impacts for this proposed development

Commercial Street and the internal road are subject to a speed limit of 50 km/h. As a result, an ESD of 40 m (refer to Figure 14) for domestic properties is required at each individual/shared driveway.

It is recommended that during detailed design, the individual driveways are checked to ensure they meet the ESD requirements stipulated in AS/NZS 2890.1

Recommendation 2: During detailed design, the shared driveways along Commercial Street and the individual driveways along the development's internal road should be checked to confirm they meet the ESD requirements of 40 m as stipulated in AS/NZS 2890.1.

4.3 Sight distance to pedestrians

As shown in Figure 3.3 of AS/NZS 2890.1 (reproduced in Figure 15), clear sight lines shall be provided at the property line to provide adequate visibility between vehicles leaving the property and pedestrians on the frontage road footpath.

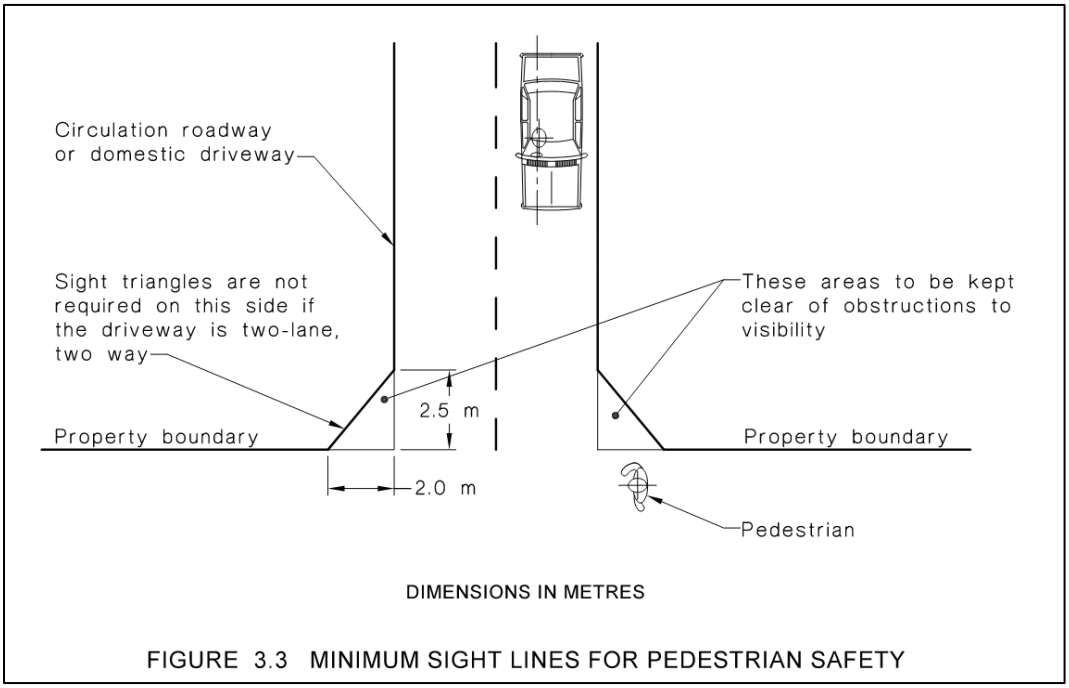


Figure 15: Minimum sight lines for pedestrian safety (Source: Figure 3.3 from AS/NZS 2890.1)

Impacts of this proposed development

Lot boundary fences must be designed to taper down towards the street boundary. This provides the required sight lines between a departing driver and pedestrians on the frontage footpath.

Recommendation 3: Lot boundary fence design should achieve the sight distance to pedestrians required in AS/NZS 2890.1.

4.4 Development internal road network

The proposed internal road network and access points onto the abutting road network (shown in Appendix 1) should be consistent with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.

4.4.1 Internal Road, court bowl and driveways

All internal roads, court bowls and driveway accesses should be constructed to the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.

Recommendation 4: All internal roads, court bowls and driveway accesses should be constructed to the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.

4.4.2 Waste management

All residential lots will be provided with direct kerbside collection off either the frontage of Commercial Street or along the internal road network depending on the location of the lot.

Recommendation 5: All residential lots should have direct kerbside waste collection either along Commercial Street or the internal road network depending on their location.

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4.4.3 Speed zoning and traffic calming

The proposed development is expected to operate under the default urban 50 km/h speed limit. The Austroads Guide to Traffic Management Part 8 (AGTM8) indicates that straight section road lengths (i.e. between slow or near-stop conditions) should be kept below 200 m – 250 m for target speeds of around 50 km/h.

An assessment of the proposed internal private road layout reveals that the development's internal private road has a straight section of road of approximately 380 m in length. Consequently, traffic calming devices should be considered.

Conclusion 3: Traffic calming devices should be considered on the development's internal road as it has a straight section of road that exceeds 250 m.

AGTM8 in Section 3.3.2 notes that *AS 1742.13 – 2009 Manual of uniform traffic control devices Part 13: Local area traffic management* recommends installing LATM treatments with maximum treatment spacing in the 80 – 120 m range.

Recommendation 6: Traffic calming treatments should be installed at spacings of 80 m – 120 m on subdivision roads with straight lengths greater than 250 m.

4.4.4 Development frontage along Commercial Street and Walla Walla Road

The Council will likely request the sections of Commercial Street and Walla Walla Road fronting the site within zone RU5 to be constructed consistent with an urban environment, including footpath and kerb and channel.

The area of land zoned R5 on the other hand, only has a frontage along Walla Walla Road. This section of road will likely remain unchanged post-development to ensure the site's frontage reflects the rural type of environment (i.e. no footpaths and kerb and channel) expected within a low-density residential area.

Recommendation 7: The site's frontage along Walla Walla Road and Commercial Street within zone RU5: Village should be constructed consistent with an urban environment, including footpath and kerb and channel.

Conclusion 4: The site's frontage along Walla Walla Road within the land zoned R5: Large Lot Residential will likely remain unchanged post-development to ensure it reflects a rural type of environment (i.e., no footpaths and kerb and channel) expected within a low-density residential area.

4.5 Turn provisions impact

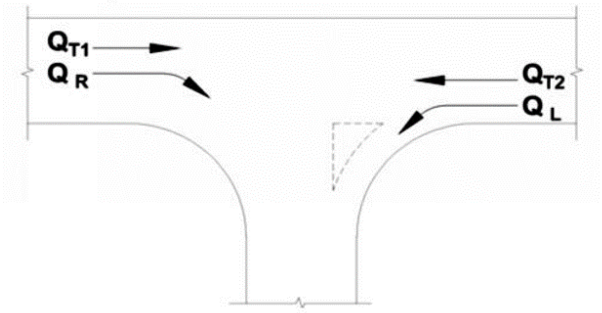
The traffic turning from major roads into minor roads should not delay through traffic.

Generally, turn treatments from major roads into minor roads at sign-controlled intersections are provided for safe and efficient intersection operation.

Figure 16 shows the formulas determining the major road volume (QM).

The results were then applied to Figure 3.26, Austroads Guide to Traffic Management Part 6 (AGTM6), to determine the turning treatments for the intersections.

Figure 3.26: Calculation of the major road traffic volume Q_M



Road type	Turn type	Splitter island	Q_M (veh/h)
Two-lane two-way	Right	No	= Q_{T1} + Q_{T2} + Q_L
		Yes	= Q_{T1} + Q_{T2}
	Left	Yes or no	= Q_{T2}

Figure 16: Formulas used to determine major road traffic (Source: Figure 3.26 from AGTM6)

4.5.1 Turn lane treatments

Traffic volumes help determine appropriate turn lane treatments at access intersections to development sites.

Table 6 and Table 7 in Appendix 2 – Turn treatments summarise the various types of left and right turn treatments, as defined in the AGRD4.

4.5.2 Anticipated conditions for Commercial Street / site access intersection

To determine the turn warrants at the intersection for the anticipated conditions, traffic volumes from Figure 8 were applied in Table 4 and Figure 17.

Table 4: Traffic volumes on Commercial Street at the subject site access intersection – anticipated conditions

Road	Peak Period	Left Turn Q_L (vph)	Right Turn Q_R (vph)	Through Q_T (vph)		Q_M Left Turn	Q_M Right Turn
Commercial Street	AM	6	1	Q_{T1}	55	55	116
				Q_{T2}	55		
	PM	20	5	Q_{T1}	55	55	130
				Q_{T2}	55		

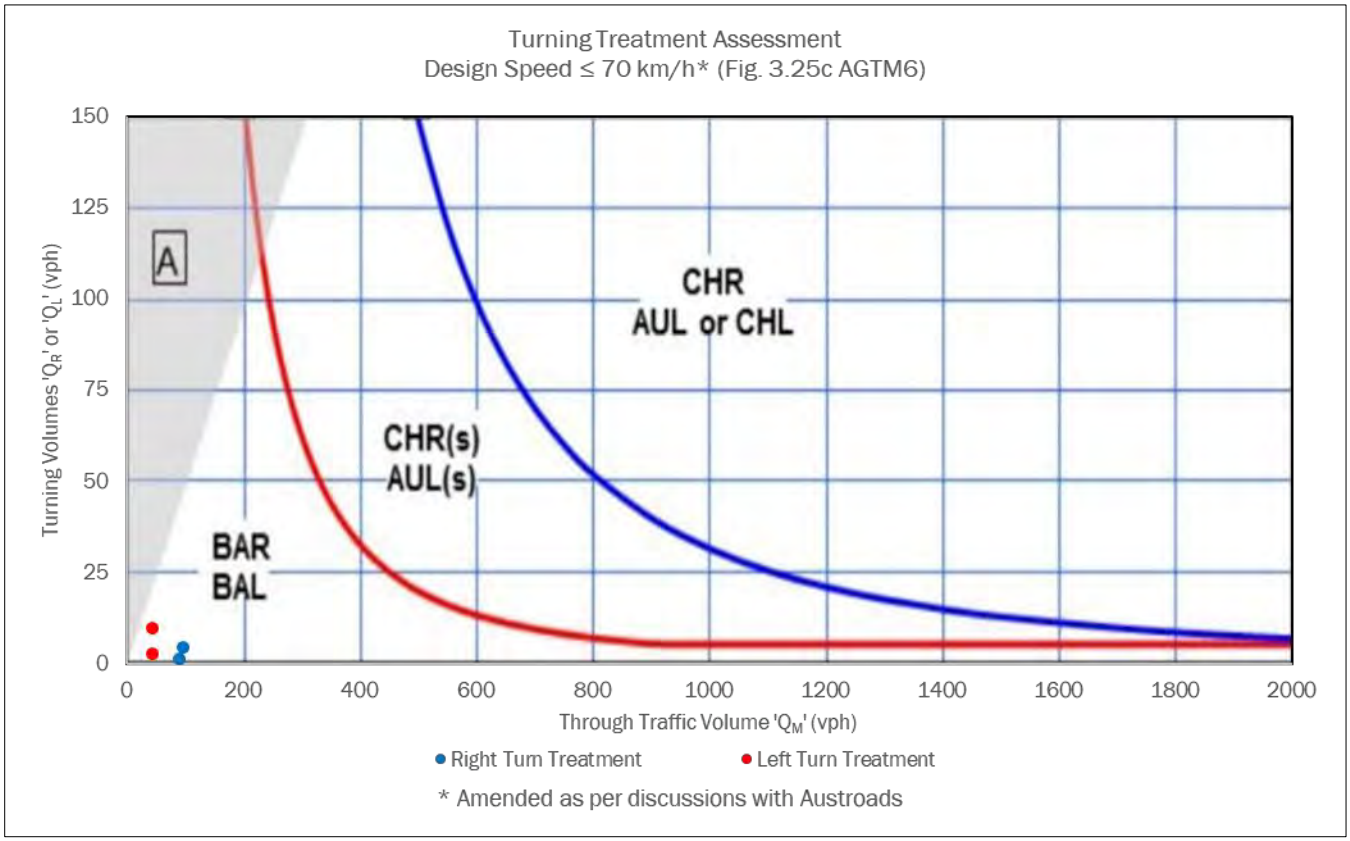


Figure 17: Graph used to determine the turn treatment warrants for Commercial Street at the subject site access intersection – anticipated conditions.

Based on the data presented in Figure 17, our key observations are:

- the right turn from Commercial Street into the subject site access will meet the warrants for a BAR treatment in the morning and afternoon peak periods
- the left turn from Commercial Street into the subject site access will meet the warrants for a BAL treatment in the morning and afternoon peak periods

Conclusion 5: The Commercial Street / site access intersection meets the turn warrants for BAR/BAL turn lanes.

The site access along Commercial Street is within a low speed, low volume urban environment. Furthermore, the surrounding local residential roads along Commercial Street such as Scholz Street, Howard Street and Edward Street do not have turn lanes. It is likely that council would prefer to keep the development's frontage consistent with surrounding roads.

Conclusion 6: No additional work is required at the intersection of Commercial Street and proposed site access to accommodate the development traffic.

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4.5.3 Anticipated conditions for Walla Walla Road / site access intersection

To determine the turn warrants at the intersection for the anticipated conditions, traffic volumes from Figure 8 were applied in Table 5 and Figure 18.

Table 5: Traffic volumes on Walla Walla Road at the subject site access intersection – anticipated conditions

Road	Peak Period	Left Turn Q_L (vph)	Right Turn Q_R (vph)	Through Q_T (vph)		Q_M Left Turn	Q_M Right Turn
Walla Walla Road	AM	3	1	Q_{T1}	44	44	91
				Q_{T2}	44		
	PM	10	5	Q_{T1}	44	44	98
				Q_{T2}	44		

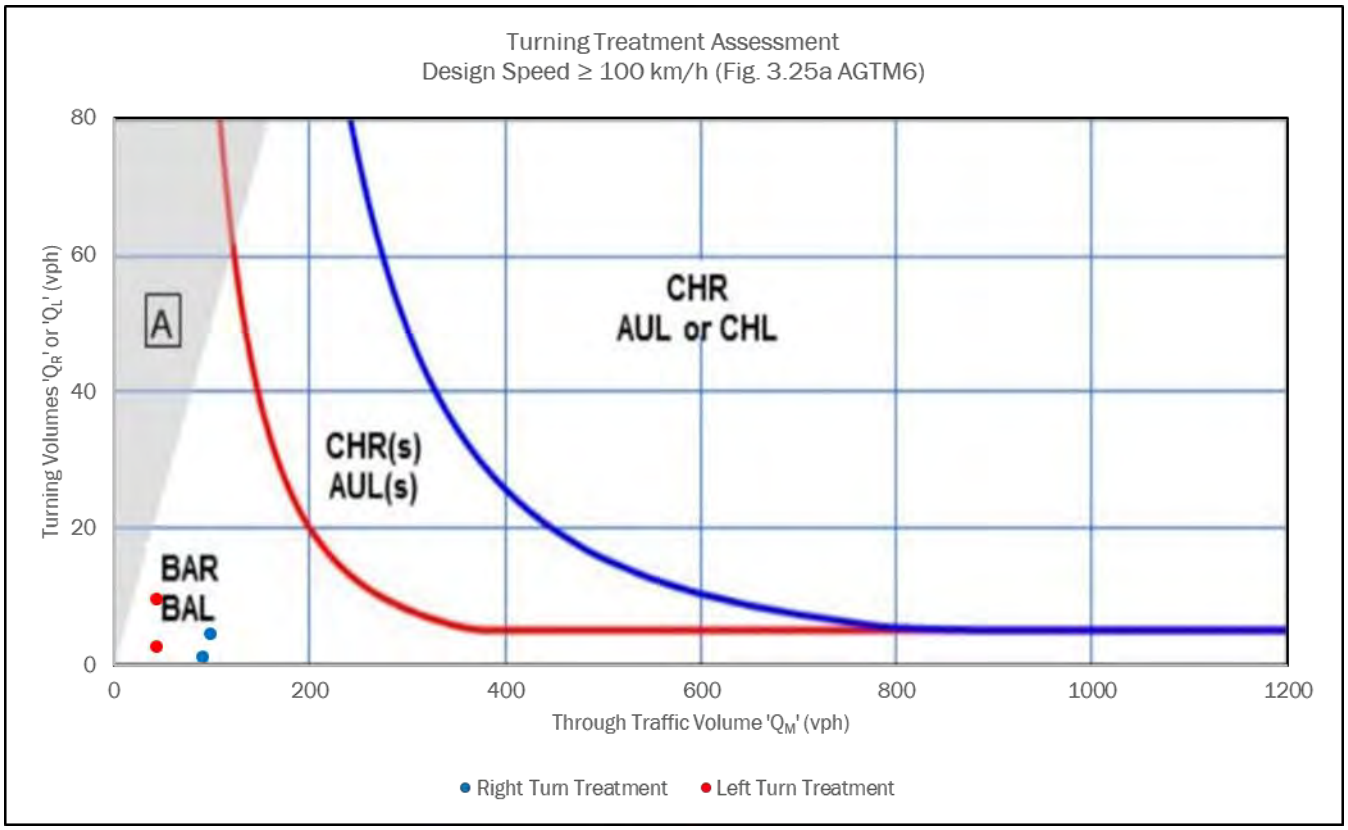

Figure 18: Graph used to determine the turn treatment warrants for Walla Walla Road at the subject site access intersection – anticipated conditions.

Based on the data presented in Figure 18, our key observations are:

— the right turn from Walla Walla Road into the subject site access will meet the warrants for a BAR treatment in the morning and afternoon peak periods

— the left turn from Walla Walla Road into the subject site access will meet the warrants for a BAL treatment in the morning and afternoon peak periods.

Conclusion 7: The Walla Walla Road and the proposed subject site access intersection meets the turn warrants for BAR/BAL turn lanes.

The site access along Walla Walla Road is subject to low turning/through volumes, with the majority of vehicles turning left-in. Furthermore, it is expected that vehicles approaching from the west including those turning left in (3-10 vph) will be travelling at low speeds due to the transition from 50 km/h to 100 km/h approximately 100 m west of the proposed access. Considering the low-speed, low-volume environment the provision of a left turn treatment is not necessary.

In regard to right turning movements (1-5 vph), although vehicles approaching from the east will be travelling at high speeds, the expected right turning movements are minimal and as a result do not warrant the provision of a BAR. In addition, Recommendation 1 includes the extension of the 50 km/h speed limit to the east of the subject site.

Conclusion 8: No additional work is required at the intersection of Walla Walla Road and proposed site access to accommodate the development traffic.

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5 Conclusions and recommendations

We conclude there are no traffic engineering reasons that would prevent the development from proceeding, as outlined below:

- The SISD requirement of 97 m for a 50 km/h design speed is satisfied along Commercial Street north and south of the proposed site access location.
- The sight distance available east and west of the proposed access along Walla Walla Road is appropriate.
- Traffic calming devices should be considered on the development's internal road as it has a straight section of road that exceeds 250 m.
- The site's frontage along Walla Walla Road within the land zoned R5: Large Lot Residential will likely remain unchanged post-development to ensure it reflects a rural type of environment (i.e. no footpaths and kerb and channel) expected within a low-density residential area.
- Both the site accesses along Commercial Street and Walla Walla Road meet the turn warrants for BAR/BAL turn lanes.
- No additional work is required at both the proposed site access along Commercial Street and Walla Walla Road to accommodate the development traffic.

However, this TIA has identified a number of recommendations that need to be addressed:

- **Recommendation 1:** the 50 km/h speed zone on Walla Walla Road is extended east of the site post development.
- **Recommendation 2:** During detailed design, the shared driveways along Commercial Street and the individual driveways along the development's internal road should be checked to confirm they meet the ESD requirements of 40 m as stipulated in AS/NZS 2890.1.
- **Recommendation 3:** Lot boundary fence design should achieve the sight distance to pedestrians required in AS/NZS 2890.1.
- **Recommendation 4:** All internal roads, court bowls and driveway accesses should be constructed to the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.
- **Recommendation 5:** All residential lots will have direct kerbside waste collection either along Commercial Street or the internal road network depending on their location.
- **Recommendation 6:** Traffic calming treatments should be installed at spacings of 80 m – 120 m on subdivision roads with straight lengths greater than 250 m.
- **Recommendation 7:** The site's frontage along Walla Walla Road and Commercial Street within zone RU5: Village should be constructed consistent with an urban environment, including footpath and kerb and channel.

Appendix 1 – Proposed zoning plan with proposed lots

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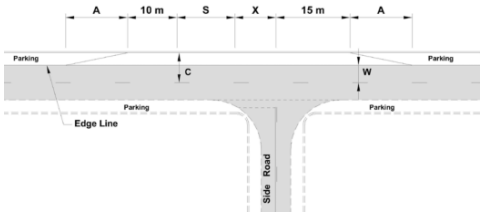
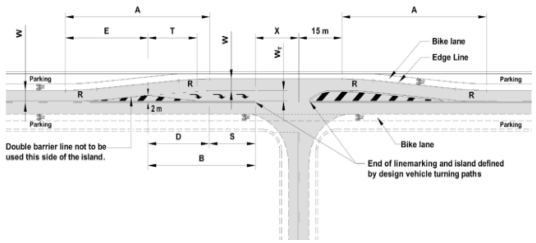
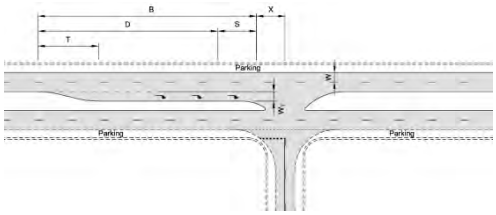
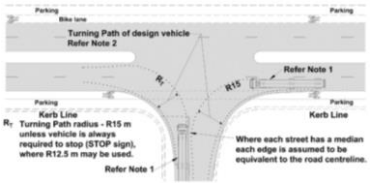
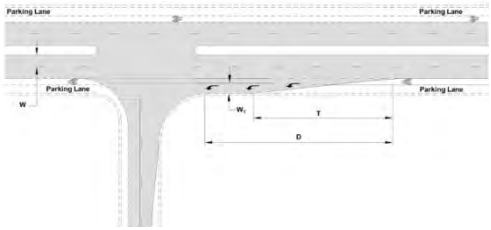
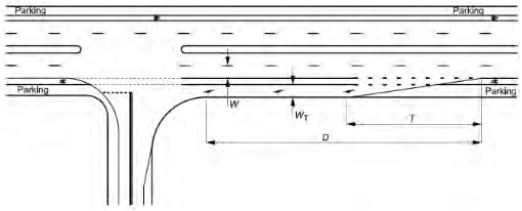
Appendix 2 – Turn treatments

A2.1 – Urban turn treatments

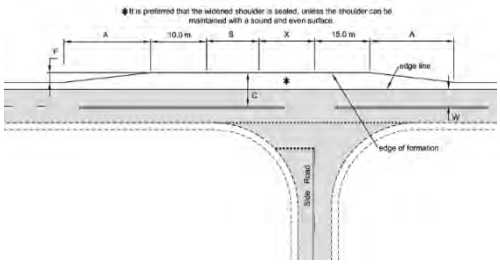
Table 6: Turn Treatment Descriptions **(Urban)** (Source: Section 7.7, 7.8 and 8.3 of Austroads Guide to Road Design Part 4A)

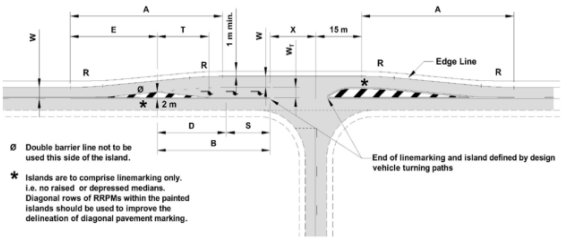
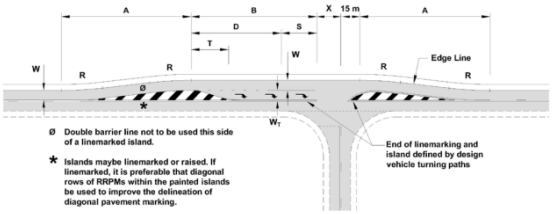
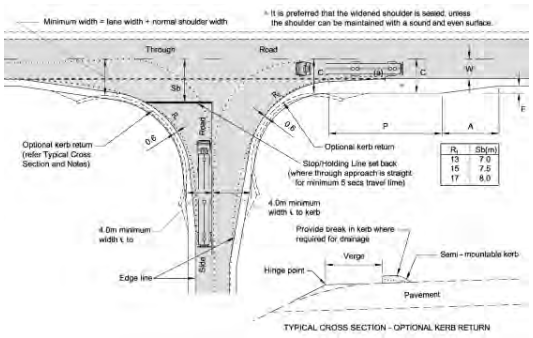
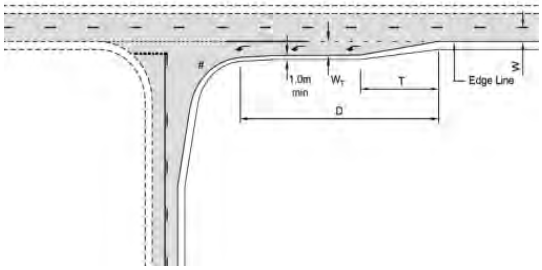
Turn treatment	Description	
BAR	**BA**sic **R**ight turn treatment on the major road, features a widened area (usually in place of parking) on the major road that allows through vehicles to pass to the left of turning vehicles *(Figure 7.6 of Austroads Guide to Road Design Part 4A).*	
CHR(S)	**CH**annelised **R**ight (Short) turn is a shorter version of the Channelised Right turn treatment which is reduced by removing space provided for storage in the right lane. This treatment type can only be used with line marking *(Figure 7.7 of Austroads Guide to Road Design Part 4A).*	
CHR	**CH**annelised **R**ight turn treatment has two vehicle travel paths (through and right turns) separated by physical or painted medians or islands *(Figure 7.8 of Austroads Guide to Road Design Part 4A).*	
BAL	**BA**sic **L**eft turn treatment on the major road has a radius large enough to accommodate a design vehicle turning left into the minor road without crossing the centre line of the minor road (*Figure A15 of Austroads Guide to Road Design Part 4).*	

Turn treatment	Description	
AUL(S)	**AU**xiliary **L**eft (**S**hort) turn treatment is a shorter version of the Auxiliary Left turn treatment which is reduced by allowing some deceleration to occur in the through lane on the major road. This turn treatment also allows through vehicles to pass to the right of turning vehicles *(Figure A17 of Austroads Guide to Road Design Part 4).*	
AUL	**AU**xiliary **L**eft turn treatment is a left turn lane on the major road that allows through vehicles to pass to the right of turning vehicles *(Figure 8.6 of Austroads Guide to Road Design Part 4A).*	

A3.2 – Rural turn treatments

Table 7: Turn Lane Treatment Descriptions **(Rural)** (Source: *Section 7.5 and 8.2 of Austroads Guide to Road Design Part 4A*)

Turn treatment	Description	
BAR	**BA**sic **R**ight turn treatment on the major road, features a widened area (usually in place of parking) on the major road that allows through vehicles to pass to the left of turning vehicles *(Figure A6 of Austroads Guide to Road Design Part 4).*	

Turn treatment	Description	
CHR(S)	**CH**annelised **R**ight (**S**hort) turn is a shorter version of the Channelised Right turn treatment which is reduced by removing space provided for storage in the right lane. This treatment type can only be used with line marking *(Figure A7 of Austroads Guide to Road Design Part 4).*	
CHR	**CH**annelised **R**ight turn treatment has two vehicle travel paths (through and right turns) separated by physical or painted medians or islands *(Figure A8 of Austroads Guide to Road Design Part 4).*	
BAL	**BA**sic **L**eft turn treatment on the major road has a radius large enough to accommodate a design vehicle turning left into the minor road without crossing the centre line of the minor road (*Figure 8.2 of Austroads Guide to Road Design Part 4A).*	
AUL(S)	**AU**xiliary **L**eft (**S**hort) turn treatment is a shorter version of the Auxiliary Left turn treatment which is reduced by allowing some deceleration to occur in the through lane on the major road. This turn treatment also allows through vehicles to pass to the right of turning vehicles *(Figure 8.3 of Austroads Guide to Road Design Part 4A).*	

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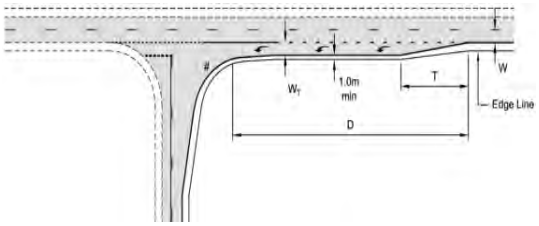
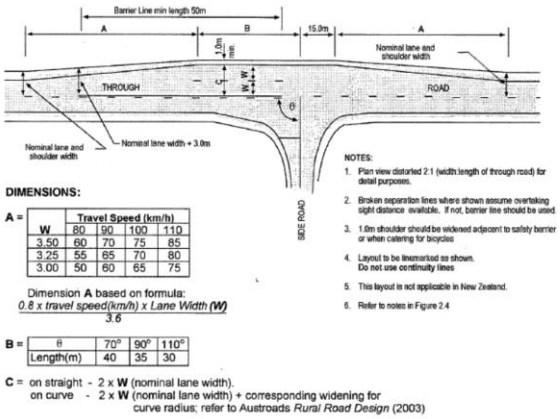
Turn treatment	Description	
AUL	**AU**xiliary **L**eft turn treatment is a left turn lane on the major road that allows through vehicles to pass to the right of turning vehicles *(Figure 8.4 of Austroads Guide to Road Design Part 4A).*	
AUR	In addition to the above, DoT will allow the use of the rural **Au**xiliary lane **R**ight turn treatment (from GTEP Part 5) in lieu of the CHR(s) treatment, (*refer Sections 7.5.2 and 7.7.2 of VicRoads Supplement to AGRD4A*)	

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Appendix 3 – Acronyms and terms

Acronyms / terms	Definition
AGRD4	Austroads Guide to Road Design Part 4 – Intersections and crossings
AGRD4A	Austroads Guide to Road Design Part 4A – Unsignalised and signalised intersections
AGTM6	Austroads Guide to Traffic Management Part 6 – Intersections, interchanges and crossings management
AGTM8	Austroads Guide to Traffic Management Part 8 – Local street management
AS/NZS2890.1	Australian Standard / New Zealand Standard 2890.1 Parking facilities Part 1: Off-street car parking
ESD	Entering site distance
SIDRA	SIDRA intersection – micro analytical traffic engineering software to model the performance of intersections
SISD	safe intersection sight distance
TIA	traffic impact assessment
vpd	vehicles per day
vph	vehicles per hour

APPENDIX I:

Preliminary Site Investigation report

McMahon EARTH SCIENCE

COMMERCIAL STREET AND WALLA WALLA ROAD WALLA WALLA NSW 2659

PRELIMINARY SITE INVESTIGATION

FOR A PROPOSED RESIDENTIAL SUBDIVISION

JUNE 2023

REPORT NO: 9380

DM McMahon Pty Ltd
6 Jones St (PO Box 6118)
Wagga Wagga NSW 2650
t (02) **6931 0510** **www.dmmcmahon.com.au**

Report type

Preliminary Site Investigation

For a proposed residential subdivision

Site address

Commercial Street and Walla Walla Road

Walla Walla NSW 2650

Report number

9380

Prepared for

Annesley Holdings Pty Ltd

c/- Blueprint Planning

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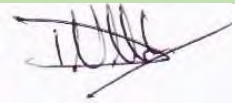
Document control

Role	Name	Signed	Date	Revision
Prepared by	**David McMahon** CEnvP SC BAppSc SA GradDip WRM MEnvMgmt MALGA MEIANZ MSSA		30/06/2023	0

Contents

1.0 Executive summary

DM McMahon Pty Ltd (McMahon) conducted this Preliminary Site Investigation (PSI) at the request of James Laycock of Blueprint Planning on behalf of Annesley Holdings Pty Ltd for a proposed residential subdivision at Commercial Street and Walla Walla Road Walla Walla NSW. The 12ha development area (the site) has a historical broadacre agricultural land use. A map of the site investigated as part of this PSI and the proposed zoning plan can be seen in **Attachment A**.

The issue of potential contamination is required to be considered whenever a planning proposal is presented to a planning authority where the new use may increase risk from contamination if it is present. Therefore, the purpose of this investigation is to provide Annesley Holdings Pty Ltd and the planning authority with a statement of site suitability for the proposed land use and an appropriate risk assessment framework for the management of the site during development.

The scope of work includes:

- A desktop study used to collect basic site information and identify the site characteristics.
- A detailed site inspection to complement the findings of the desktop study and site history and to identify any additional relevant site information.
- Conduct limited soil sampling using Data Quality Objectives to assess the need for further investigation.
- From the information collected, develop a Conceptual Site Model detailing the potential contamination source-pathway-receptor linkages.
- Conduct a risk assessment for site suitability regarding potential contamination and the proposed development.
- Provide a statement of site suitability for the proposed land use and recommendations for further investigation, assessment, and site management if required.

Findings of the investigation include:

- A site inspection was conducted and found the development area was generally well-maintained broadacre farmland with no indicators of gross contamination.
- This PSI identified persistent agricultural chemicals that may have been used as the source of potential contamination that may affect the development.
- The soil analysis returned results below the criteria for residential land use.
- In conclusion the identified potential contamination sources are assessed to be of low significance in terms of risk to future site users and the site is suitable for the proposed development.

This executive summary and the findings of this PSI are subject to the recommendations in **Section 10.0** and limitations as stated in **Section 11.0**. A protocol for unexpected finds as outlined in **Section 12.0** has also been developed as part of this risk assessment framework if additional potential contamination sources are identified during planning or development.

2.0 Objectives

The objective of this investigation is to:

- Provide information regarding potential contamination on site.
- Provide a factual record of the works completed and results.
- Undertaking a risk assessment for health risk to future site users and the environment.
- Provide a statement of site suitability or recommendations for further investigation and/or site management.
- To prepare the PSI in general accordance with the relevant guidelines and legislation, namely:
    - NSW EPA, Consultants Reporting on Contaminated Land: Contaminated Land Guidelines, (2020).
    - State Environmental Planning Policy (Resilience and Hazards) 2021.
    - National Environment Protection (Assessment of Site Contamination) Measure (NEPM), (2013).

3.0 Scope of work

The scope of work includes the following:

- Review the available information regarding historical, current, and proposed land use of the site and surrounds.
- Review the environmental setting of the site and surrounds.
- Assess the potential contamination sources and chemicals of potential concern.
- Conduct limited soil sampling to assess the need for further investigation.
- Assess the potential contamination source-pathway-receptor linkages from the chemicals of potential concern, environmental setting, and land use.
- Develop a conceptual site model to assess potential contamination risk from the source-pathway-receptor linkages.
- Provide a clear statement on site suitability for the present and future land use and the need for further investigation and/or site management.

4.0 Site identification

The site identification and details are as follows.

- Address:
  - 104 Commercial Street Walla Walla NSW 2659.
  - 116 Commercial Street Walla Walla NSW 2659.
  - 29 Walla Walla Road NSW Walla Walla 2659 (part of).
- Real property description:
  - Lot 2 DP 1287711.
  - Lot 3 DP 1287711.
  - Lot 1 DP 1287711 (part of).
- Site centre co-ordinate: 491140E 6041460N MGA GDA z55.
- Property size: 12ha (approximate development area).
- Owner:
  - Annesley Holdings Pty Ltd (Lots 2 & 3).
  - Russell Wayne Shroeter (Lot 1).
- Local Government Area: Greater Hume Shire Council.
- Current zoning: RU5 Village.
- Present use: Broadacre agriculture.
- Proposed use: Residential subdivision.
- Development Application reference: Not known.

5.0 Site history

From research of the available resources, the following site history is offered.

Historical owners and occupiers

As follows are the registered owners and occupiers:

- 1874 owned by Franz Hanckel. Known as Portions 158 and 159.
- 1883 owned by Michael Wenke (farmer).
- 1912 owned by Johann Wenke and Andreas Jacob Wenke (farmers).
- 1912 owned by Ernest Gottlieb Wenke (farmer).
- 1951 owned by Hermann Traugott Wenke and Ernst Wilhelm Wenke (farmers).
- 1982 owned by Theodore Benjamin Wenke and Graham Ortlipp.
- 1986 owned by Neville Eric Schroeter and Stella Nevia Schroeter.
- Current owners are Annesley Holdings Pty Ltd (Lots 2 & 3), and Russell Wayne Schroeter (Lot 1).

Council records

A Section 10.7 Planning Certificate (Certificate No: 5157) was obtained from Council on 29 June 2023 and the certificate states that Council has nil relevant information regarding matters prescribed within the meaning of the Contaminated Land Management Act 1997.

EPA records

There are no records on the Contaminated Land Record Database for the site or adjacent properties pertaining to Preliminary Investigation Orders, Declaration of Significantly Contaminated Land, Approved Voluntary Management Plans, Management Orders, Ongoing Maintenance Orders, Repeal Revocation or Variation Notice, Site Audit Statement, or Notice of Completion or Withdrawal of Approved VMP. The site or adjacent properties have not been “notified” to the EPA on the list of NSW Contaminated sites as of June 2023.

Internet search

- Daily Advertiser (Wagga Wagga) May 1924. Obituary-Mr A. J. Wenke. The death occurred on Sunday night of Mr Andreas Jacob Wenke. Mr Wenke was the son of the late Michael Wenke, who, when his son was four years of age, brought his family across country to Walla Walla, where they took up land. Growing up Mr A. J Wenke followed his father’s footsteps and became an expert agriculturalist. Mr A. J Wenke has been affectionately described as the ‘Father of Walla’.
- The Corowa Free Press (NSW) March 1927. An event not likely to be forgotten took place when Alma Maria and Mr. Benjamin Theodor Wenke, third son of Mr and Mrs E. G Wenke of ‘Sunnyside’ Walla Walla, were united in the holy bonds of matrimony.
- Border Morning Mail (Albury) March 1944. 75th Anniversary of the Walla Lutheran Congregation. The camp at Four Mile Creek was the birth place of Ernst Gottlieb Wenke, the youngest son of Mr and Mrs Michael Wenke. Photo: Mr. E. G Wenke of ‘Sunnyside’, Walla, who was born at Four Mile Creek, Jindera in 1868 during the journey by first Walla settlers from South Australia.

- The Henty Observer and Culcairn Shire Register (NSW) August 1946. Executors, E. G. Wenke, 'Sunnyside' Walla Walla, applied for the purchase of road on the southern side of Walla Walla sportsground, running in an easterly direction. Council decided to refuse consent to the closing of the road.
- New South Wales Government Gazette March 1970 Issue No. 33 *Pastures Protection Act 1934-1954*. Theodore B. Wenke, 'Sunnyside' Walla Walla.
- realestate.com.au – Sold June 2003. Sold August 2012. Sold October 2021.
- pjnsheds.com.au – PJN Steel Fabrication. 104 Commercial Street, Walla Walla.

Aerial photographs and satellite images

McMahon observed the following from a review of the available aerial photography.

1961 – The site is open woodland used for broadacre agriculture. The Walla Walla Sports Ground lies to the north, residential land to the west, and farmland to the east and south.

1973 – No significant changes to 1961.

1987 – No significant changes to 1973 other then the site has been extensively cleared of trees and some more residential development has occurred to the west, and netball courts have been built to the north.

1990 – No significant changes to 1987 except for a small shed has been built east of the site.

1996 – No significant changes to 1990.

2010 – No change to 1996 except for an internal fence line erected running east-west. A house, another shed, and cattle yards have been built to the east of the site, and the PJN Sheds building has been built to the north.

2013 – No change to 2010 other than an expansion of the PJN Sheds yard.

2014-2023 – No significant changes to 2013.

The aerial photographs and satellite images can be seen in **Attachment B**.

6.0 Site condition and surrounding environment

McMahon notes the following observations of the site condition as part of this PSI.

- The site is bound by the Walla Walla Sports Ground and PJN Sheds to the north, broadacre farmland to the south and east, and residential land to the west. Some cattle yards lie to the immediate east of the site around 30m from the boundary.
- The site is used for sheep grazing with improved pasture ground cover and scattered paddock trees.
- There are no improvements on site other than boundary farm fencing and one internal farm fence oriented east-west.

Maps of the site features can be seen in **Attachment C**.

Site photographs can be seen in **Attachment D**.

A summary of the site environmental setting is as follows.

Topography

The site is located on a west trending alluvial plain at an elevation of approximately 220m AHD.

Vegetation

The surface is covered in well maintained clover-based ryegrass pasture, with scattered grey and yellow box paddock trees.

Natural Resources Sensitivity

A search of the Greater Hume Local Environment Plan (2012) found the site is not mapped as having any natural resources sensitivity.

Weather

The average rainfall for Burrumbuttock (15km away) is approximately 580mm per annum, with the wettest months being June, July, and August. The local area is characterised by cold wet winters and hot dry summers.

Hydrology

There are no surface water features on site. The nearest waterway is a third order ephemeral drainage around 500m to the west that drains into Gum Swamp which is around 3.5km to the north.

Soil

Soils are deep brown loamy topsoils overlying a bleached eluvial layer underlain by imperfectly drained reddish and yellowish clays and silty clays.

Geology

The local geology is Quaternary alluvium comprising of sand, silt, and clay overlying the Devonian aged Tocumwal Granite.

Hydrogeology

Groundwater beneath the site is likely to exist as local to intermediate systems that are loosely defined by topographic catchments. Aquifers are likely to be semi confined with groundwater in alluvial sediments and the underlying geology. Depth to groundwater is likely to be deep but some localised perching is likely to occur after periods of extended wet weather. There are no registered groundwater bores on site, but a test bore was drilled at the adjacent Walla Walla Sports Ground and found no groundwater to the drilled depth of 96m. The geology of this test bore was clay to 78m and decomposed granite from 79m to 96m.

7.0 Sampling and analysis quality plan and sampling methodology

The Data Quality Objectives (DQOs) of the site assessment have been developed to define the type and quality of data to meet the project objectives. The DQOs have been developed generally in accordance with the seven step DQO process as outlined in AS 4482.1 (2005) and the USA EPA Guidance on Systematic Planning Using the Data Quality Objectives Process (2006a). These DQOs are as follows:

1. **The problem**
2. **The goal of the study**
3. **Information inputs**
4. **Study boundaries**
5. **The analytical approach**
6. **Performance and acceptance criteria**
7. **Obtaining data**

These objectives have been further outlined in the following sections.

DQO 1 - The problem

Potential contamination from previous land use may be present across the site and insufficient data relating to this source is available to determine land use suitability and the need for further investigation with the necessary level of confidence.

DQO 2 - The goal of the study

Goals of the study include:

- Undertake limited investigations, based on the data gaps to determine if there is agricultural chemical contamination within the soil associated with the identified contamination sources.
- Determine if any contamination, should it be identified, poses a risk to current and/or future receptors at the site or within potential exposure pathways from the site, and if further investigation is required.
- Determining whether the site is currently, or can be made, suitable for the proposed development regarding contamination.

DQO 3 - Information inputs

- Desktop data including site inspections, site condition, history, geology, hydrogeology, and laboratory analysis to characterise the site.
- Observational data including visual and olfactory conditions obtained from the sampling.
- Analytical data relative to the assessment criteria.

DQO 4 - Study boundaries

- Intrusive investigation across the site.
- Temporal boundaries are limited to the proposed fieldwork timeframes in the second quarter of the year 2023.

DQO 5 - The analytical approach

Samples will be tested for heavy metals and organochlorine and organophosphate pesticides that may be persistent in the soil from the sites historical agricultural land use.

DQO 6 - Performance and acceptance criteria

Specific limits for the investigation are in accordance with the appropriate guidance made or endorsed by state and national regulations, appropriate data quality indicators, and industry standard procedures for field sampling and handling. To assess the validity of data for decision making, the data is assessed against a set of data quality indicators, the following predetermined data quality indicators have been adopted.

The key decision rules for the investigation are:

1) Has the analytical data been collected as part of the testing and met the data quality indicators? If they have then the data can be used to answer the decision rule/s and the decision statements developed in Step 2 of the DQOs. If not, then the need to collect additional data may be required.
2) Do contaminant concentrations exceed the investigation and screening criteria? If not, then the potential contamination does not pose an above low level of risk. Where results exceed the investigation and screening criteria, this may indicate an unacceptable level of risk. Further risk assessment and investigations may be warranted to determine the potential for impacts.

The key decision errors for the investigation are:

i. deciding that the site is contaminated when it truly is not.
ii. deciding that the site is not contaminated when it truly is.

The true state of nature for decision error (i) is that the site is not contaminated.
The true state of nature for decision error (ii) is that the site is contaminated.

The site assessment criteria were specifically derived and incorporate the following:

- The samples are not composited so the direct reading of contaminant levels will be found from each sample point on which an appropriate decision can be based off.
- The duplicate sample should have a Relative Percentage Difference (RPD) of <30%.
- The rinsate sample should return negligible concentrations for all parameters tested to ensure an appropriate sampling and decontamination procedure.
- If contaminant levels exceed the Tier 1 and statistical assessment criteria further investigation, assessment and management may be required.

Specific Tier 1 assessment criteria can be seen below, **Table 1**.

Table 1: *Assessment criteria*

Material	Analytes	Criteria
Soil	Heavy metals Pesticides	**Health Investigation Levels (HILs)** -Residential A NEPM (2013) -Table 1A(1) Heavy metals and pesticides -Soils within 3m of surface **Added Contaminants Limits (ACLs)** -Residential A NEPM (2013) -Table 1B(1) Zinc -Table 1B(2) Copper -Table 1B(3) Nickel -Table 1B(4) Lead -Soils within 2m of surface -pH of 6.0 ($CaCl_2$) and CEC of 10 assumed from local knowledge **Environmental Investigation Levels (EILs)** -Residential A NEPM (2013) -Table 1B(5) Arsenic and pesticides -Soils within 2m of surface **Ecological Screening Levels (ESLs)** -Residential A NEPM (2013) -Clay soils within 2m of surface

The Tier 1 assessment criteria are used as an initial screening of the data to determine whether further assessment is required. Where above criteria exceedance indicates a risk to human health or the environment, site specific risk assessment, statistical analysis, management, or remediation will be undertaken or recommended as appropriate.

DQO 7 - Obtaining data

The sampling pattern and strategy identifies the occurrence of potential contamination for suitable site characterisation. The sampling pattern and strategy has been devised based on site history, land uses, aerial imagery, site inspections, previous investigations and the NEPM (2013). The sampling pattern has been described in more detail below.

Sampling strategy and pattern

A systematic and judgemental sampling pattern has been chosen based on potential contamination sources, previous land use, and requirements to delineate potential contamination. The adopted sampling pattern is suitable to make a quantitative statement about the level of confidence regarding the quality and accuracy of results. McMahon assesses that the sampling pattern is suitable to be used for decision making and site characterisation.

Key features of the sampling pattern include:

- Eight systematic and judgemental soil sample locations taken across the site. Samples will be analysed for heavy metals and pesticides (organochlorines and organophosphates).
- One soil duplicate sample.
- One soil rinsate sample.

By reference to the DQOs, maps of the investigation locations can be seen in **Attachment E**.

Sampling design justification

- Samples 1 - 8: to assess the near surface soil contamination from potential persistent agricultural chemicals from diffuse broadacre application.
- Samples 4 & 6: to assess the near surface soil contamination from potential persistent agricultural chemicals from application in the nearby cattle yards.

Failure to meet objectives procedure

If the procedures undertaken do not satisfy the expected data quality objectives, a review of the sampling plan will be conducted prior to any further works.

Sampling and analysis methodology

The sampling officer wore unused disposable nitrile gloves to extract samples directly from the excavated pit to place into appropriately preserved sample receptacles. Collected sample containers were placed into a chilled esky for preservation prior to analysis. All in-field observations and any relevant comments are detailed in the field sheets and a Chain of Custody form was produced to accompany the samples to the laboratory.

Sampling standards

Sampling was undertaken by reference to:

- AS 4482.1:2005 - Guide to the investigation and sampling of sites with potentially contaminated soil Part 1: Non-volatile and semi-volatile compounds.
- AS 4482.2:1999 - Guide to the sampling and investigation of potentially contaminated soil Part 2: Volatile substances.

Although these standards have recently been withdrawn, they have been used in the absence of other national guidelines.

8.0 Results

The site inspection and sampling for this PSI was conducted over one day on 20 April 2023. The weather was mild with light winds. A summary of the field observations and sample analytical results are as follows.

Soil and site surface

- Soils are deep brown loamy topsoils overlying a bleached colluvial layer underlain by imperfectly drained reddish and yellowish clays and silty clays.
- There were no visual or olfactory indicators of chemical contamination on site.

Soil analysis

- Heavy metals are below the Limits of Reporting (LORs) and/or the adopted criteria.
- Pesticides are below LORs and the adopted criteria.

Quality control and quality assurance results

- The duplicate sample (8) returned relative percent differences of <30%.
- The rinsate sample returned results below the LOR.
- There were no laboratory outliers.

Tabulated results can be seen in **Attachment F**.

Laboratory reports can be seen in **Attachment G**.

9.0 Conceptual site model

A conceptual site model is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors and is presented and follows.

Summary

The site has been used for farming and grazing agriculture as far as records can ascertain. Chemicals associated with agricultural pesticide use may have accumulated in the soil. Receptors include future construction workers, site users, and the environment. Pathways are from soil disturbance during development and occupation. Short to medium-term soil contact is likely for future construction workers, and long-term soil contact is possible for future occupants. Concentrations of contaminants were well below levels that warrant further investigation or other site management measures. If elevated concentrations of contaminants were identified then they could present potential health risks to construction workers or future site occupants (through dermal contact, ingestion, or inhalation of contaminated soils), if not adequately managed during development.

Potential and known sources of contamination

- Persistent agricultural chemicals.

List of chemicals of potential concern

From the potential contamination sources, the Chemicals of Potential Concern (COPCs) are heavy metals and pesticides.

Mechanism of contamination

The mechanism of contamination is predominantly top-down vertical and lateral migration into soil.

Potentially affected environmental media

- Soil.
- Surface water is unlikely to be impacted owing to the distance to waterways.
- Groundwater is unlikely to be impacted owing to the deep depths.

Consideration of spatial and temporal variations

Spatial variation in potential contamination is possible. Temporal variation is unlikely owing to the aged nature of potential contaminants.

Actual or potential exposure pathways

- Direct skin contact with soil for future construction workers, and future on-site occupants.
- Inhalation and/or ingestion of soil, vapour, and dust.
- Direct surface water contact but there is no surface water on site.
- Groundwater ingestion, however, the site is connected to town water.

Human and ecological receptors

- Future on-site users.
- Construction workers.
- Domestic groundwater users. No domestic groundwater bores currently exist on site.
- Down gradient ecological receptors.
- Future landscaping and ecological receptors.

Frequency of exposure

- Construction workers are assessed to be a short-term exposure risk.
- Future on-site users are assessed to have a long-term exposure risk.
- Future groundwater users are a medium to long-term exposure risk.
- Ecological receptors are assessed to be a medium to long-term exposure risk.

Source pathway receptor linkage assessment

- Future on-site construction workers have a risk of contact with potentially contaminated during construction and maintenance.
- Future on-site users have a risk of dermal contact with potentially contaminated soil during occupation and maintenance.
- Future on-site users have a risk of inhalation of potentially contaminated soil and dust.
- Groundwater use is unlikely.
- On site ecological receptors are limited at present but this could change with landscaping and land use.
- There is a low risk to down gradient ecological receptors from the migration of potentially contaminated surface water and groundwater if gross soil contamination is found.
- The site is assessed to be suitable for the development given the adoption of the recommended site management strategies during development.

Discussion of multiple lines of evidence

A multiple lines of evidence approach is the process for evaluating and integrating information from different sources of data and uses best professional judgement to assess the consistency and plausibility of the conclusions which can be drawn, NEPM (2013).

Definitive information concerning the sources of potential contamination on site is satisfactory therefore the risk assessment relies heavily on the information provided by this PSI and is supplemented by data collected during sampling.

10.0 Conclusions and recommendations

This investigation met the objective of investigating and assessing potential contamination and providing a statement of site suitability for the proposed land use and an appropriate risk assessment framework for the management of the site during development.

The results of the investigation conclude that the identified potential contamination sources are assessed to be of low significance in terms of risk to current and future site users and the site is suitable for the proposed development.

Although no septic systems, filled gullies, and dams were identified as part of this PSI, it is not uncommon to find these on agricultural land. Care must be taken to identify and evaluate unexpected finds such as these during development under the unexpected finds protocol in **Section 12.0**.

This executive summary and the findings of this PSI are subject to the limitations as stated in **Section 11.0**.

11.0 Limitations and disclaimer

DM McMahon Pty Ltd has prepared this report in accordance with the usual care and thoroughness of the consulting profession for the use of Blueprint Planning, Annesley Holdings Pty Ltd and only those third parties who have been authorised by DM McMahon Pty Ltd to rely on this report.

The information contained in this report has been extracted from field and laboratory sources believed to be reliable and accurate. DM McMahon Pty Ltd does not assume any responsibility for the misinterpretation of information supplied in this report. The accuracy and reliability of recommendations identified in this report need to be evaluated with due care according to individual circumstances. It should be noted that the recommendations and findings in this report are based solely upon the said site location and conditions at the time of assessment. The results of the said investigations undertaken are an overall representation of the conditions encountered. The properties of the soil, vapour and groundwater within the location may change due to variations in ground conditions outside of the assessed area. The author has no control or liability over site variability that may warrant further investigation that may lead to significant design and land use changes.

12.0 Unexpected findings

If any unconsolidated, odorous, stained, or deleterious soils, or suspect bonded/friable/fibrous asbestos containing material, fuel tanks, or septic systems are encountered during any further excavation, suspected historical contaminating activities are encountered, or conditions that are not alike the above descriptions, the site supervisor should be informed, the work stopped, and this office be contacted immediately for further evaluation by an appropriately qualified environmental consultant. The unexpected findings may trigger the need for more investigation and assessment dependant on the scope and context of the unexpected finding.

13.0 Notice of Copyright

14.0 Attachments

Attachment A : *Site location and proposed zoning plan*

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2023

Legend

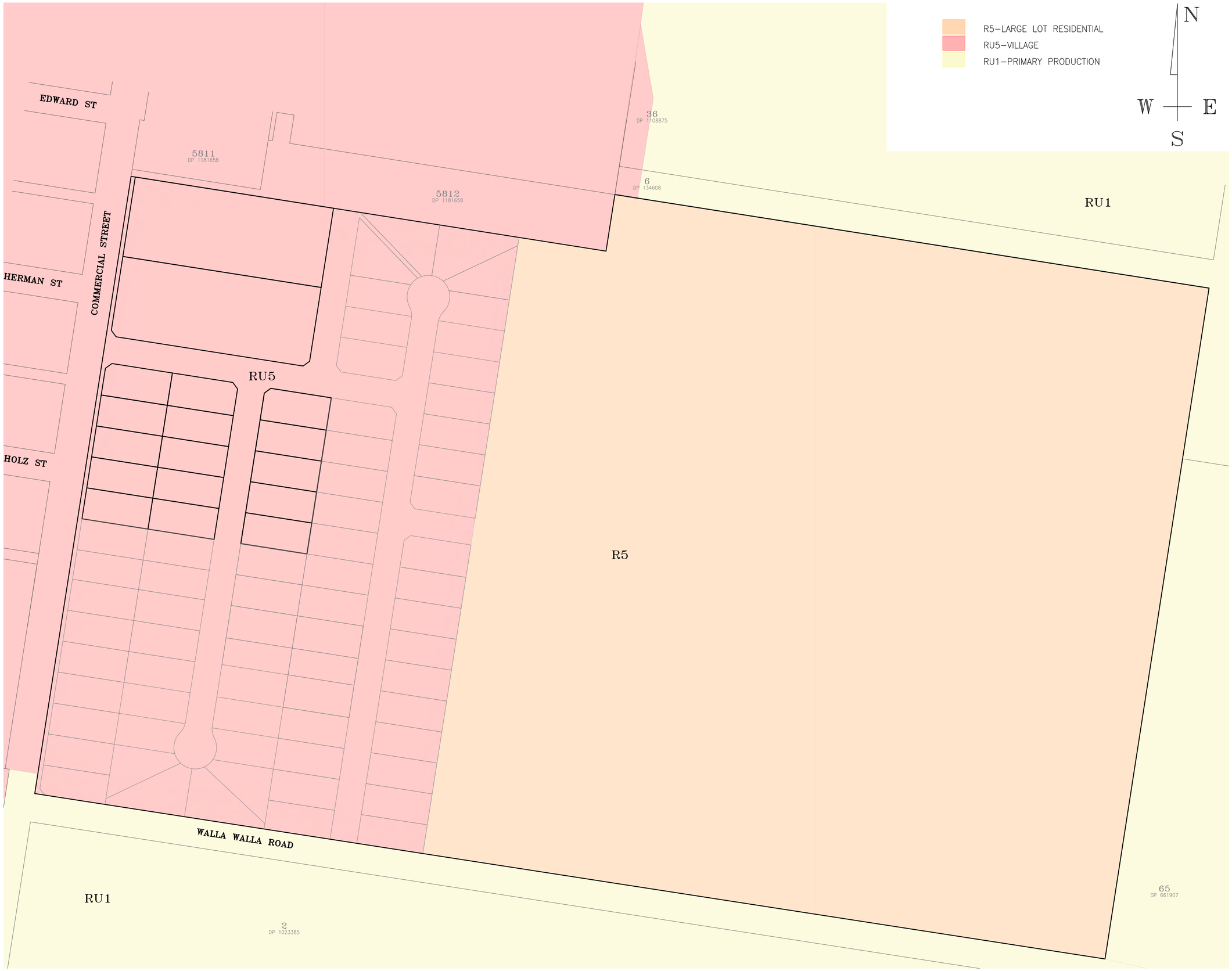
Boundary

Pioneer Dr
Walla W Rd
Commercial St
Walla Walla Rd
Walla Walla Jindera Rd
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

Google Earth

N

1 km



29 WALLA WALLA ROAD STAGE 1 WALLA WALLA

PROPOSED ZONING PLAN WITH PROPOSED LOTS

eslers LAND CONSULTING
SURVEYORS CIVIL ENGINEERS DEVELOPMENT CONSULTANTS

598 MACAULEY STREET, ALBURY
PHONE: (02) 6058–0100

64 HAMMOND AVE, WAGGA WAGGA
PHONE: (02) 6921–3312

3/15 FORD STREET, WANGARATTA
PHONE: (03) 5721–5688

WWW.ESLERS.COM.AU
INFO@ESLERS.COM.AU

AMENDMENTS\ACTIONS:–	DATE:
A. FOR DISCUSSION	18/10/22
B.	
C.	
D.	
E.	
F.	

PLEASE NOTE :

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LIAISE WITH ALL SERVICING AUTHORITIES TO DETERMINE THE LOCATION OF ANY SERVICES PRIOR TO ANY EXCAVATION ON THE SITE. THE POSITION OF SERVICES ARE APPROX ONLY. NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES ARE SHOWN.

THE CONTRACTOR IS TO ENSURE THAT ALL WORKS ARE EXECUTED IN A SAFE MANNER AND IN ACCORDANCE WITH THAT STATES "OCCUPATIONAL HEALTH AND SAFETY ACT". OTHER SAFETY REQUIREMENTS OF RELEVANT AUTHORITIES MUST BE FOLLOWED.

THE CONTRACTOR IS TO LIAISE WITH THE RELEVANT AUTHORITIES REGARDING SEDIMENT CONTROL MEASURES. NO CONSTRUCTION WORK IS TO BEGIN ON SITE UNTIL SUCH MEASURES ARE IN PLACE. ANY DEVIATION FROM THE APPROVED SOIL & WATER MANAGEMENT PLAN MAY INCUR A FINE.

ONLY THOSE TREES & SHRUBS THAT ARE MARKED FOR REMOVAL SHALL BE REMOVED.

ALL TRENCHES IN LOTS/NATURE STRIPS ARE TO BE RESTORED WITH A MINIMUM OF 100mm THICK TOPSOIL.

THE FACE OF KERBS ABOVE CONDUIT LOCATIONS ARE TO BE MARKED WITH A NEAT 'E' 'W' 'G' AND 'T' AS APPROPRIATE.

THE CONTRACTOR IS TO NOTIFY,
- –LOCAL WATER AUTHORITY 48HRS PRIOR TO COMMENCEMENT.
- –MUNICIPAL AUTHORITY 1WEEK PRIOR TO COMMENCEMENT.
- –SUPERINTENDENT 1WEEK PRIOR TO COMMENCEMENT.

THE PRINCIPAL CONTRACTOR IS RESPONSIBLE FOR CO–ORDINATION WITH SERVICE AUTHORITIES IN RELATION TO INSTALLATION OF THEIR SERVICES. THIS INCLUDES SETTING FINISHED LEVELS OF PITS AND STRUCTURES

ONLY SPECIFIC PLANS TO BE USED FOR CONSTRUCTION OF SPECIFIC SERVICES.

BEFORE YOU DIG www.byda.com.au

FOR DISCUSSION
DATE:– 18/10/2022

ESLER CHECKED:
IAN BIGNELL

AUTHORITY APPROVED:

DATUM:	DRAWN:	DATE:
A.H.D	A.VARGHESE	OCT–2022

PROJECT No: 00032742 REV: A

SHEET 4 OF 4 A1

FILE PATH:– P:\00032742\Engineering\02 Drawing ARD\27 Other Drawings\Zoning\32742_Eng_Zoning.dwg DATE SHEET PRINTED:– (Friday, November 11, 2022)

Attachment B : *Aerial photographs and satellite images*

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Aerial photograph 1961

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Aerial photograph 1973

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Commercial St
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Aerial photograph 1987

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Commercial St
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Aerial photograph 1990

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Commercial St
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Aerial photograph 1996

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2010

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd
Google Earth
Image © 2023 Maxar Technologies
N
300 m

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2013

Legend
Boundary

Edward St
Herman St
Scholz St
Commercial St
Town View Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2014

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2015

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Oak Mews Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2016

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd
Commercial St
Google Earth
Image © 2023 Maxar Technologies
300 m
N

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2017

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2019

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2020

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd
Google Earth
Image © 2023 Maxar Technologies
300 m
N

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2021

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2022

Legend

Boundary

Edward St
Commercial St
Herman St
Scholz St
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2023

Legend
Boundary

Edward St
Commercial St
Herman St
Scholz St
Townview Ave
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd

N

300 m

Google Earth

Image © 2023 Airbus

Attachment C : *Site features*

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2023

Legend
Boundary

Edward St
Commercial St
PJN Sheds
Sports ground
Herman St
Scholz St
Townview Ave
Yards
House and sheds
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd
N
300 m
Google Earth
Image © 2023 Airbus

Attachment D : *Site photographs*

Site photographs
Commercial Street and Walla Walla Road Walla Walla NSW
Report No. 9380

Photograph 1: Walla Walla Sports Ground to the north of the site.

Photograph 2: PJN Sheds to the north of the site.

Site photographs
Commercial Street and Walla Walla Road Walla Walla NSW
Report No. 9380

Photograph 3: Residential land to the west of the site.

Photograph 4: Cattle yards to the immediate east of the site.

Site photographs
Commercial Street and Walla Walla Road Walla Walla NSW
Report No. 9380

Photograph 5: Sheep grazing with improved pasture ground cover and scattered paddock trees.

Photograph 6: Boundary farm fencing.

Attachment E : *Sampling map*

ANNEXURE 3

Commercial Street and Walla Walla Road Walla Walla NSW 2659

Preliminary Site Investigation
June 2023
Report No. 9380
Satellite image 2023

Legend

- Boundary
- Sample location

Edward St
Commercial St
PJN Sheds
Sports ground
Herman St
1
2
3
4
5
6
7
8
Scholz St
Townview Ave
Yards
House and sheds
Walla Walla Rd
Walla Walla Rd
Walla Walla Rd
N
300 m
Google Earth
Image © 2023 Airbus

Attachment F : *Tabulated results*

Page: 1 of 1
Job number: 9380
Project: Preliminary Site Investigation - Commercial Street & Walla Walla Road Walla Walla NSW

		Sample date	20/6/23	20/6/23	20/6/23	20/6/23	20/6/23	20/6/23	20/6/23	20/6/23	-	-	-	-	**Recreational Criteria**	
		Sample location	Paddock	Paddock	Paddock	Yards	Paddock	Yards	Paddock	Paddock	-	-	-	-		
		Sample ID	1	2	3	4	5	6	7	8	-	-	-	-		
		Sample depth (m)	0-0.3	0-0.3	0-0.3	0-0.3	0-0.3	0-0.3	0-0.3	0-0.3	-	-	-	-		
Compound	**LOR**	**Unit**	Result	Result	Result	Result	Result	Result	Result	Result	Result	Result	Result	Result	**HILs**	**HSLs**	**EILs/ESLs**
Arsenic	5	mg/kg	<5	6	<5	<5	<5	<5	<5	<5	-	-	-	-	300	-	100
Cadmium	1	mg/kg	<1	<1	<1	<1	<1	<1	<1	<1	-	-	-	-	90	-	-
Chromium	2	mg/kg	19	38	29	26	33	21	21	25	-	-	-	-	-	-	400
Copper	5	mg/kg	8	10	8	12	9	9	7	8	-	-	-	-	17000	-	190
Lead	5	mg/kg	14	12	16	14	12	16	10	11	-	-	-	-	600	-	1100
Nickel	2	mg/kg	9	7	11	12	5	6	4	5	-	-	-	-	1200	-	170
Zinc	5	mg/kg	12	9	10	16	11	14	10	11	-	-	-	-	30000	-	400
Mercury	0.1	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	-	-	-	-	80	-	-
Chromium (VI)	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	300	-	-
PCBs	0.1	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	-	-	-	-	1	-	-
HCB	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	10	-	-
Heptachlor	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	10	-	-
Chlordane	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	70	-	-
Endrin	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	20	-	-
Endosulfan	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	340	-	-
Mirex	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	20	-	-
Aldrin+dieldrin	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	10	-	-
DDT+DDE+DDD	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	400	-	180
Chlorpyrifos	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	-	-	-	-	250	-	-
Atrazine	0.05	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	400	-	-
Bifenthrin	0.05	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	730	-	-
Phenols	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	40000	-	-
PAHs	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	300	-	-
Benzo(a)pyrene TEQ (half LOR)	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-
TRH C6-C10 minux BTEX (F1)	10	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	5100	180
TRH C10-C16 minus napthalene (F2)	50	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	3800	120
TRH C16-C34 (F3)	100	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	5300	1300
TRH C34-C40 (F4)	100	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	7400	5600
Benzene	0.2	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	120	65
Toluene	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	18000	105
Ethylbenzene	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	5300	125
Xylenes	0.5	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	15000	45
Napthalene	1	mg/kg	-	-	-	-	-	-	-	-	-	-	-	-	-	1900	0.7/170

Attachment G : *Laboratory reports*

CERTIFICATE OF ANALYSIS

Work Order	: **ES2320775**	Page	: 1 of 8
Client	: **DM MCMAHON PTY LTD**	Laboratory	: Environmental Division Sydney
Contact	: MR DAVID MCMAHON	Contact	: Customer Services ES
Address	: 6 JONES ST Wagga Wagga NSW, AUSTRALIA 2650	Address	: 277-289 Woodpark Road Smithfield NSW Australia 2164
Telephone	: 02 6931 0510	Telephone	: +61-2-8784 8555
Project	: 9380 Walla Walla	Date Samples Received	: 22-Jun-2023 11:30
Order number	: ----	Date Analysis Commenced	: 23-Jun-2023
C-O-C number	: ----	Issue Date	: 28-Jun-2023 17:01
Sampler	: D. McMahon		
Site	: ----		
Quote number	: EN/222		
No. of samples received	: 10		
No. of samples analysed	: 10		

Accreditation No. 825
Accredited for compliance with
ISO/IEC 17025 - Testing

This report supersedes any previous report(s) with this reference. Results apply to the sample(s) as submitted, unless the sampling was conducted by ALS. This document shall not be reproduced, except in full.

This Certificate of Analysis contains the following information:

- General Comments
- Analytical Results
- Surrogate Control Limits

Additional information pertinent to this report will be found in the following separate attachments: Quality Control Report, QA/QC Compliance Assessment to assist with Quality Review and Sample Receipt Notification.

Signatories

This document has been electronically signed by the authorized signatories below. Electronic signing is carried out in compliance with procedures specified in 21 CFR Part 11.

Signatories	*Position*	*Accreditation Category*
Ankit Joshi	Senior Chemist - Inorganics	Sydney Inorganics, Smithfield, NSW
Edwandy Fadjar	Organic Coordinator	Sydney Organics, Smithfield, NSW
Evie Sidarta	Inorganic Chemist	Sydney Inorganics, Smithfield, NSW

General Comments

The analytical procedures used by ALS have been developed from established internationally recognised procedures such as those published by the USEPA, APHA, AS and NEPM. In house developed procedures are fully validated and are often at the client request.

Where moisture determination has been performed, results are reported on a dry weight basis.

Where a reported less than (<) result is higher than the LOR, this may be due to primary sample extract/digestate dilution and/or insufficient sample for analysis.

Where the LOR of a reported result differs from standard LOR, this may be due to high moisture content, insufficient sample (reduced weight employed) or matrix interference.

When sampling time information is not provided by the client, sampling dates are shown without a time component. In these instances, the time component has been assumed by the laboratory for processing purposes.

Where a result is required to meet compliance limits the associated uncertainty must be considered. Refer to the ALS Contract for details.

Key : CAS Number = CAS registry number from database maintained by Chemical Abstracts Services. The Chemical Abstracts Service is a division of the American Chemical Society.
LOR = Limit of reporting
^ = This result is computed from individual analyte detections at or above the level of reporting
ø = ALS is not NATA accredited for these tests.
~ = Indicates an estimated value.

- EP068: Where reported, Total Chlordane (sum) is the sum of the reported concentrations of cis-Chlordane and trans-Chlordane at or above the LOR.
- EP068: Where reported, Total OCP is the sum of the reported concentrations of all Organochlorine Pesticides at or above LOR.

Page	: 3 of 8
Work Order	: ES2320775
Client	: DM MCMAHON PTY LTD
Project	: 9380 Walla Walla

Analytical Results

Sub-Matrix: SOIL (Matrix: SOIL)			Sample ID	1	2	3	4	5
			Sampling date / time	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00
Compound	CAS Number	LOR	Unit	ES2320775-001	ES2320775-002	ES2320775-003	ES2320775-004	ES2320775-005
				Result	Result	Result	Result	Result
EA055: Moisture Content (Dried @ 105-110°C)								
Moisture Content	----	1.0	%	19.9	14.2	16.4	16.7	16.4
EG005(ED093)T: Total Metals by ICP-AES								
Arsenic	7440-38-2	5	mg/kg	<5	6	<5	<5	<5
Cadmium	7440-43-9	1	mg/kg	<1	<1	<1	<1	<1
Chromium	7440-47-3	2	mg/kg	19	38	29	26	33
Copper	7440-50-8	5	mg/kg	8	10	8	12	9
Lead	7439-92-1	5	mg/kg	14	12	16	14	12
Nickel	7440-02-0	2	mg/kg	9	7	11	12	5
Zinc	7440-66-6	5	mg/kg	12	9	10	16	11
EG035T: Total Recoverable Mercury by FIMS								
Mercury	7439-97-6	0.1	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
EP068A: Organochlorine Pesticides (OC)								
alpha-BHC	319-84-6	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Hexachlorobenzene (HCB)	118-74-1	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
beta-BHC	319-85-7	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
gamma-BHC	58-89-9	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
delta-BHC	319-86-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Heptachlor	76-44-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Aldrin	309-00-2	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Heptachlor epoxide	1024-57-3	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
^ Total Chlordane (sum)	----	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
trans-Chlordane	5103-74-2	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
alpha-Endosulfan	959-98-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
cis-Chlordane	5103-71-9	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Dieldrin	60-57-1	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
4.4`-DDE	72-55-9	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Endrin	72-20-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
beta-Endosulfan	33213-65-9	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
^ Endosulfan (sum)	115-29-7	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
4.4`-DDD	72-54-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Endrin aldehyde	7421-93-4	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Endosulfan sulfate	1031-07-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
4.4`-DDT	50-29-3	0.2	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Endrin ketone	53494-70-5	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05

Analytical Results

Sub-Matrix: SOIL (Matrix: SOIL)			Sample ID	1	2	3	4	5
			Sampling date / time	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00
Compound	CAS Number	LOR	Unit	ES2320775-001	ES2320775-002	ES2320775-003	ES2320775-004	ES2320775-005
				Result	Result	Result	Result	Result
EP068A: Organochlorine Pesticides (OC) - Continued								
Methoxychlor	72-43-5	0.2	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
^ **Sum of Aldrin + Dieldrin**	309-00-2/60-57-1	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
^ **Sum of DDD + DDE + DDT**	72-54-8/72-55-9/50-2	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
EP068B: Organophosphorus Pesticides (OP)								
Dichlorvos	62-73-7	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Demeton-S-methyl	919-86-8	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Monocrotophos	6923-22-4	0.2	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Dimethoate	60-51-5	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Diazinon	333-41-5	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Chlorpyrifos-methyl	5598-13-0	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Parathion-methyl	298-00-0	0.2	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Malathion	121-75-5	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Fenthion	55-38-9	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Chlorpyrifos	2921-88-2	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Parathion	56-38-2	0.2	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Pirimphos-ethyl	23505-41-1	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Chlorfenvinphos	470-90-6	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Bromophos-ethyl	4824-78-6	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Fenamiphos	22224-92-6	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Prothiofos	34643-46-4	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Ethion	563-12-2	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Carbophenothion	786-19-6	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Azinphos Methyl	86-50-0	0.05	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
EP068S: Organochlorine Pesticide Surrogate								
Dibromo-DDE	21655-73-2	0.05	%	**72.4**	**84.0**	**92.8**	**78.1**	**81.8**
EP068T: Organophosphorus Pesticide Surrogate								
DEF	78-48-8	0.05	%	**67.2**	**81.4**	**85.8**	**72.1**	**75.0**

Page	: 5 of 8
Work Order	: ES2320775
Client	: DM MCMAHON PTY LTD
Project	: 9380 Walla Walla

Analytical Results

Sub-Matrix: SOIL (Matrix: SOIL)			Sample ID	6	7	8	Duplicate 1 Received as Duplicate	----
			Sampling date / time	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	----
Compound	CAS Number	LOR	Unit	ES2320775-006	ES2320775-007	ES2320775-008	ES2320775-009	--------
				Result	Result	Result	Result	----
EA055: Moisture Content (Dried @ 105-110°C)								
Moisture Content	----	1.0	%	**17.8**	**15.2**	**15.9**	**16.5**	----
EG005(ED093)T: Total Metals by ICP-AES								
Arsenic	7440-38-2	5	mg/kg	<5	<5	<5	<5	----
Cadmium	7440-43-9	1	mg/kg	<1	<1	<1	<1	----
Chromium	7440-47-3	2	mg/kg	**21**	**21**	**25**	**20**	----
Copper	7440-50-8	5	mg/kg	**9**	**7**	**8**	**8**	----
Lead	7439-92-1	5	mg/kg	**16**	**10**	**11**	**11**	----
Nickel	7440-02-0	2	mg/kg	**6**	**4**	**5**	**6**	----
Zinc	7440-66-6	5	mg/kg	**14**	**10**	**11**	**11**	----
EG035T: Total Recoverable Mercury by FIMS								
Mercury	7439-97-6	0.1	mg/kg	<0.1	<0.1	<0.1	<0.1	----
EP068A: Organochlorine Pesticides (OC)								
alpha-BHC	319-84-6	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Hexachlorobenzene (HCB)	118-74-1	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
beta-BHC	319-85-7	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
gamma-BHC	58-89-9	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
delta-BHC	319-86-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Heptachlor	76-44-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Aldrin	309-00-2	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Heptachlor epoxide	1024-57-3	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
^ Total Chlordane (sum)	----	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
trans-Chlordane	5103-74-2	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
alpha-Endosulfan	959-98-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
cis-Chlordane	5103-71-9	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Dieldrin	60-57-1	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
4.4`-DDE	72-55-9	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Endrin	72-20-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
beta-Endosulfan	33213-65-9	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
^ Endosulfan (sum)	115-29-7	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
4.4`-DDD	72-54-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Endrin aldehyde	7421-93-4	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Endosulfan sulfate	1031-07-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
4.4`-DDT	50-29-3	0.2	mg/kg	<0.2	<0.2	<0.2	----	----
Endrin ketone	53494-70-5	0.05	mg/kg	<0.05	<0.05	<0.05	----	----

Analytical Results

Sub-Matrix: SOIL (Matrix: SOIL)			Sample ID	6	7	8	Duplicate 1 Received as Duplicate	----
			Sampling date / time	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	20-Jun-2023 00:00	----
Compound	CAS Number	LOR	Unit	ES2320775-006	ES2320775-007	ES2320775-008	ES2320775-009	--------
				Result	Result	Result	Result	----
EP068A: Organochlorine Pesticides (OC) - Continued								
Methoxychlor	72-43-5	0.2	mg/kg	<0.2	<0.2	<0.2	----	----
^ **Sum of Aldrin + Dieldrin**	309-00-2/60-57-1	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
^ **Sum of DDD + DDE + DDT**	72-54-8/72-55-9/50-2	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
EP068B: Organophosphorus Pesticides (OP)								
Dichlorvos	62-73-7	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Demeton-S-methyl	919-86-8	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Monocrotophos	6923-22-4	0.2	mg/kg	<0.2	<0.2	<0.2	----	----
Dimethoate	60-51-5	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Diazinon	333-41-5	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Chlorpyrifos-methyl	5598-13-0	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Parathion-methyl	298-00-0	0.2	mg/kg	<0.2	<0.2	<0.2	----	----
Malathion	121-75-5	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Fenthion	55-38-9	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Chlorpyrifos	2921-88-2	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Parathion	56-38-2	0.2	mg/kg	<0.2	<0.2	<0.2	----	----
Pirimphos-ethyl	23505-41-1	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Chlorfenvinphos	470-90-6	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Bromophos-ethyl	4824-78-6	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Fenamiphos	22224-92-6	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Prothiofos	34643-46-4	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Ethion	563-12-2	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Carbophenothion	786-19-6	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
Azinphos Methyl	86-50-0	0.05	mg/kg	<0.05	<0.05	<0.05	----	----
EP068S: Organochlorine Pesticide Surrogate								
Dibromo-DDE	21655-73-2	0.05	%	**90.3**	**68.7**	**73.6**	----	----
EP068T: Organophosphorus Pesticide Surrogate								
DEF	78-48-8	0.05	%	**89.1**	**65.3**	**67.6**	----	----

Analytical Results

Sub-Matrix: WATER (Matrix: WATER)			Sample ID	Rinsate	----	----	----	----
			Sampling date / time	20-Jun-2023 00:00	----	----	----	----
Compound	CAS Number	LOR	Unit	ES2320775-010	--------	--------	--------	--------
				Result	----	----	----	----
EG020T: Total Metals by ICP-MS								
Arsenic	7440-38-2	0.001	mg/L	<0.001	----	----	----	----
Cadmium	7440-43-9	0.0001	mg/L	<0.0001	----	----	----	----
Chromium	7440-47-3	0.001	mg/L	<0.001	----	----	----	----
Copper	7440-50-8	0.001	mg/L	<0.001	----	----	----	----
Nickel	7440-02-0	0.001	mg/L	<0.001	----	----	----	----
Lead	7439-92-1	0.001	mg/L	<0.001	----	----	----	----
Zinc	7440-66-6	0.005	mg/L	<0.005	----	----	----	----
EG035T: Total Recoverable Mercury by FIMS								
Mercury	7439-97-6	0.0001	mg/L	<0.0001	----	----	----	----

Surrogate Control Limits

Sub-Matrix: **SOIL**		Recovery Limits (%)	
Compound	*CAS Number*	***Low***	***High***
EP068S: Organochlorine Pesticide Surrogate			
Dibromo-DDE	21655-73-2	49	147
EP068T: Organophosphorus Pesticide Surrogate			
DEF	78-48-8	35	143

QA/QC Compliance Assessment to assist with Quality Review

Work Order	: **ES2320775**	Page	: 1 of 5
Client	: **DM MCMAHON PTY LTD**	Laboratory	: Environmental Division Sydney
Contact	: MR DAVID MCMAHON	Telephone	: +61-2-8784 8555
Project	: 9380 Walla Walla	Date Samples Received	: 22-Jun-2023
Site	: ----	Issue Date	: 28-Jun-2023
Sampler	: D. McMahon	No. of samples received	: 10
Order number	: ----	No. of samples analysed	: 10

This report is automatically generated by the ALS LIMS through interpretation of the ALS Quality Control Report and several Quality Assurance parameters measured by ALS. This automated reporting highlights any non-conformances, facilitates faster and more accurate data validation and is designed to assist internal expert and external Auditor review. Many components of this report contribute to the overall DQO assessment and reporting for guideline compliance.

Brief method summaries and references are also provided to assist in traceability.

Summary of Outliers

Outliers : Quality Control Samples

This report highlights outliers flagged in the Quality Control (QC) Report.

- **NO Method Blank value outliers occur.**
- **NO Duplicate outliers occur.**
- **NO Laboratory Control outliers occur.**
- **NO Matrix Spike outliers occur.**
- **For all regular sample matrices, NO surrogate recovery outliers occur.**

Outliers : Analysis Holding Time Compliance

- **NO Analysis Holding Time Outliers exist.**

Outliers : Frequency of Quality Control Samples

- **NO Quality Control Sample Frequency Outliers exist.**

Page	: 2 of 5
Work Order	: ES2320775
Client	: DM MCMAHON PTY LTD
Project	: 9380 Walla Walla

Analysis Holding Time Compliance

If samples are identified below as having been analysed or extracted outside of recommended holding times, this should be taken into consideration when interpreting results.

This report summarizes extraction / preparation and analysis times and compares each with ALS recommended holding times (referencing USEPA SW 846, APHA, AS and NEPM) based on the sample container provided. Dates reported represent first date of extraction or analysis and preclude subsequent dilutions and reruns. A listing of breaches (if any) is provided herein.

Holding time for leachate methods (e.g. TCLP) vary according to the analytes reported. Assessment compares the leach date with the shortest analyte holding time for the equivalent soil method. These are: organics 14 days, mercury 28 days & other metals 180 days. A recorded breach does not guarantee a breach for all non-volatile parameters.

Holding times for ***VOC in soils*** vary according to analytes of interest. Vinyl Chloride and Styrene holding time is 7 days; others 14 days. A recorded breach does not guarantee a breach for all VOC analytes and should be verified in case the reported breach is a false positive or Vinyl Chloride and Styrene are not key analytes of interest/concern.

Matrix: **SOIL**

Evaluation: × = Holding time breach ; ✓ = Within holding time.

Method / Container / Client Sample ID(s)	Sample Date	Extraction / Preparation			Analysis		
		Date extracted	Due for extraction	Evaluation	Date analysed	Due for analysis	Evaluation
EA055: Moisture Content (Dried @ 105-110°C)							
Soil Glass Jar - Unpreserved (EA055)							
1, 2, 3, 4, 5, 6, 7, 8, Duplicate 1 - Received as Duplicate	**20-Jun-2023**	**----**	----	**----**	**23-Jun-2023**	04-Jul-2023	✓
EG005(ED093)T: Total Metals by ICP-AES							
Soil Glass Jar - Unpreserved (EG005T)							
1, 2, 3, 4, 5, 6, 7, 8, Duplicate 1 - Received as Duplicate	**20-Jun-2023**	**24-Jun-2023**	17-Dec-2023	✓	**27-Jun-2023**	17-Dec-2023	✓
EG035T: Total Recoverable Mercury by FIMS							
Soil Glass Jar - Unpreserved (EG035T)							
1, 2, 3, 4, 5, 6, 7, 8, Duplicate 1 - Received as Duplicate	**20-Jun-2023**	**24-Jun-2023**	18-Jul-2023	✓	**28-Jun-2023**	18-Jul-2023	✓
EP068A: Organochlorine Pesticides (OC)							
Soil Glass Jar - Unpreserved (EP068)							
1, 2, 3, 4, 5, 6, 7	**20-Jun-2023**	**26-Jun-2023**	04-Jul-2023	✓	**26-Jun-2023**	05-Aug-2023	✓
Soil Glass Jar - Unpreserved (EP068)							
8	**20-Jun-2023**	**26-Jun-2023**	04-Jul-2023	✓	**27-Jun-2023**	05-Aug-2023	✓

Page	:	3 of 5
Work Order	:	ES2320775
Client	:	DM MCMAHON PTY LTD
Project	:	9380 Walla Walla

Matrix: **SOIL**

Evaluation: × = Holding time breach ; ✓ = Within holding time.

Method / Container / Client Sample ID(s)	Sample Date	Extraction / Preparation			Analysis		
		Date extracted	Due for extraction	Evaluation	Date analysed	Due for analysis	Evaluation
EP068B: Organophosphorus Pesticides (OP)							
Soil Glass Jar - Unpreserved (EP068) 1, 2, 3, 4, 5, 6, 7	**20-Jun-2023**	**26-Jun-2023**	04-Jul-2023	✓	**26-Jun-2023**	05-Aug-2023	✓
Soil Glass Jar - Unpreserved (EP068) 8	**20-Jun-2023**	**26-Jun-2023**	04-Jul-2023	✓	**27-Jun-2023**	05-Aug-2023	✓

Matrix: **WATER**

Evaluation: × = Holding time breach ; ✓ = Within holding time.

Method / Container / Client Sample ID(s)	Sample Date	Extraction / Preparation			Analysis		
		Date extracted	Due for extraction	Evaluation	Date analysed	Due for analysis	Evaluation
EG020T: Total Metals by ICP-MS							
Clear Plastic Bottle - Nitric Acid; Unfiltered (EG020A-T) Rinsate	**20-Jun-2023**	**26-Jun-2023**	17-Dec-2023	✓	**26-Jun-2023**	17-Dec-2023	✓
EG035T: Total Recoverable Mercury by FIMS							
Clear Plastic Bottle - Nitric Acid; Unfiltered (EG035T) Rinsate	**20-Jun-2023**	**----**	----	**----**	**28-Jun-2023**	18-Jul-2023	✓

Quality Control Parameter Frequency Compliance

The following report summarises the frequency of laboratory QC samples analysed within the analytical lot(s) in which the submitted sample(s) was(were) processed. Actual rate should be greater than or equal to the expected rate. A listing of breaches is provided in the Summary of Outliers.

Matrix: **SOIL**

Evaluation: × = Quality Control frequency not within specification ; ✓ = Quality Control frequency within specification.

Quality Control Sample Type		Count		Rate (%)			Quality Control Specification
Analytical Methods	*Method*	*QC*	*Regular*	***Actual***	***Expected***	*Evaluation*	
Laboratory Duplicates (DUP)							
Moisture Content	EA055	2	19	**10.53**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Pesticides by GCMS	EP068	1	8	**12.50**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Mercury by FIMS	EG035T	2	11	**18.18**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-AES	EG005T	2	11	**18.18**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Laboratory Control Samples (LCS)							
Pesticides by GCMS	EP068	1	8	**12.50**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Mercury by FIMS	EG035T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-AES	EG005T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Method Blanks (MB)							
Pesticides by GCMS	EP068	1	8	**12.50**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Mercury by FIMS	EG035T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-AES	EG005T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Matrix Spikes (MS)							
Pesticides by GCMS	EP068	1	8	**12.50**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Mercury by FIMS	EG035T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-AES	EG005T	1	11	**9.09**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard

Matrix: **WATER**

Evaluation: × = Quality Control frequency not within specification ; ✓ = Quality Control frequency within specification.

Quality Control Sample Type		Count		Rate (%)			Quality Control Specification
Analytical Methods	*Method*	*QC*	*Regular*	***Actual***	***Expected***	*Evaluation*	
Laboratory Duplicates (DUP)							
Total Mercury by FIMS	EG035T	2	20	**10.00**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-MS - Suite A	EG020A-T	2	10	**20.00**	**10.00**	✓	NEPM 2013 B3 & ALS QC Standard
Laboratory Control Samples (LCS)							
Total Mercury by FIMS	EG035T	1	20	**5.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-MS - Suite A	EG020A-T	1	10	**10.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Method Blanks (MB)							
Total Mercury by FIMS	EG035T	1	20	**5.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-MS - Suite A	EG020A-T	1	10	**10.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Matrix Spikes (MS)							
Total Mercury by FIMS	EG035T	1	20	**5.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard
Total Metals by ICP-MS - Suite A	EG020A-T	1	10	**10.00**	**5.00**	✓	NEPM 2013 B3 & ALS QC Standard

Brief Method Summaries

The analytical procedures used by the Environmental Division have been developed from established internationally recognized procedures such as those published by the US EPA, APHA, AS and NEPM. In house developed procedures are employed in the absence of documented standards or by client request. The following report provides brief descriptions of the analytical procedures employed for results reported in the Certificate of Analysis. Sources from which ALS methods have been developed are provided within the Method Descriptions.

Analytical Methods	Method	Matrix	Method Descriptions
Moisture Content	EA055	SOIL	In house: A gravimetric procedure based on weight loss over a 12 hour drying period at 105-110 degrees C. This method is compliant with NEPM Schedule B(3).
Total Metals by ICP-AES	EG005T	SOIL	In house: Referenced to APHA 3120; USEPA SW 846 - 6010. Metals are determined following an appropriate acid digestion of the soil. The ICPAES technique ionises samples in a plasma, emitting a characteristic spectrum based on metals present. Intensities at selected wavelengths are compared against those of matrix matched standards. This method is compliant with NEPM Schedule B(3)
Total Mercury by FIMS	EG035T	SOIL	In house: Referenced to APHA 3112 Hg - B (Flow-injection (SnCl2) (Cold Vapour generation) AAS) FIM-AAS is an automated flameless atomic absorption technique. Mercury in solids are determined following an appropriate acid digestion. Ionic mercury is reduced online to atomic mercury vapour by SnCl2 which is then purged into a heated quartz cell. Quantification is by comparing absorbance against a calibration curve. This method is compliant with NEPM Schedule B(3)
Pesticides by GCMS	EP068	SOIL	In house: Referenced to USEPA SW 846 - 8270 Extracts are analysed by Capillary GC/MS and quantification is by comparison against an established 5 point calibration curve. This technique is compliant with NEPM Schedule B(3).
Total Metals by ICP-MS - Suite A	EG020A-T	WATER	In house: Referenced to APHA 3125; USEPA SW846 - 6020, ALS QWI-EN/EG020. The ICPMS technique utilizes a highly efficient argon plasma to ionize selected elements. Ions are then passed into a high vacuum mass spectrometer, which separates the analytes based on their distinct mass to charge ratios prior to their measurement by a discrete dynode ion detector.
Total Mercury by FIMS	EG035T	WATER	In house: Referenced to APHA 3112 Hg - B (Flow-injection (SnCl2)(Cold Vapour generation) AAS) FIM-AAS is an automated flameless atomic absorption technique. A bromate/bromide reagent is used to oxidise any organic mercury compounds in the unfiltered sample. The ionic mercury is reduced online to atomic mercury vapour by SnCl2 which is then purged into a heated quartz cell. Quantification is by comparing absorbance against a calibration curve. This method is compliant with NEPM Schedule B(3).

Preparation Methods	Method	Matrix	Method Descriptions
Hot Block Digest for metals in soils sediments and sludges	EN69	SOIL	In house: Referenced to USEPA 200.2. Hot Block Acid Digestion 1.0g of sample is heated with Nitric and Hydrochloric acids, then cooled. Peroxide is added and samples heated and cooled again before being filtered and bulked to volume for analysis. Digest is appropriate for determination of selected metals in sludge, sediments, and soils. This method is compliant with NEPM Schedule B(3).
Tumbler Extraction of Solids	ORG17	SOIL	In house: Mechanical agitation (tumbler). 10g of sample, Na2SO4 and surrogate are extracted with 30mL 1:1 DCM/Acetone by end over end tumble. The solvent is decanted, dehydrated and concentrated (by KD) to the desired volume for analysis.
Digestion for Total Recoverable Metals	EN25	WATER	In house: Referenced to USEPA SW846-3005. Method 3005 is a Nitric/Hydrochloric acid digestion procedure used to prepare surface and ground water samples for analysis by ICPAES or ICPMS. This method is compliant with NEPM Schedule B(3)

Chain of Custody

DM McMahon Pty Ltd
6 Jones Street
PO Box 6118, Wagga Wagga NSW 2650
Ph: (02) 69 310 510

Turnaround Requirements: ☑ Standard TAT ☐ Non Standard or Urgent TAT (List Due Date):

Analysing Laboratory:	ALS Environmental - Sydney
Project:	Walla Walla
Order No.:	9380
Project Manager:	David McMahon
Contact Ph:	(02) 69 310 510
Sampling Officer:	D. McMahon
Report Format:	Default
Email Reports to:	admin@dmmcmahon.com.au
Email Invoice to:	admin@dmmcmahon.com.au

For Laboratory Use Only (Circle)

Custody Seal Intact?	Yes	No	N/A
Free ice/ Frozen ice bricks present upon sample	Yes	No	N/A

Random sample temp on receipt: °C
Other comments:

QUOTE NO.:

Relinquished by:	D. McMahon	Received by:	
Date:	20/06/2023	Date:	21/6/23 11:30
Signature:	DMM	Signature:	
Relinquished by:		Received by:	
Date:		Date:	
Signature:		Signature:	

Lab Comments:

COC SEQUENCE NUMBER

COC:	1	2	3	4	5	6	7	8
OF:	1	2	3	4	5	6	7	8

LAB USE	SAMPLE DETAILS			CONTAINER INFORMATION		ANALYSIS REQUIRED including suites (where metals are required, specify Total or Dissolved)										Additional Information
LAB ID	SAMPLE ID	DATE/TIME	MATRIX (ref below)	TYPE & PRESERVATIVE (see codes below)	TOTAL CONTAINERS	S-2 (metals)	S-12 (OCP/OPP)	W-2 (metals)								Comments on likely contaminant levels, dilutions, or samples requiring specific QC analysis etc.
1	1 to 8	20/06/2023	S	Jar	8	✓	✓									
2	Duplicate 1	20/06/2023	S	Jar	1	✓										
3	Rinsate	20/06/2023	W	NP	1			✓								
				TOTAL	10											

Environmental Division
Sydney
Work Order Reference
ES2320775

Telephone : +61-2-8784 8555

Matrix	Container Codes:
W- Water; S - Soil; Sed - Sediment; Sl - Sludge; A - Air; D - Dust.	P = Unpreserved Plastic; N = Nitric Preserved Plastic; ORC = Nitric Preserved ORC; SH = Sodium Hydroxide/Cd Preserved; S = Sodium Hydroxide Preserved Plastic; AG = Amber Glass Unpreserved; AP - Airfreight Unpreserved Plastic; V = VOA Vial HCl Preserved; VB = VOA Vial Sodium Bisulphate Preserved; VS = VOA Vial Sulfuric Preserved; AV = Airfreight Unpreserved Vial SG = Sulfuric Preserved Amber Glass; H = HCl preserved Plastic; HS = HCl preserved Speciation bottle; SP = Sulfuric Preserved Plastic; F = Formaldehyde Preserved Glass; Z = Zinc Acetate Preserved Bottle; E = EDTA Preserved Bottles; ST = Sterile Bottle; ASS = Plastic Bag for Acid Sulphate Soils; B = Unpreserved Bag.

APPENDIX J:

Aboriginal Cultural Heritage Due Diligence report

View south across the northern extent of the study area.

ABORIGINAL DUE DILIGENCE ASSESSMENT REPORT

COMMERCIAL STREET, WALLA WALLA

WALLA WALLA, NEW SOUTH WALES

AUGUST 2023

Report prepared by

OzArk Environment & Heritage

For Blueprint Planning on behalf of Annesley Holdings Pty Ltd

OzArk
Environment & Heritage

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DOCUMENT CONTROLS

Proponent	Annesley Holdings Pty Ltd
Client	Blueprint Planning
Document Description	Aboriginal Heritage Due Diligence Assessment
File Location	OzArk Job No.
Blueprint Planning → Commercial Street, Walla Walla → Report	3980

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Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by Blueprint Planning on behalf of Annesley Holdings Pty Ltd (the proponent) to complete an Aboriginal heritage due diligence heritage assessment for the residential subdivision of Lots 1–3 DP1287711 (the proposal).

The study area consists of approximately 13 hectares of relatively flat land on Commercial Street, Walla Walla, New South Wales.

The visual inspection of the study area was undertaken by OzArk Archaeologist Eleanore Martin on 14 July 2023. Albury Local Aboriginal Land Council representative Andom Rendell also assisted with the visual inspection.

No Aboriginal objects were identified within the study area. The lack of Aboriginal objects may be a result of the study area's distance from a water source and the lack of landforms with heightened archaeological potential. The small size of the study area and the widespread agricultural disturbances may have also contributed to the lack of recordings.

The undertaking of the due diligence process resulted in the conclusion that the proposal will have an impact on the ground surface; however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

> *Aboriginal Heritage Impact Permit application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.*

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

1) The proposed work may proceed at Lots 1–3 DP1287711, on Commercial Street, Walla Walla, NSW without further archaeological investigation under the following conditions:
    a) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects potentially located in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
2) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
3) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the

legislative protection of Aboriginal objects under the *National Parks and Wildlife Act 1974* and the contents of the *Unanticipated Finds Protocol.*

4) The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

CONTENTS

FIGURES

TABLES

PLATES

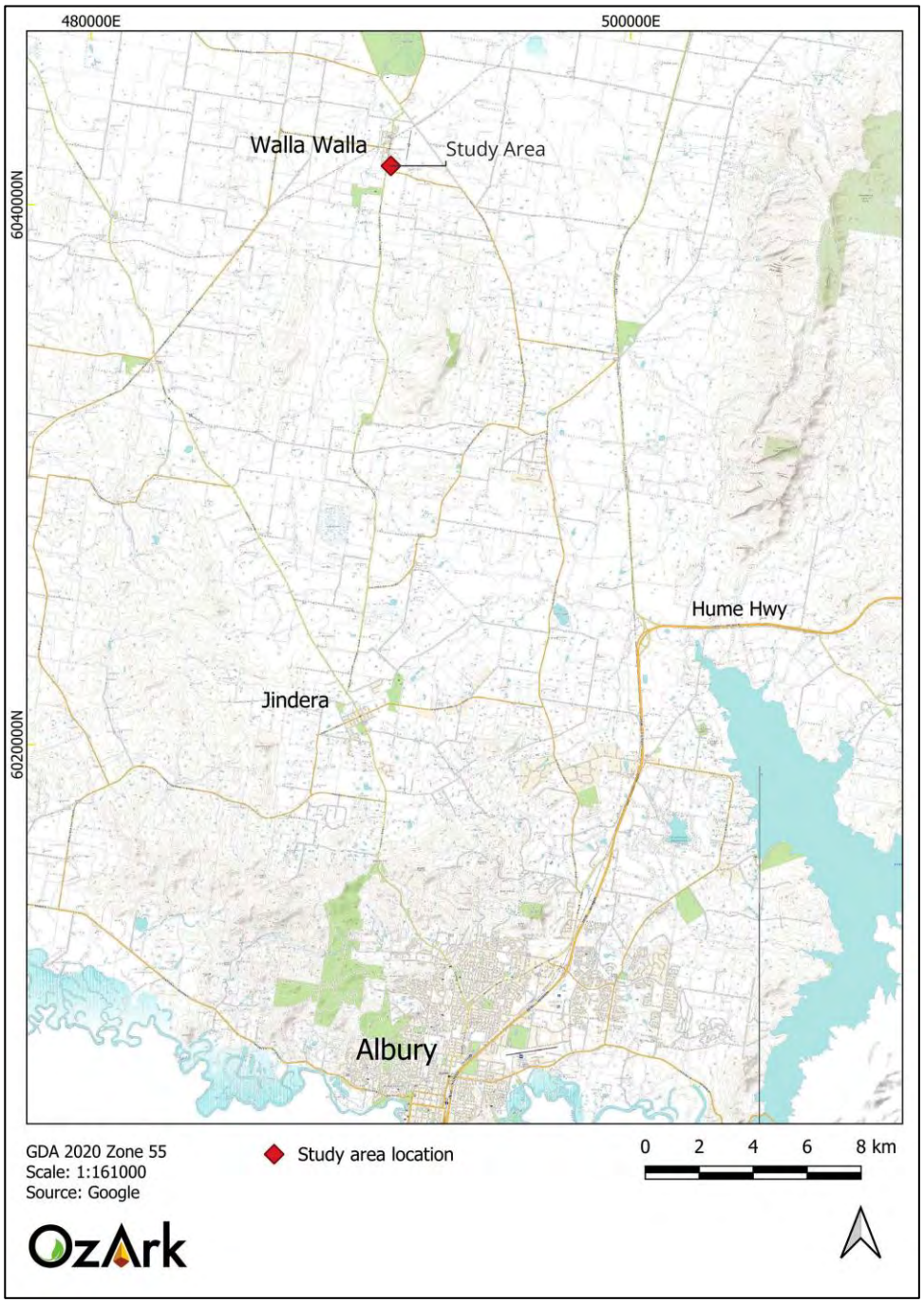
1 INTRODUCTION

1.1 BRIEF DESCRIPTION OF THE PROPOSAL

OzArk Environment & Heritage (OzArk) has been engaged by Blueprint Planning, on behalf of Annesley Holdings Pty Ltd (the proponent) to complete an Aboriginal due diligence heritage assessment for the proposed development of a housing subdivision of Lots 1–3 in DP1287711 on Commercial Street, Walla Walla, New South Wales (NSW) (the proposal).

The study area is located 38 kilometres (km) north of Albury in southern NSW and is in the Greater Hume Local Government Area (LGA) (**Figure 1-1**).

Figure 1-1: Map showing the location of the proposal.



1.2 STUDY AREA

The study area encompasses a rectangular plot of land covering approximately 13 hectares (ha) (**Figure 1-2**). The land is flat and used primarily for agricultural activities.

1.3 ASSESSMENT APPROACH

The desktop and visual inspection component for the study area follows the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (due diligence; DECCW 2010). The field inspection followed the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

Figure 1-2: Aerial showing the study area.

2 ABORIGINAL DUE DILIGENCE ASSESSMENT

2.1 INTRODUCTION

Section 57 of the *National Parks and Wildlife Regulation 2019* (NPW Regulation) made under the *National Parks and Wildlife Act 1974* (NPW Act) advocates a due diligence process to determining likely impacts on Aboriginal objects. Carrying out due diligence provides a defence to the offence of harming Aboriginal objects and is an important step in satisfying Aboriginal heritage obligations in NSW.

2.2 DEFENCES UNDER THE NPW REGULATION

2.2.1 Low impact activities

The first step before application of the due diligence process itself is to determine whether the proposed activity is a "low impact activity" for which there is a defence in the NPW Regulation. The exemptions are listed in Section 58 of the NPW Regulation (DECCW 2010: 6).

The proposed activity of rezoning and subdividing the study area is not considered a low impact activity and the due diligence process must be applied.

2.2.2 Disturbed lands

Relevant to this process is the assessed levels of previous land-use disturbance.

The NPW Regulation Section 58 (DECCW 2010: 18) define disturbed land as follows:

> *Land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable.*
>
> *Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.*

The study area is within previously cleared landforms which have been disturbed by long term agricultural use including grazing and the installation of fencing. It could, therefore, be considered that the proposed work is occurring in 'disturbed land'. However, despite these disturbances, there is potential that small areas of natural vegetation and undisturbed land may remain intact.

In summary, it is determined that the proposal must be assessed under the Due Diligence Code of Practice. The reasoning for this determination is set out in **Table 2-1**.

Table 2-1: Determination of whether Due Diligence Code of Practice applies.

Item	Reasoning	Answer
Is the activity to be assessed under Division 4.7 (state significant development) or Division 5.2 (state significant infrastructure) of the EP&A Act?	The proposal will be assessed under Part 4 of the EP&A Act.	No
Is the activity exempt from the NPW Act or NPW Regulation?	The proposal is not exempt under this Act or Regulation.	No
Do either or both apply: Is the activity in an Aboriginal place? Have previous investigations that meet the requirements of this Code identified Aboriginal objects?	The activity will not occur in an Aboriginal place. No previous investigations have been undertaken for this proposal.	No
Is the activity a low impact one for which there is a defence in the NPW Regulation?	The proposal is not a low impact activity for which there is a defence in the NPW Regulation.	No
Is the activity occurring entirely within areas that are assessed as 'disturbed lands'?	The proposal is not entirely within areas of high modification.	No
Due Diligence Code of Practice assessment is required		

2.3 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE TO THE PROPOSAL

To follow the generic due diligence process, a series of steps in a question/answer flowchart format (DECCW 2010:10) are applied to the proposed impacts and the study area, and the responses documented.

2.3.1 Step 1

Will the activity disturb the ground surface or any culturally modified trees?

Yes, the proposal will impact the ground surface and may impact culturally modified trees.

As the proposal is a subdivision, not all impacts are known at this stage. Rather, ground disturbance is assumed to be possible anywhere in the study area. Meanwhile, aerial imagery suggests that scattered trees are situated within the study area which means there is potential for culturally modified trees to be present.

2.3.2 Step 2a

Are there any relevant confirmed site records or other associated landscape feature information on AHIMS?

No, there are no previously recorded sites within the study area.

A search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken on 10 July 2023 over a 20 x 20 km search area centred on the study area (GDA 2020 Zone 55, eastings: 486111–496111, northings: 6036444–6046444). Forty-one Aboriginal sites have been previously identified within the search area, although none are within or near the study area. **Table 2-2** shows the type of AHIMS sites that are close to the study area and **Figure 2-1** shows all previously recorded sites in relation to the study area.

Table 2-2: Site types and frequencies of AHIMS sites near the study area.

Site Type	Number	% Frequency
Modified tree (carved or scarred)	30	73%
Artefact site	7	17%
Isolated find	3	7%
Artefact site with hearth and Potential Archaeological Deposit (PAD)	1	3%
Total	**41**	**100**

Culturally modified trees comprise 73% of the regional site types making this site type the most common. As shown on **Figure 2-1**, most of these culturally modified trees exist as part of a cluster approximately 3.5 km north of the study area within the Gum Swamp Reserve. The data is therefore skewed for this ecologically conserved zone and the high percentage of culturally modified trees will not be taken as likely to reflect the archaeological potential of the study which, as mentioned in **Section 2.2.2**, contains mostly cleared agricultural land.

The second most common site type within the vicinity of the study area is artefact sites (quantity unspecified), which contribute to 17% of site types (**Table 2-2**). This site type has been predominantly recorded in cleared agricultural land within 500 metres (m) of a water source (**Figure 2-1**). The study area is 500 m away from the nearest non-perennial waterway, and over 1.5 km from the nearest permanent watercourse at Petries Creek. The study area's flat landform and lack of water sources suggest that the study area has a low archaeological potential and any sites, if present, probably reflect travelling or transitory activities. Sites resulting from these activities are likely to be low density artefact scatters and isolated finds.

Figure 2-1: Previously recorded sites in relation to the study area.

2.3.3 Step 2b

Are there any other sources of information of which a person is already aware?

No, there are no other sources of information that would indicate the presence of Aboriginal objects in the study area.

Ethnohistoric Context

The study area is situated within the territory of the people belonging to the *Wiradjuri* tribal and linguistic group (Tindale 1974). The study area is located at the southern extent of the Wiradjuri territory, boarded by the Murray River (White 1986).

The Aboriginal groups along the Murray River used it extensively, often travelling the river in bark canoes. The Murray River was a means of communication and trade for the Wiradjuri people and other neighbouring tribes such as the Bangerang. The Murray River would have provided the local people with Murray cod and shellfish, and with nuts, fruits and tubers that are found in the areas surrounding the river. It is also likely that the Wiradjuri, Bangerang, and Monaro groups joined together for summer feasts of bogong moths in the alpine country (NPWS 2003).

As in most parts of NSW, European introduced diseases were a precursor to actual British settlement and this was already having an impact on the population encountered by early settlers. By the 1820s, the history of British settlement includes stories of clashes, including massacres, of the Aboriginal population, as well as reciprocal Aboriginal attacks on the British community (NPWS 2003).

Throughout the following decades, significant numbers of Aboriginal people continued to follow a traditional lifestyle; with the expansion of agriculture and pastoralism, however, many traditional practices became increasingly difficult. A census of Aboriginal people in 1845 estimated there were around 100 living at a station near what is now Albury and 200 near Deniliquin. The establishment of reserves and missions from the 1890s emphasised the segregation of Indigenous and non-Indigenous communities and exacerbated poverty and lack of access to services. However, it also enabled Wiradjuri families to remain intact and develop a sense of identity and resilience (Kass 2003).

Regional Archaeological Context

No previous assessments or Aboriginal archaeological contexts pertain directly to the location of the proposed work. However, the following review of archaeological investigations in the region is provided to generally inform estimations of archaeological probability.

A regional survey of the Upper Murray around Albury-Wodonga was carried out by Witter in 1976. The survey focused on Thurgoona in NSW and Baranduda in Victoria for the purposes of intensive residential development by the Albury-Wodonga Development Corporation. The area surveyed in NSW during this study was in Thurgoona, north of the Riverina highway, and between

St Johns Road and what is now Table Top Road. Three sites were recorded in this area, all artefact scatters primarily made up of quartz debitage.

In 1978, Crosby conducted a pedestrian survey of six areas around the Albury region, including one area next to where the study area is located. Crosby recorded seven Aboriginal sites and ten historical sites during the survey. One historical site was in Crosby's survey area closest to the study area. Overall, Crosby noted a concentration of scarred trees recorded in locations at the junction between geologically different rocks where water springs were also present. Crosby also noted that quartz was prevalent throughout the survey areas, especially in the form of small pebbles. During the field survey in 1978, all Aboriginal sites recorded by Crosby were scarred trees. Crosby also highlights the lack of surface camp sites in the areas surveyed (Crosby 1978).

In the early 2000s a series of archaeological investigations were conducted by Kelly (2001a, 2001b, and 2002) and Kelly and Price (2003, 2004) at the location of the Thurgoona Park Estate, NSW.

Kelly (2001a) undertook monitoring of the vegetation striping in relation to the Thurgoona Park Estate development. During the monitoring, one Aboriginal object was identified but subsequently impacted by contractors and destroyed or lost. Further monitoring was undertaken at Thurgoona Park Estate development by Kelly in 2001b, where further deposits were identified, and work was stopped for investigation. The investigation of these deposits is outlined in Kelly (2002) where subsurface excavation resulted in 115 Aboriginal artefacts being identified and subsequently recorded as a site and recommended for salvage.

In 2003, Kelly and Price conducted a survey using 50 m pedestrian transects on either side of both Eight Mile Creek and Woolshed Creek assisted by members of the Aboriginal community as part of field training. This survey covered the creeks approximately 1.5 km north of the study area. During the survey 43 isolated finds and low-density artefact scatters were recorded. Of these, 33 sites were recorded along Woolshed Creek and 10 sites were along Eight Mile Creek. The 10 sites next to Eight Mile Creek consisted of pieces of debitage and one flake. Most of these sites (n=7) were in the Eight Mile Creek bed.

In 2004, Kelly and Price focused on the salvage conducted at the Thurgoona Park Estate residential development. The salvage took place in association with the construction of roadways and services infrastructure trenching. As a results of the salvage, 131 Aboriginal artefacts were identified. Of these, 99.5% were quartz. There were few formal tool types represented and most identified artefacts were debitage. As a result of the salvage and analysis of the recovered Aboriginal artefacts, Price and Kelly (2004) concluded that raised level landforms in association with water sources are archaeologically sensitive in the Albury area and that the likelihood of quartz artefacts and debitage is high.

Brown (2011) conducted a preliminary assessment of Aboriginal cultural heritage within an area proposed for residential rezoning in Thurgoona, near Albury, NSW. The preliminary assessment included a site inspection during which two sites were recorded: one scarred tree and one artefact scatter. Brown (2011) further predicted based on the desktop and site inspection that further subsurface archaeological deposits were likely to occur upon higher landforms within 500 m of watercourses.

Conclusion

The regional archaeological context demonstrates that there is a general likelihood of Aboriginal objects being recorded in the study area; although previous investigations have demonstrated that landforms closely associated with permanent waterways have a heightened archaeological potential. Landforms of this description are absent from the study area.

Culturally modified trees and artefact scatters (commonly comprising of quartz artefacts) are the most common site types recorded in the region. Generally, artefact sites in the immediate region have a low artefact density.

2.3.4 Step 2c

Are there any landscape features that are likely to indicate presence of Aboriginal objects?

No, the study area does not contain landforms with identified archaeological sensitivity.

The study area is located in the South Western Slopes Bioregion: a large area comprising of foothills and ranges. The topography of the study area is consistent with the Albury–Oaklands Hills and Foothills landscape unit as described by Mitchell (2002). This area consists of isolated hills and rises.

Soils in this landform tends to be shallow, gritty loams amongst rock outcrops on hills and red-brown texture-contrast soil on slopes with a bleached Horizon A2 and structured subsoil (Mitchell 2002). According to the Great Soil Group Classification, most of the study area is classified as having red podzolic soils with granites and metasediments, while a small section along the western boundary is classified as being red brown earths.

The Murray River is located approximately 35 km south of the study area. Hydrological features near the study area are all non-perennial and include Petries Creek, Back Creek, and several small unnamed tributaries.

The topography, hydrology and climate of the study area would have been conducive to nearly year-round occupation by Aboriginal people. It is likely that creeks and tributaries were used as travel routes towards more permanent sources of water such as the Murray River. In such a relatively hospitable environment one could expect wide-spread, general evidence of Aboriginal occupation. However, within the specific study area there are no known natural resource sites that may have been a focus for past Aboriginal occupation.

Soils present in the study area are likely to have been affected by sheet wash erosion and are poor draining. The erosional qualities of the soils present will have influenced the likelihood for in situ archaeological deposits being present. Furthermore, the widespread and comprehensive use of most of the study area for tree clearing and grazing would have further promoted soil erosion and loss.

The study area would have once supported an open woodland which would have provided some resources for Aboriginal subsistence in the past. However, the broad-scale vegetation clearance which has taken place across the study area for agricultural purposes reduces the likelihood that any culturally modified trees remain present.

Ground surface disturbances caused by vegetation clearance and grazing exist throughout the study area. These activities may have displaced Aboriginal objects and are likely to have reduced the potential for intact subsurface archaeological material. However, disturbance at a given location does not necessarily mean that there will be no cultural material present, as often a disturbed context will reveal objects which may have previously been subsurface.

2.3.5 Step 3

Can harm to Aboriginal objects or disturbance of archaeologically sensitive landscape features be avoided?

There are no AHIMS registered sites or landforms with identified archaeological sensitivity within or near the study area.

No AHIMS registered sites were recorded within or near the study area. Additionally, no landforms with heightened archaeological potential were identified within the study area. Therefore, there is low risk of harm to Aboriginal objects.

2.3.6 Step 4

Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?

No, there were no Aboriginal objects identified within the study area.

The visual inspection of the study area was undertaken by OzArk Archaeologist, Eleanore Martin, on 14 July 2023 (**Figure 2-2**). Albury Local Aboriginal Land Council (LALC) representative Andom Rendell assisted with the visual inspection.

Standard archaeological field survey and recording methods were employed. The study area, including portions of the Walla Walla Road and Commercial Street transport corridors, was inspected on foot to ground-truth levels of disturbance and assess the archaeological potential of landforms. It was noted during the survey that the paddock had been ripped for cropping and allowed to grow over with grassy vegetation for livestock grazing. Meanwhile, the Walla Walla

Road and Commercial Street transport corridors directly associated with the study area had been considerably disturbed through the construction of drainage channels (**Plate 1**, **Plate 2** and **Plate 3**).

Ground surface visibility (GSV) across the study area was very low, averaging 10% due to long grasses (**Plate 4** and **Plate 5**). However, there were several areas of exposure throughout the study area where GSV increased to approximately 40%. These exposed areas were limited to along property fencing, surrounding large trees and where woodpiles had been placed (**Plate 6** and **Plate 7**).

No Aboriginal sites were identified or recorded within the study area. However, the Albury LALC representative identified a 'bird scar' on a mature Red Gum (Eucalyptus) in the north-western most corner of the study area. It was suggested the scar was relatively new, as it was small and solely located on the western facing side of the tree trunk. It was stated that the 'bird scars' are formed by birds pulling off the bark to protect a nest from predators. Due to the age and lack of associated human activities the scar on this tree cannot be considered as archaeologically significant.

The lack of Aboriginal objects in the study area may be a result of distance from a water source, lack of landforms with heightened archaeological potential, the small size of the area assessed or disturbance through long-term agricultural practices.

Figure 2-2: Survey coverage within the study area.

2.4 CONCLUSION

The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The reasoning behind this determination is set out in **Table 2-3**.

Table 2-3: Due Diligence Code of Practice application.

Step	Reasoning	Answer
Step 1 Will the activity disturb the ground surface or any culturally modified trees?	The proposed works will not disturb the ground surface initially through fencing, although other impacts as a result of the subdivision are likely to cause further disturbance. The proposal will not impact mature, native vegetation and therefore will not harm culturally modified trees.	Yes
If the answer to Step 1 is 'yes', proceed to Step 2		
Step 2a Are there any relevant records of Aboriginal heritage on AHIMS to indicate presence of Aboriginal objects?	AHIMS indicated that there are no Aboriginal sites within the study area. None of the nearby Aboriginal sites are in close enough to be harmed by the proposal.	No
Step 2b Are there other sources of information to indicate presence of Aboriginal objects?	There are no other sources of information to indicate that Aboriginal objects are likely in the study area, although it is noted that there is a general likelihood for landforms in the region to contain Aboriginal objects.	No
Step 2c Will the activity impact landforms with archaeological sensitivity as defined by the Due Diligence Code?	There are no landforms with identified archaeological sensitivity present within the study area.	No
If the answer to any stage of Step 2 is 'yes', proceed to Step 3		
Step 3 Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	There are no AHIMS listed sites within or near the study area. There are no other sources of information that suggest archaeological potential. The proposal will not impact landforms with archaeological sensitivity as identified in the Due Diligence Code of Practice.	Yes
If the answer to Step 3 is 'no', a visual inspection is required. Proceed to Step 4.		
Step 4 Does the visual inspection confirm that there are Aboriginal objects or that they are likely?	Although not required by the Due Diligence Code of Practice, the visual inspection recorded no Aboriginal objects in the study area. It was assessed that landforms within the study area have a low potential to contain intact archaeological deposits.	No
Conclusion		
AHIP not necessary. Proceed with caution.		

3 MANAGEMENT RECOMMENDATIONS

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

> *AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox @environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.*

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

1) The proposed work may proceed at Lots 1–3 DP1287711, on Commercial Street, Walla Walla, NSW without further archaeological investigation under the following conditions:
    a) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects potentially located in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
2) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
3) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the *Unanticipated Finds Protocol.*
4) The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

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PLATES

Plate 1: View east of drainage channel along southern-most side of Walla Walla Road transport corridor.

Plate 2: View east of drainage channel along northern-most side of Walla Walla Road transport corridor.

Plate 3: View south of the drainage channel along Commercial Street Walla Walla. Note the transmission lines along the property fence and planted tree vegetation.

Plate 4: View east along fence line showing grazing pastures and grass density.

Plate 5: Ground surface in north-western corner of the study area. Note the dense grass vegetation and limited ground surface visibility.

Plate 6: View west along northern-most boundary of the study area. Note the exposure along the property fence.

Plate 7: View northwest of open exposure within the study area. Note: this is near a mature tree and is the result of wood stockpiling.

APPENDIX 1: AHIMS SEARCH RESULTS

AHIMS Web Services (AWS)
Extensive search - Site list report

Your Ref/PO Number : Walla Walla Commercial St
Client Service ID : 798889

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
55-6-0027	WW23;Back Creek Swamp 1;	AGD	55	495850	6045050	Open site	Valid	Artefact : -	Open Camp Site	98638
	Contact	Recorders	Mr.Kelvin Officer					Permits		
55-6-0031	Petries creek 1;	AGD	55	488900	6040900	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	Recorders	Kerry Navin,Mr.Kelvin Officer					Permits		
55-6-0088	Gum Swamp Mt 11	GDA	55	490588	6044877	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		
55-6-0247	Walla Wetlands 5	GDA	55	491015	6045263	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0248	Walla Wetlands 6	GDA	55	491141	6045340	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0252	Walla Wetlands 10	GDA	55	491914	6045540	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0026	WW22;Back Creek;	AGD	55	495700	6044920	Open site	Valid	Artefact : -	Open Camp Site	98638
	Contact	Recorders	Mr.Kelvin Officer					Permits		
55-6-0189	Walla Walla SF IF 18	GDA	55	495834	6044153	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Mr.Matthew Barber,Mr.Matthew Barber,NGH Heritage - Fyshwick,NGH Heritage - F					Permits		
55-6-0076	Gum Swamp	AGD	55	490632	6044962	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact T Russell	Recorders	Mr.Graham Moore					Permits		
55-6-0087	Gum Swamp Mt 13	GDA	55	490810	6044965	Open site	Valid	Artefact : 1		
	Contact	Recorders	Miss.Kaleana Reyland					Permits		
55-6-0253	Walla Wetlands 11	GDA	55	491363	6045208	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0251	Walla Wetlands 9	GDA	55	491382	6045793	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0001	Hopefield;Scoffs Rd No.2;	AGD	55	493828	6037687	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	276

Report generated by AHIMS Web Service on 10/07/2023 for Eleanore Martin for the following area at Datum :GDA, Zone : 55, Eastings : 486111.0 - 496111.0, Northings : 6036444.0 - 6046444.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 41

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Page 1 of 4

AHIMS Web Services (AWS)
Extensive search - Site list report

Your Ref/PO Number : Walla Walla Commercial St
Client Service ID : 798889

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
	Contact	Recorders	ASRSYS					Permits		
55-6-0246	Walla Wetlands 4	GDA	55	491030	6045208	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0245	Walla Wetlands	GDA	55	491140	6045066	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0254	Walla Wetlands 12	GDA	55	491520	6044788	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0165	Walla Walla SF AFT 3	GDA	55	495857	6043833	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Mr.Matthew Barber,Mr.Matthew Barber,NGH Heritage - Fyshwick,NGH Heritage - F					Permits		
55-6-0270	Walla Walla SF PAD 1	GDA	55	495994	6044777	Open site	Partially Destroyed	Artefact : -, Hearth : -, Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Matthew Barber,Mr.Matthew Barber,NGH Heritage - Fyshwick,NGH Heritage - F					Permits		
55-6-0089	Gum Swamp Mt 1	GDA	55	490359	6045151	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		
55-6-0083	Gum Swamp Modified Tree 3	GDA	55	490824	6044760	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Miss.Kaleana Reyland					Permits		
55-6-0079	Gum Swamp MT10	AGD	55	490857	6044793	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact Sarah Colley	Recorders	Mr.Dean Freeman					Permits		
55-6-0080	Gum Swamp MT4	AGD	55	491161	6044659	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact Sarah Colley	Recorders	Mr.Dean Freeman					Permits		
55-6-0085	Gum Swamp Mt 6	GDA	55	492001	6045212	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		

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Page 2 of 4

AHIMS Web Services (AWS)
Extensive search - Site list report

Your Ref/PO Number : Walla Walla Commercial St
Client Service ID : 798889

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
55-6-0002	Hopefield;Scoffs Rd No3;	AGD	55	493828	6037687	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	276
	Contact	Recorders	ASRSYS					Permits		
55-6-0024	WW21;Sahoffs Road;	AGD	55	487880	6040290	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	98638
	Contact	Recorders	Mr.Kelvin Officer					Permits		
55-6-0074	Gum Swamp Mt2	AGD	55	490704	6044824	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact T Russell	Recorders	Mr.Dean Freeman					Permits		
55-6-0243	Walla Wetlands 1	GDA	55	490968	6044975	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0084	Gum Swamp Mt	GDA	55	491059	6045143	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		
55-6-0078	Gum Swamp MT8	AGD	55	491033	6045158	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact Sarah Colley	Recorders	Mr.Dean Freeman					Permits		
55-6-0249	Walla Wetlands 7	GDA	55	491150	6045507	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0032	Back Creek 2;	AGD	55	495570	6045750	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	Recorders	Kerry Navin,Mr.Kelvin Officer					Permits		
55-6-0166	Walla Walla SF AFT 4	GDA	55	495771	6044491	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Mr.Matthew Barber,Mr.Matthew Barber,NGH Heritage - Fyshwick,NGH Heritage - F					Permits		
55-6-0033	Back Creek Swamp 2;	AGD	55	495790	6045750	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	Recorders	Kerry Navin,Mr.Kelvin Officer					Permits		
55-6-0190	Walla Walla SF IF 17	GDA	55	495964	6044066	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Mr.Matthew Barber,Mr.Matthew Barber,NGH Heritage - Fyshwick,NGH Heritage - F					Permits		
55-6-0086	Gum Swamp Mt7	GDA	55	490833	6045078	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		

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Page 3 of 4

AHIMS Web Services (AWS)
Extensive search - Site list report

Your Ref/PO Number : Walla Walla Commercial St
Client Service ID : 798889

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
55-6-0077	gum swamp mt5	AGD	55	490769	6044935	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact Sarah Colley	Recorders	Mr.Dean Freeman					Permits		
55-6-0144	Walla Solar Farm 495495	GDA	55	495495	6044807	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0082	Gum Swamp Mt 5	GDA	55	490769	6044935	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact	Recorders	Mr.Dean Freeman					Permits		
55-6-0075	Gum Swamp Mt12	AGD	55	490785	6044969	Open site	Valid	Modified Tree (Carved or Scarred) : 1		
	Contact T Russell	Recorders	Miss.Kaleana Reyland					Permits		
55-6-0244	Walla Wetlands 2	GDA	55	490969	6044984	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		
55-6-0250	Walla Wetlands 8	GDA	55	491233	6045586	Open site	Valid	Modified Tree (Carved or Scarred) : -		
	Contact	Recorders	Mr.Mark Saddler					Permits		

** Site Status
Valid - The site has been recorded and accepted onto the system as valid
Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.
Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground
Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 10/07/2023 for Eleanore Martin for the following area at Datum :GDA, Zone : 55, Eastings : 486111.0 - 496111.0, Northings : 6036444.0 - 6046444.0 with a Buffer of 0 meters.. Number of Aboriginal sites and Aboriginal objects found is 41

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 4 of 4

APPENDIX 2: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL

An Aboriginal artefact is anything which is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal) remains may also be uncovered while onsite.

Cultural heritage significance is assessed by the Aboriginal community and is typically based on traditional and contemporary lore, spiritual values, and oral history, and may also consider scientific and educational value.

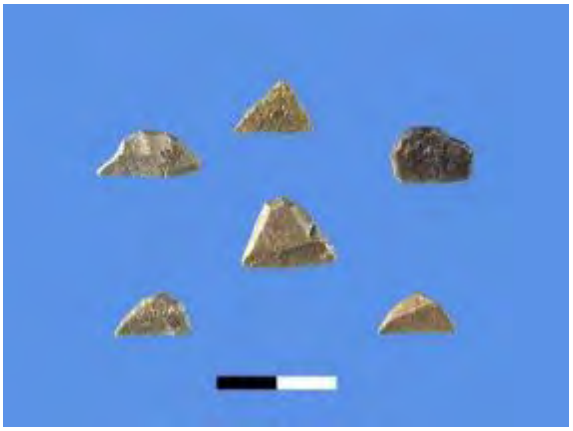
Protocol to be followed if previously unrecorded or unanticipated Aboriginal object(s) are encountered:

1. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
    a. Not further harm the object
    b. Immediately cease all work at the particular location
    c. Secure the area to avoid further harm to the Aboriginal object
    d. Notify Heritage NSW as soon as practical on (02) 9873 8500 (heritagemailbox @environment.nsw.gov.au), providing any details of the Aboriginal object and its location; and
    e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
2. If Aboriginal burials are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.
3. Cooperate with the appropriate authorities and relevant Aboriginal community representatives to facilitate:
    a. The recording and assessment of the find(s)
    b. The fulfilment of any legal constraints arising from the find(s), including complying with Heritage NSW directions
    c. The development and implementation of appropriate management strategies, including consultation with stakeholders and the assessment of the significance of the find(s).
4. Where the find(s) are determined to be Aboriginal object(s), recommencement of work in the area of the find(s) can only occur in accordance with any consequential legal requirements and after gaining written approval from Heritage NSW (normally an Aboriginal Heritage Impact Permit).

APPENDIX 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION

A retouched silcrete flake

A quartz flake



Microliths (scale = 1 cm)

Volcanic flakes

Flake characteristics (scale = 1 cm)

A mudstone/tuff core from which flakes have been removed

APPENDIX K:

Bushfire Assessment Report

BUSHFIRE ASSESSMENT

Greater Hume Local Environmental Plan 2012

Rezoning of R5 Large Lot Residential Zone land to RU5 Village Zone and changes to minimum subdivision lot size

Lots 1-3 DP1287711, Commercial Street and Walla Walla Road, Walla Walla NSW

October 2023

1.0 THE PLANNING PROPOSAL

The Planning Proposal is described and shown in **Section 1.1**, **Section 2.1**, **Table 1**, **Figure 3** and **Figure 4** in the main report.

2.0 THE LAND

The Land is described and shown in **Section 1.3**, **Figure 1**, **Figure 2**, **Appendix A** and **Appendix B** in the main report.

3.0 PLANNING FOR BUSHFIRE PROTECTION

This Bushfire Assessment Report (BAR) has been prepared in accordance with *Local Planning Direction No. 4.3 Planning for Bushfire Protection* under section 9.1(2) of the *Environmental Planning and Assessment Act 1979* –

> ***4.3 Planning for Bushfire Protection***
> ***Objectives***
> *The objectives of this direction are to:*
> *(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
> *(b) encourage sound management of bush fire prone areas.*
> ***Application***
> *This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to, land mapped as bushfire prone land.*
> *This applies where the relevant planning authority is required to prepare a bush fire prone land map under section 10.3 of the EP&A Act, or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.*
> ***Direction 4.3***
> *(1) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.*
> *(2) A planning proposal must:*
> *(a) have regard to Planning for Bushfire Protection 2019,*
> *(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and*
> *(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).*

(3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:

(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:

i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and

ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,

(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,

(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,

(d) contain provisions for adequate water supply for firefighting purposes,

(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,

(f) introduce controls on the placement of combustible materials in the Inner Protection Area.

Consistency

A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non- compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.

How this BAR addresses each of the relevant requirements arising from *Local Planning Direction No. 4.3 Planning for Bushfire Protection* is provided at **Table K1**.

This BAR has been prepared with reference to –

- Section 2.3 (p. 19), Section 4 (pp. 33-37), Section 5 (pp. 42-48) and Appendix 2 of *Planning for Bush Fire Protection* (RFS, 2019) (PBP), and
- section 44 of the *Rural Fires Regulation 2013* (the RF Regs).

This BAR intends to demonstrate that the Planning Proposal satisfies the aims and objectives of PBP in relation to the subdivision of bush fire prone land that could lawfully be used for residential purposes. The level of detail provided in this report is consistent with identified bushfire planning risks in relation to the locations and circumstances of such risk and the locations, layout, and design of likely future subdivision lots. This approach is consistent with previous Rural Fire Service (RFS) advice for such situations.

In accordance with information supplied by Council and the RFS, the Site is partly located within 'Bushfire Buffer' as shown in **Figure K1**.

Table K1: Relevant requirements arising from *Planning Direction No. 4.3 Planning for Bushfire Protection*

Planning Direction No. 4.3 Planning for Bushfire Protection	***Response***
(2) A planning proposal must:	
(a) have regard to Planning for Bushfire Protection 2019,	Complies – Refer to **Section 4** below.
(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and	Not relevant – The possible future subdivision and development of the land for residential purposes as indicatively shown in **Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)** of the main report is not properly regarded as an "inappropriate development".
(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).	Complies – All and any APZs would be located on RU5 zone land (not C zone land).
(3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:	Not relevant (no development is proposed as part of the Planning Proposal at this time). The possible future subdivision and development of the land for residential purposes as indicatively shown in **Figure 5: Possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)** of the main report has every opportunity of reasonably
(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:	
(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and	

(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,	demonstrating compliance with *Planning for Bushfire Protection* (RFS, 2019).
(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,	
(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,	
(d) contain provisions for adequate water supply for firefighting purposes,	
(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,	
(f) introduce controls on the placement of combustible materials in the Inner Protection Area.	

Figure K1: Excerpt of Greater Hume Bushfire Prone Land Map

Source: NSW Planning Portal Spatial Viewer (2023).

4.0 PLANNING FOR BUSHFIRE PROTECTION

4.1 Strategic Principles

With regards to the Planning Proposal, Section 4.1 of PBP requires that strategic planning should provide for the exclusion of inappropriate development in bush fire prone areas as set out in **Table K2**.

Table K2: Exclusion of inappropriate development in bush fire prone areas

Section 4.1: Strategic principles	**Response**
Strategic planning should provide for the exclusion of inappropriate development in bush fire prone areas as follows:	
• *the development area is exposed to a high bush fire risk and should be avoided,*	Complies – All of the Land comprising the Planning Proposal is NOT exposed to a high bush fire risk as demonstrated in this report.
• *the development is likely to be difficult to evacuate during a bush fire due to its siting in the landscape, access limitations, fire history and/or size and scale,*	Complies – All of the Land comprising the Planning Proposal once developed for residential purposes is NOT likely to be difficult to evacuate during a bush fire due to landscape, access, fire history and/or size and scale considerations.
• *the development will adversely effect other bush fire protection strategies or place existing development at increased risk,*	Complies – All of the Land comprising the Planning Proposal once developed for residential purposes is NOT likely to adversely affect other bush fire protection strategies or place existing development at increased risk.
• *the development is within an area of high bush fire risk where density of existing development may cause evacuation issues for both existing and new occupants, and*	Complies – All of the Land comprising the Planning Proposal is NOT exposed to a high bush fire risk as demonstrated in this report and once developed for residential purposes the Land would NOT have a density which may cause evacuation issues for both existing and new occupants.
• *the development has environmental constraints to the area which cannot be overcome*	Complies – All of the Land comprising the Planning Proposal does NOT have environmental constraints. Because all of the Land comprising the Planning Proposal does NOT have environmental constraints it is NOT necessary to overcome them.

4.2 Bushfire Assessment

With regards to the Planning Proposal, section 44 of the RF Regs and Appendix 2 (A2.1 and A2.1.1, pp. 95-96) of PBP requires –

- *A description (including the address) of the property on which the development the subject of the application is proposed to be carried out*

  The Land is described and shown in **Section 1.3**, **Figure 1**, **Figure 2**, **Appendix A** and **Appendix B** in the main report.

  A concept subdivision plan showing how the land may be subdivided after the Land is rezoned and its minimum subdivision lots sizes are changed is described and shown in **Figure 5** in the main report.

- *A classification of the vegetation on and surrounding the property (out to a distance of 140 metres from the boundaries of the property) in accordance with the system for classification of vegetation contained in PBP*

  Consistent with the identification key in Keith (2004) and PBP, vegetation within 140 metres from the Land is classified as (refer to **Figure K1** above and to relevant photographs in **Appendix B** in the main report) –

  - **East and south** quadrant directions – "**grassland**" comprising agricultural grass pasture with limited trees with no connecting canopy (refer to **Figure K1** and to relevant photographs in **Appendix B** in the main report).

    Grassland
    Maritime Grasslands, Temperate Montane Grasslands, Western Slopes Grassland, Riverine Plain Grasslands and Semi-arid Floodplain Grasslands. Dominated by perennial grasses and the presence of broad-leaved herbs on flat topography. Lack of woody plants. Plants include grasses, daisies, legumes, geraniums, saltbushes and copperburrs.

  - All other quadrant directions – "**managed land**" comprising non-vegetated or reduced vegetation areas such as actively grazed pastures, maintained urban yards, maintained lawns, crops, playing fields, cleared parks, non-vegetated areas, and formed roads and footpaths including cleared verges (refer to **Figure K1** and to relevant photographs in **Appendix B** in the main report).

    Managed Land
    Non-vegetated or reduced vegetation areas such as: actively grazed pastures, maintained urban yards, maintained lawns, crops, orchards, vineyards, commercial nurseries, playing fields, golf course fairways, cleared parks, non-vegetated areas, formed roads and footpaths including cleared verges, waterways, etc.

  There are no known future disturbance factors or future intended land uses that could alter the vegetation classifications.

- *An assessment of the slope of the land on and surrounding the property (out to a distance of 100 metres from the boundaries of the property)*

  The slope of the land on and surrounding the property with 100m is generally flat.

  Table K3 below provides slope assessments and the locations and widths of required APZs, which should be read in conjunction with **Figure K2**.

- *Identification of any significant environmental features on the property*

  The Land is not affected by any known significant environmental features.

- *The details of any threatened species or threatened ecological community under the Biodiversity Conservation Act 2016 that is known to the applicant to exist on the property*

  Future development of the Land in accordance with the Planning Proposal is NOT likely to significantly affect any known threatened species, population or ecological community or habitat.

- *The details and location of any Aboriginal object (within the meaning of the National Parks and Wildlife Act 1974) or Aboriginal place (within the meaning of that Act) that is known to the applicant to be situated on the property*

  The Land is NOT known to be affected by Aboriginal cultural heritage significance consistent with the report at **Appendix J: Aboriginal Cultural Heritage Due Diligence report**.

- *A bush fire assessment for the proposed development (including the methodology used in the assessment) that addresses the following matters—*
  - *(i) the extent to which the development is to provide for setbacks, including asset protection zones,*
  - *(ii) the siting and adequacy of water supplies for fire fighting,*
  - *(iii) the capacity of public roads in the vicinity to handle increased volumes of traffic in the event of a bush fire emergency,*
  - *(iv) whether or not public roads in the vicinity that link with the fire trail network have two-way access,*
  - *(v) the adequacy of arrangements for access to and egress from the development site for the purposes of an emergency response,*
  - *(vi) the adequacy of bush fire maintenance plans and fire emergency procedures for the development site,*
  - *(vii) the construction standards to be used for building elements in the development,*
  - *(viii) the adequacy of sprinkler systems and other fire protection measures to be incorporated into the development,*
  - *(ix) any registered fire trails on the property,*

  Refer to **Section 4.3** and **Section 4.4** below.

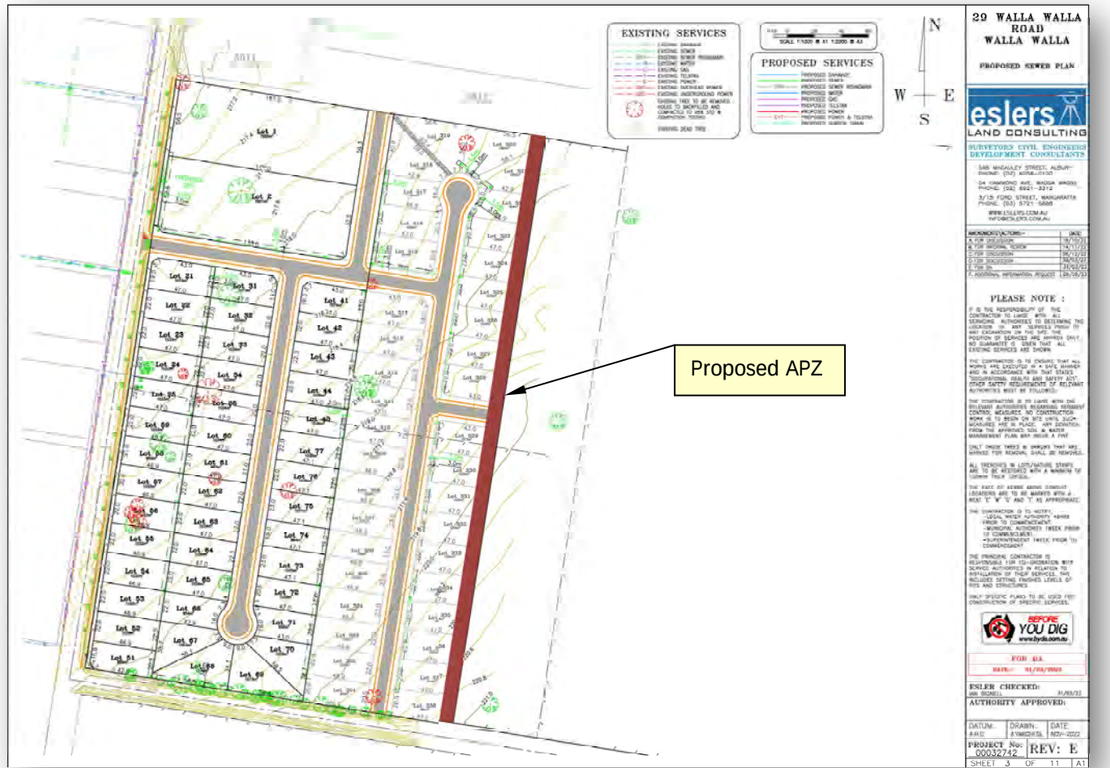
- *An assessment of the extent to which the proposed development conforms with or deviates from PBP.*

  Refer to **Section 4.3** and **Section 4.4** below.

Table K3: APZ assessments based on slope and vegetation classifications

Location	*Existing vegetation hazard type*	*Direction of existing vegetation hazard from the proposed residential lots*	*Existing vegetation hazard is level, upslope or downslope from proposed residential lots*	*Aspect of slope under existing vegetation hazard*	*Slope under the existing vegetation hazard*	*Required APZ [6] width located within proposed residential lots (maintained to IPA standards)*	*Future disturbance factors or future intended land uses that could alter the vegetation classification*
East lot boundary	Grassland	**East**	Upslope	West	<1% or <0.6°	**10m** (located within the Land)	Nil identified
South lot boundary	Grassland	**South**	Upslope	West	<1% or <0.6°	**10m** (located within the Walla Walla Road road reserve)	

Figure K2: APZ locations – possible future subdivision of the Land following implementation of the Planning Proposal (subject to separate DA process)



[6] FDI 80 applies to the Greater Hume LGA.

4.3 Aim and objectives of PBP

The following assessment has been undertaken in accordance with Section 1.1: *Aim and objectives* of PBP.

	Response
The aim of PBP is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment. The objectives are to:	
• *afford buildings and their occupants protection from exposure to a bush fire;*	Complies – Refer to **Table K3** and **Figure K2** (10m wide APZ required).
• *provide for a defendable space to be located around buildings;*	
• *provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;*	
• *ensure that appropriate operational access and egress for emergency service personnel and occupants is available;*	Complies – Adequate access to all proposed lots is available from the public road network.
• *provide for ongoing management and maintenance of BPMs; and*	Complies – Refer to further comment below.
• *ensure that utility services are adequate to meet the needs of firefighters.*	Complies – The Land is or will be connected to mains pressure reticulated water with fire hydrants.

4.4 Objectives and standards for residential and rural residential subdivisions

The following assessment has been undertaken in accordance with Section 5.2: *Specific objectives* of PBP.

	Response
The specific objectives for residential and rural residential subdivisions with a dwelling entitlement are as follows:	
• *minimise perimeters of the subdivision exposed to the bush fire hazard (hourglass shapes, which maximise perimeters and create bottlenecks should be avoided);*	Complies.
• *minimise vegetated corridors that permit the passage of bush fire towards buildings;*	Complies.
• *provide for the siting of future dwellings away from ridge-tops and steep slopes, within saddles and narrow ridge crests;*	Complies.
• *ensure that APZs between a bush fire hazard and future dwellings are effectively designed to address the relevant bush fire attack mechanisms;*	Complies – Refer to **Table K3** and **Figure K2** (10m wide APZ required).
• *ensure the ongoing maintenance of APZs;*	Complies.
• *provide adequate access from all properties to the wider road network for residents and emergency services;*	Complies.
• *provide access to hazard vegetation to facilitate bush fire mitigation works and fire suppression; and*	Complies.
• *ensure the provision of an adequate supply of water and other services to facilitate effective firefighting.*	Complies – Refer below.

The following assessment has been undertaken in accordance with Section 5.3: *Bush fire protection measures* of PBP.

ASSET PROTECTION ZONES – Table 5.3a			
Intent of measures: *to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.*			
	Performance Criteria	**Acceptable solutions**	**Response**
The intent may be achieved where:			
Asset Protection Zones	• *potential building footprints must not be exposed to radiant heat levels exceeding 29 kW/m² on each proposed lot.*	• *APZs are provided in accordance with Tables A1.12.2 and A1.12.3 based on the FFDI.*	Complies – Refer to **Table K3** and **Figure K2** (10m wide APZ required).
	• *APZs are managed and maintained to prevent the spread of a fire towards the building.*	• *APZs are managed in accordance with the requirements of Appendix 4.*	Complies
	• *the APZs is provided in perpetuity.*	• *APZs are wholly within the boundaries of the development site*	Complies.
	• *APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.*	• *APZs are located on lands with a slope less than 18 degrees.*	Complies.
Landscaping	• *landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.*	• *landscaping is in accordance with Appendix 4; and*	Not relevant at this time.
		• *fencing is constructed in accordance with section 7.6.*	Not relevant at this time.

ACCESS – Table 5.3b

Intent of measures: *to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.*

	Performance Criteria	Acceptable solutions	Response
The intent may be achieved where:			
Access (general requirements)	• *firefighting vehicles are provided with safe, all-weather access to structures.*	• *property access roads are two-wheel drive, all-weather roads;*	Complies.
		• *perimeter roads are provided for residential subdivisions of three or more allotments;*	Justifiably inconsistent – Whilst all APZs (incorporating IPAs and OPAs) can be adequately provided within indicative future residential lots, no perimeter road is proposed to be provided on the hazard side of the lots due to the relevant hazard being "grasslands" and a 10m wide APZ can be provided within each lot (east) or within the Walla Walla Road road reserve (south).
		• *subdivisions of three or more allotments have more than one access in and out of the development;*	Complies.
		• *traffic management devices are constructed to not prohibit access by emergency services vehicles;*	Complies.
		• *maximum grades for sealed roads do not exceed 15 degrees and an average*	Complies.

	grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;	
	• *all roads are through roads;*	Complies.
	• *dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;*	Not relevant.
	• *where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;*	Complies.
	• *where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access shall be provided to an alternate point on the existing public road system; and*	Not relevant to the Land.
	• *one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.*	Not relevant to the Land.
• *the capacity of access roads is adequate for firefighting vehicles.*	• *the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating.*	Complies.
• *there is appropriate access to water supply.*	• *hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;*	Complies.
	• *hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning; and*	Complies.
	• *there is suitable access for a Category 1 fire appliance to within 4m of the static*	Not relevant to the Land.

		water supply where no reticulated supply is available.	
Perimeter roads	• *access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface.*	• *are two-way sealed roads;*	Justifiably inconsistent – Whilst all APZs (incorporating IPAs and OPAs) can be adequately provided within indicative future residential lots, no perimeter road is proposed to be provided on the hazard side of the lots due to the relevant hazard being "grasslands" and a 10m wide APZ can be provided within each lot (east) or within the Walla Walla Road road reserve (south).
		• *minimum 8m carriageway width kerb to kerb;*	
		• *parking is provided outside of the carriageway width;*	
		• *hydrants are located clear of parking areas;*	
		• *are through roads, and these are linked to the internal road system at an interval of no greater than 500m;*	
		• *curves of roads have a minimum inner radius of 6m;*	
		• *the maximum grade road is 15 degrees and average grade of not more than 10 degrees;*	
		• *the road crossfall does not exceed 3 degrees; and*	
		• *a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.*	
Non-perimeter roads	• *access roads are designed to allow safe access and egress for firefighting vehicles while residents are evacuating.*	• *minimum 5.5m carriageway width kerb to kerb;*	Complies.
		• *parking is provided outside of the carriageway width;*	Complies.
		• *hydrants are located clear of parking areas;*	Complies.
		• *roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;*	Complies.
		• *curves of roads have a minimum inner radius of 6m;*	Complies.
		• *the road crossfall does not exceed 3 degrees; and*	Complies.

		• *a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.*	Complies.
Property access	• *firefighting vehicles can access the dwelling and exit the property safely.*	• *There are no specific access requirements in an urban area where an unobstructed path (no greater than 70m) is provided between the most distant external part of the proposed dwelling and the nearest part of the public access road (where the road speed limit is not greater than 70kph) that supports the operational use of emergency firefighting vehicles.*	Complies.
		In circumstances where this cannot occur, the following requirements apply:	
		• *minimum 4m carriageway width;*	Not relevant to the Proposal.
		• *in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;*	Not relevant to the Proposal.
		• *a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;*	Not relevant to the Proposal.
		• *provide a suitable turning area in accordance with Appendix 3;*	Not relevant to the Proposal.
		• *curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;*	Not relevant to the Proposal.
		• *the minimum distance between inner and outer curves is 6m;*	Not relevant to the Proposal.
		• *the crossfall is not more than 10 degrees;*	Not relevant to the Proposal.
		• *maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads; and*	Not relevant to the Proposal.

	• *a development comprising more than three dwellings has access by dedication of a road and not by right of way.*	Not relevant to the Proposal.
	Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.	Noted.

SERVICES – WATER, ELECTRICITY AND GAS – Table 5.3c

Intent of measures: *to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.*

	Performance Criteria	**Acceptable solutions**	**Response**
The intent may be achieved where:			
Water supplies	• *adequate water supplies is provided for firefighting purposes.*	• *reticulated water is to be provided to the development where available;*	Complies.
		• *a static water and hydrant supply is provided for non-reticulated developments or where reticulated water supply cannot be guaranteed; and*	Not relevant to the Land.
		• *static water supplies shall comply with Table 5.3d.*	
	• *water supplies are located at regular intervals; and*	• *fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;*	Complies.
	• *the water supply is accessible and reliable for firefighting operations.*	• *hydrants are not located within any road carriageway; and*	Complies.
		• *reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.*	Complies.

	• *flows and pressure are appropriate.*	• *fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005.*	Complies.
	• *the integrity of the water supply is maintained.*	• *all above-ground water service pipes are metal, including and up to any taps; and*	Not relevant to the Land.
		• *above-ground water storage tanks shall be of concrete or metal.*	Not relevant to the Land.
Electricity services	• *location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.*	• *where practicable, electrical transmission lines are underground;*	Complies.
		• *where overhead, electrical transmission lines are proposed as follows:*	
		➢ *lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and*	Not relevant to the Land.
		➢ *no part of a tree is closer to a power line than the distance set out in ISSC3 Guideline for Managing Vegetation Near Power Lines.*	Not relevant to the Land.
Gas services	• *location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.*	• *reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;*	Not relevant to the Land.
		• *all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;*	Not relevant to the Land.
		• *connections to and from gas cylinders are metal;*	Not relevant to the Proposal.
		• *polymer-sheathed flexible gas supply lines are not used; and*	Not relevant to the Proposal.
		• *above-ground gas service pipes are metal, including and up to any outlets.*	Not relevant to the Proposal.

SERVICES – WATER, ELECTRICITY AND GAS – Table 5.3d		
Development type	**Water requirements**	**Response**
Residential lots (<1,000m2)	*5,000L/lot*	To be complied with for east and south interface lots.
Rural-residential lots (1,000-10,000m2)	*10,000L/lot*	Not relevant to the Proposal.
Large rural/lifestyle lots (>10,000m2)	*20,000L/lot*	Not relevant to the Proposal.
Multi-dwelling housing (including dual occupancies)	*5,000L/dwelling*	Not relevant to the Proposal.

5.0 CONCLUSIONS

This report concludes that the Planning Proposal generally complies with PBP.

The future residential subdivision of the Land requires APZs consistent with **Table K3** and **Figure K2** when developed in due course subject to separate RFS and Council approval.

*****

Greater Hume Council

Development Application/Complying Development Quote

Note: Council reserves the right to amend the fee quote when assessment of Application for Development is carried out. Council does not issue invoices for Development Applications/Complying Development Applications.

DATE OF ESTIMATE 06/10/2023

DATE OF RECEIPT & NUMBER

APPLICANT NAME JINDERA PIONEER MUSEUM

DESCRIPTION OF DEVELOPMENT NEW BUILDING

ADDRESS OF DEVELOPMENT 118 URANA STREET JINDERA

ESTIMATED COST OF WORKS **$800,000**

	QUICK CODE	AMOUNT
Development Application (DA) Fee	209	2170
Construction Certificate (CC) Fee	550	
DA Fee for Dwelling less than $100,000 - $532	209	
Complying Development Certificate (CDC)	218	
Planning Reform Levy (value round up to the nearest 1000-PRF round down to nearest dollar) (multiply estimated cost x .00064)	208	512
Long Service Levy to be paid at www.longservice.nsw.gov.au		
Building Inspections – **Minor** Development Package	554	
Building Inspections - **Major** Development Package	554	
S68 Approval for Installation Manufactured/ Moveable Dwelling (No CC required but DA required as well as this S68 fee)	205	
S68 Approval - Onsite Sewage System (**Septic Tank**)	203	
S68 Approval - Sanitary/Drainage (**Sewer**)	220	
S68 Approval – Water (**Domestic Plumbing**)	219	
S68 Local Approval Inspections	206	
S68 Local Approval OSMS Inspections	206	
Occupation Certificate	556	
Bushfire Attack Level (BAL) Certificate	557	
Consent Modifications	212	
Solid Fuel Heater	555	
TOTAL FEES OWING		2682
Advisory Note: **Section 7.12 Contribution $8000 is payable** on approval of the development application and prior to issuing the Construction Certificate (QC223)		

Council's bank details are as follows:

Acc Name: Greater Hume Council Branch: Holbrook NAB BSB: 082-646 Acc No: 509-723-252

Please ensure that a reference is included with the deposit eg your name-DA/CDC fees

OFFICE USE ONLY:	**DA-PRL=**	**2682**
Calculations of DA - PRL =	**2170**	

JINDERA

PIONEER MUSEUM
& Historical Society Inc.

3 November 2023

Colin Kane
General Manager
Director Environment and Planning

Dear Colin

Request for a reduction in fee's

As you are aware, the Jindera Pioneer Museum has submitted a Development Application for the construction of a new building that will house a range of services for the museum. The building process is an extremely expensive exercise for the museum, who must raise every dollar spent from door admission or fund raising.

With this in mind, the museum would greatly appreciate for council to consider some reduction or exemption of fee's relating to this development application process.

We have paid the fee's as required to ensure the DA process continues in a timely fashion but we are of the understanding that council may be willing to offer a rebate in relation to some of the fees paid.

The Jindera Pioneer Museum is a not-for-profit, charity as determined by the Australian Taxation Department and the ACNC. We provide a valuable service to Jindera and the surrounding community and the organization would benefit from a positive outcome of this request.

With thanks for your consideration of this request.

Margie Wehner
President
0408 409 842

Australian Government | Australian Charities and Not-for-profits Commission

ACNC Charity Register Summary

Pioneer Museum & Historical Society Inc

Charity Details

Name	Pioneer Museum & Historical Society Inc
Other Name	Jindera Pioneer Museum
Charity ABN	73978612885
Charity Address for Service	mjwehner@bigpond.net.au
Charity Street Address	116 Urana Road P O Box 322 Jindera NSW 2642 AUSTRALIA
Website	
E-Mail	mjwehner@bigpond.net.au
Phone	0408409842

About the Charity

Date Established	01/01/1968
Who the Charity Benefits	General community in Australia
Size of Charity	Small
Financial Year End	31/12

Where the Charity Operates

Operating State(s)	New South Wales
Operates in (Countries)	

Using the information on the Register
Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be withheld from the Register in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about information on the Register.

Australian Government | Australian Charities and Not-for-profits Commission

ACNC Charity Register Summary

Pioneer Museum & Historical Society Inc

Registration Details

Entity Type	Charity
Sub-Entity Type	2014 Purposes beneficial to the general public and analogous to the other charitable purposes (01/01/2014)
Registration Status	Registered
Basic Religious Charity	N

Responsible Persons

Position	Name
Treasurer	KATHRYN ANDERSON
Chairperson	MARGARET WEHNER
Vice president	GREGORY FINSTER
Vice president	MARCUS HUESKE
Secretary	TAMARA KRAMER

Registration Status History

Effective Date	Status
03/12/2012	Registered

SubType History

Start Date	End Date	Entity Subtypes
1/01/2014		2014 Purposes beneficial to the general public and analogous to the other charitable purposes
3/12/2012	31/12/2013	2012 Another purpose beneficial to the community

Annual Reporting

Due Date	Document	Status	Date Received
30/06/2014	AIS 2013	Received	01/08/2014
30/06/2015	AIS 2014	Received	21/07/2015
30/06/2016	AIS 2015	Received	06/07/2016

Using the information on the Register
Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be withheld from the Register in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about information on the Register.

Australian Government | Australian Charities and Not-for-profits Commission

ACNC Charity Register Summary

Pioneer Museum & Historical Society Inc

30/06/2017	AIS 2016	Received	25/07/2017
30/06/2018	AIS 2017		
30/06/2019	AIS 2018		

Charity's Documents

Date	Document Type	Description
21/07/2015	Governing document	Constitution.JinderaPioneerMuseum.doc

Using the information on the Register
Information on this Register has been provided to the ACNC by the charity or transferred from the Australian Taxation Office (ATO) and the Australian Business Register (ABR). If information is not shown, this may be because the charity has not yet provided the information or because the ACNC is progressively confirming and uploading information received. The ACNC may also approve information be withheld from the Register in certain circumstances. The Register will be updated over time as we work through the information received and any applications for information to be withheld. Read more about information on the Register.

26 November 2023

Evelyn Arnold,
General Manager of
Greater Hume Shire Council

I am applying, on behalf of the Walla Walla Sportsground Management Committee, a request for a $30,000 loan from the council to support the resurfacing of our netball courts at Walla Walla Sportsground.

The total cost of the project is $60,690.00 excluding GST. Our committee has funds available to cover the remaining cost of the project while still having enough funds to meet our maintenance costs for upkeep of the sportsground and associated buildings.

We have applied for further assistance from the Rand Walbundrie Walla Giants Football Netball Club and Riverina Water Grants which would decrease the amount to be borrowed if the grant is successful.

Our 355 committee has been able to generate income for improvements to our facilities in the past, and purchase of equipment through various forms of fundraising, i.e. our primitive caravan park, drum muster, cash for recycling, facilities hire, public donations and social events. This has been made possible due to many volunteer hours of work by our committee. We could repay the loan either through a reduction in our annual maintenance grant from council or through a repayment plan.

The council would have to inform us of loan time frame, but we request seven years to repay, if feasible.

Regards

John Mullavey

Hon. Treasurer
Walla Walla Sportsground Management Committee.

Document Name	Document Version Number	Review Date
Staff Education & Training Policy	1.0.2	November 2026
Date Adopted	**Minute Number**	**Status**
Click here to enter a date.		Revised

Purpose
Greater Hume Council ('Council') recognises that staff development is an important part of the working life of each staff member. It is associated with the development needs of the individual and of teams and the achievement of Council's overall strategy.

Council recognises that the calibre and competence of its employees are vital factors in ensuring that is remains a successful organisation. To this end Council strives to promote employee development through high quality training and learning opportunities both on and off the job.

This Policy sets out what may be offered in terms of support from the Council and what is expected from employees.

Scope
This Policy does not apply to senior staff employees of Council as defined in s322 of the Local Government Act 1993 (NSW). This Policy does not form part of any employee's contract of employment.

Council recognises that increasing the organisation's efficiency and productivity requires an ongoing commitment to education, training and skill maintenance, development and enhancement. Therefore, Council is committed to:

- Developing a more highly skilled and flexible workforce
- Providing employees with opportunities through appropriate education and training to acquire additional skills
- Removing barriers to the utilisation of skills in accordance with Council's training plans

Definitions
Corporate level training – training needs which are common across Council and cannot be properly satisfied by way of on the job training.

Examples of corporate training are:

Confined space, first aid, manual handling, traffic control, EEO, chainsaw operation, written/verbal communication skills and conflict resolution.

Compulsory training – compulsory training is training that Council designates to be necessary requirement of employment. Employees who participate in compulsory training shall not lose ordinary pay. Compulsory training may have to satisfy statutory or Council determined requirements.

Examples of compulsory training includes induction, WH&S, plant induction, apprenticeship/cadetship/traineeship, retraining due to changed working conditions.

Policy Content
Development of the Annual Training Plan

Council shall design an annual training plan in accordance with the Local Government (State) Award 2023 requirements.

The training plan is to be consistent with:

- The current and future skill requirements of the Council
- The size, structure and nature of the operations of the Council
- The need to develop vocational skills relevant to Council and the local government industry in general through the utilisation of available internal and external resources.

The training plan shall, where appropriate, provide for training that is consistent with industry specific competency standards.

The training plan shall be consistent in identifying the needs of the organisation and recognition of future employee's competencies, where possible.

Quality of Training

To facilitate recognition of training and enhance the possibility of articulation to further courses of study, competency based training programs will be chosen that are nationally accredited and within the Australian Qualifications Framework.

Selection of Staff to Undertake Training

Selection of participants to receive Council training in accordance with Council's training plan is to be based on merit and the needs of the employee as identified in the employee's annual Performance Appraisal/Interim Review or as an outcome of workplace assessment of competency. The selection process will also take in to consideration the capacity of the workplace to schedule and arrange the release of selected employees.

Priority of Training

Acknowledging that not all identified training needs will be able to be met within the duration of one financial year or the life of one annual training plan, wherever possible, available financial and related training resources will be allocated in the following priority:

- Training necessary to for Council's to comply with current and future legislative requirements
- Training necessary to assist the employee in doing their current job to the standards required
- Training necessary to assist the employees career path development

Notwithstanding the above, resources may be re-allocated to meet Risk/WHS and other statutory training which may result from legislative or technological change.

Training Undertaken as a Requirement of Council (Compulsory Training)

If an employee is required by Council to participate in a structured training program and such program is consistent with Council's training plan:

- The Council shall grant the employee paid leave (or consider the employee absent on duty) to attend course requirements where the training is undertaken during ordinary working hours

- Council shall pay course fees at the commencement of each stage but shall not pay course fees if the employee is repeating
- Council shall at the discretion of the General Manager, either provide transport or pay reasonable travelling expenses to enable employees to attend course requirements
- In recognition that training undertaken by staff as a requirement of Council will also directly benefit staff by enhancing job security and improving safety, an employee participating in a structured training program shall be required to attend such training in accordance with the designated commencement / finishing times of the training. In cases where the designated commencement / finishing time of the training differs from the employee's normal working hours, the designated commencement / finishing time of the training will constitute the employee's normal working hours for the day(s) attending such training.
- Travelling time to and/or from courses involving off-the-job training shall be considered as work related travel for the purposes of workers compensation. However travelling time to and/or from courses involving off-the-job training shall not be classed as time worked by an employee unless the total number of hours from the commencement time of the training course until the time which the employee arrives back at their home exceeds the employee's normal hours of work; i.e. 8.5hrs for operational staff or 7.78hrs for administration staff. This provision will apply even where the time(s) when the travelling occurs fall outside the employee's standard working hours.
- In the event that the total hours from the commencement time of the training course until the time which the employee arrives back at their home exceeds the employee's normal hours of work; i.e. 8.5hrs for operational staff or 7.78hrs for administration staff, the employee shall be entitled to take the additional hours as time in lieu.
- Where an employee is required to attend training outside a 100km radius from their normal workplace, Council will meet the cost of a reasonable standard of accommodation and meals for employees required to stay overnight on the night before the training course and the night of the training course.

Training Outside Council Requirement but Consistent with Career Development

At the discretion of the General Manager, an employee undertaking a course consistent with Council's requirement or direction, will be granted leave with pay to attend course requirements provided that the employee gives reasonable notice of such requirements.

Roles and Responsibilities

The development of employees is a responsibility shared between individual employees and Managers. A shared commitment to learning and development is critical to ensure we meet our strategic objectives and foster a culture of career development for our employees.

The People & Culture Officer is responsible for:

- Promptly considering all learning and development requests
- Ensuring equitable access for all employees
- Measuring the effectiveness of programs to promote continuous improvement in our employees, providers and processes
- Providing advice on learning and development opportunities

Directors/Mangers are responsible for:

- Identifying the learning and development needs of employees
- Developing individual learning and development plans for employees on an annual basis
- Demonstrating an ongoing commitment to supporting employees' learning and development
- Providing resource solutions to allow employees to attend programs
- Frequently reviewing and discussing employees' learning and development progress
- Ensuring employees meet statutory and certification requirements
- Reviewing competencies on a continual basis
- Timely completion of application forms

Employees are responsible for:

- Taking an active interest in assisting Managers in identifying their learning and development needs
- Contributing to the development of their individual learning and development plan on an annual basis
- Actively participating in allocated learning and development programs

- Contributing to the development of other employees by using and sharing the knowledge and skills gained from learning and development activities
- Providing a minimum 48 hours' notice to Managers and the People & Culture Officer for changes to attendance for scheduled programs
- Completing evaluating and/or feedback forms.

Links to Policy
Education Assistance Policy

Links to Procedure
Nil.

Links to Forms
Nil.

References
Nil.

Responsibility
Director Corporate and Community Services

Document Author
Director Corporate and Community Services

Relevant Legislation
Local Government Act 1993

Local Government State Award 2023

Associated Records
Nil.

ANNEXURE 9

Description

Unnamed Creek Near Gerogery

Preliminary

Greater Hume Council

Rev.	Date	Description	Dwg	Verif
E				
D				
C				
B			JP	
A			JP	

Title of works: Gerogery Road Guardrail

Drawn	Revision Date	Revision Number
9/11/2023	NA	NA

Scale	Size	Sheet Number
Not to Scale	A4	1 of 4

Description

Creek near 1841 Gerogery Road

Preliminary

Greater Hume Council

Rev.	Date	Description	Dwg	Verif
E				
D				
C				
B			JP	
A			JP	

Title of works: Gerogery Road Guardrail

Drawn	Revision Date	Revision Number
9/11/2023	NA	NA

Scale	Size	Sheet Number
Not to Scale	A4	2 of 4

ANNEXURE 9

Description

Gerogery x Glenellen Rd Intersection

Preliminary

Greater Hume Council

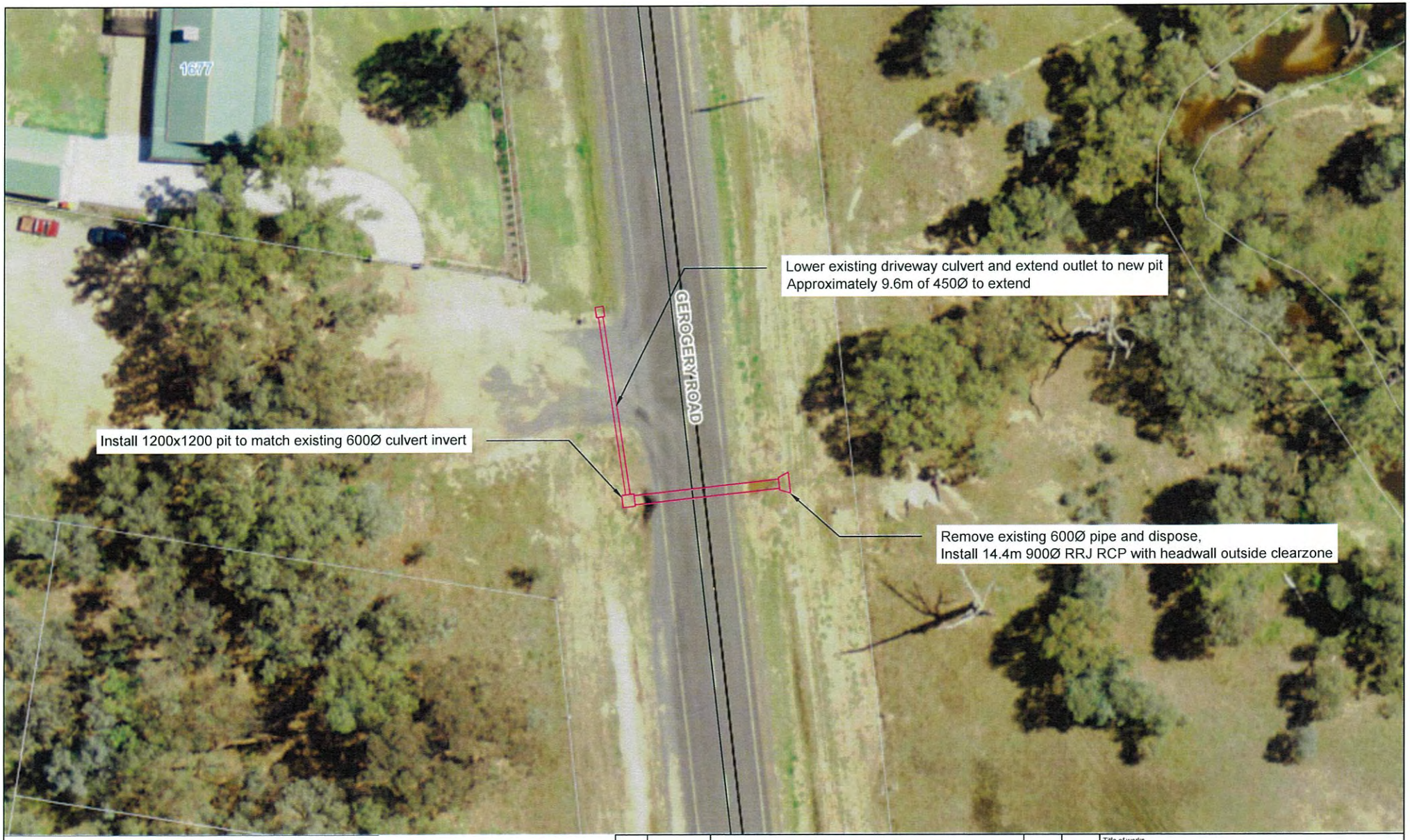
Rev.	Date	Description	Dwg	Verif
E				
D				
C				
B			JP	
A			JP	

Title of works: Gerogery Road Guardrail

Drawn	Revision Date	Revision Number
9/11/2023	NA	NA

Scale	Size	Sheet Number
Not to Scale	A4	3 of 4

ANNEXURE 9



Description

Culvert near 1677 Entrance

Preliminary

Greater Hume Council

Rev.	Date	Description	Dwg	Verif
E				
D				
C				
B			JP	
A			JP	

Title of works: Gerogery Road Guardrail

Drawn	Revision Date	Revision Number
9/11/2023	NA	NA

Scale	Size	Sheet Number
Not to Scale	A4	4 of 4

GREATER HUME SHIRE COUNCIL

Schedule of the Director Corporate Community Services' Schedule of Information to Council Meeting - Wednesday 15th December, 2023.

COMBINED BANK ACCOUNT FOR THE MONTH ENDED 30th November 2023

CASHBOOK RECONCILIATION

	General Fund	Trust Fund
General Ledger Cashbook Balance as at 1st November 2023	**-187,970.63**	**44,215.26**
Cashbook Movement as at 30th November 2023	83,346.61	-444.20
Less: Term Deposits included in Cashbook Balance (Trust only)	0.00	0.00
General Ledger Cashbook Balance as at 30th November 2023	**-104,624.02**	**43,771.06**

BANK STATEMENT RECONCILIATION

Bank Statement Balance as at 30th November 2023	NAB	$0.00	43,771.06
	Hume	$5,550.10	
	Bendigo	$394.00	
	WAW	$0.00	
	Total	5,944.10	43,771.06
(LESS) Unpresented Cheques as at 30th November 2023		-147,131.70	0.00
(LESS) Unpresented EFT Payments as at 30th November 2023		0.00	0.00
PLUS Outstanding Deposits as at 30th November 2023		36,563.58	0.00
PLUS / (LESS) Unmatched Cashbook Transactions 30th November 2023		0.00	0.00
Cashbook Balance as at 30th November 2023		**-104,624.02**	**43,771.06**

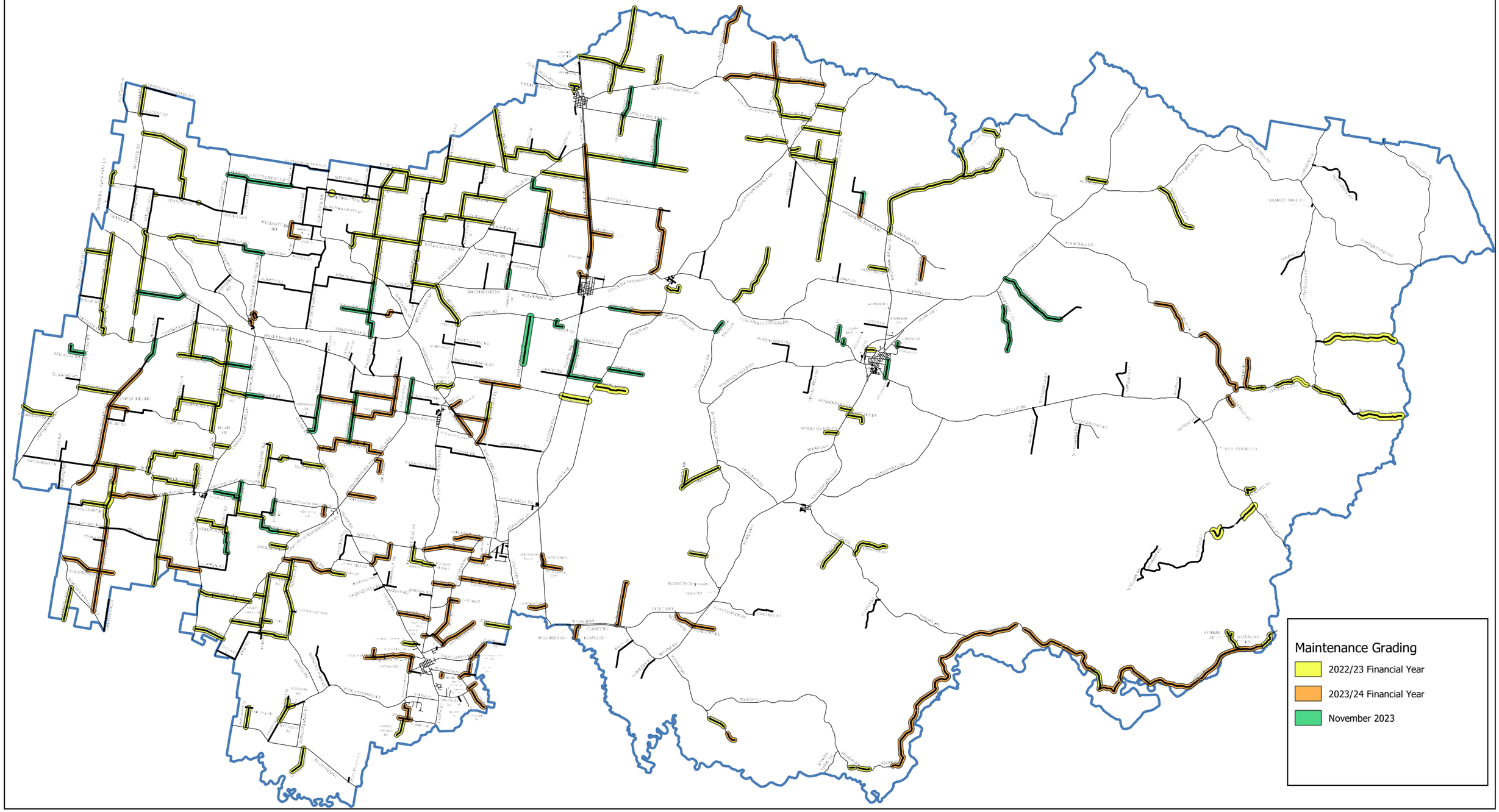
I certify that all of Council's surplus funds have been invested in accordance with the Act, the regulations and Council's investment policies and that all cheques drawn have been checked and are fully supported by vouchers and invoices and have been certified for payment.

Responsible Accounting Officer
1 December 2023

This is page no.1 of Schedule No.1 of the Director Corporate & Community Services' Schedule of Information to Ordinary Council Meeting held on 15th November, 2023

GENERAL MANAGER

MAYOR



Greater Hume Council

Greater Hume Local Government Area

Maintenance Grading 2023 - ONovember

0 10 20 km

Electronic Version is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy verify that it is the current version.	Document Name	Working doc file path	Version Number	Date of Issue	Review Date
	Maintenance grading November	G:\Projects&Maps\## Maintenance Grading\Maintenance Grading.qgz	1	2023-12-06	2024-12-06

5/12/2023

Project No	Location	Job Description	Status	Crew / Contractor	Date Completed	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	CONSTRUCTION PROGRAM - Annual	**ROADS TO RECOVERY/GRANTS**															
	Brocklesby Balldale Road Stage 1	Reconstrucion of 4km from Brocklesby Goombargana Rd to Woodlands Rd	**Commenced**	Jindera H/M													
15	**Brocklesby Balldale Road Stage 2**	Reconstruction of 3.25km from Woodlands Rd to start of seal	**Commenced Culvert Installation**	Jindera H/M													
16	**Jingellic Road - 5 Bridges**	Widening of Wantigong Bridge and Replacement of 4 other bridges		Contractor													
	CONSTRUCTION PROGRAM - URBAN																
	REGIONAL ROADS WORKS	**BLOCK GRANT**															
	MAIN ROADS CAPITAL																
	Jingellic Road- Rehabilitation (Repair Program and Grant)	From Yarara Gap to Coppabella Road	**Commenced - Installation of culverts**	Holbrook/ Project Team													
	Urana Road, Jindera	Installation New Culvert	**Commenced**	Contractor													
	Walla Jindera Road	Installation New Culvert	**Commenced**	Contractor													
	Jingellic Road - Bridge/Culvert Upgrades (Grant)	5 Locations - Wantagong Straight		Contractor													
	Main Roads (General)	**BLOCK GRANT**															
	MR 125 Urana Road																
	MR125 Urana Road																
	MR 125 Urana Road	Heavy patching areas to be decided															
	MR 211 Holbrook Wagga Road	Heavy patching areas to be decided															
	MR 331 Jingellic Road	Heavy patching areas to be decided															
	MR 331 Walbundrie Jingellic Road	Heavy patching areas to be decided															
	MR 370 Howlong Kywong Road	Heavy patching areas to be decided															
	MR 384 Tumbarumba Road	Heavy patching areas to be decided															
	MR 547 Walla Jindera Road	Heavy patching areas to be decided															
	Main Roads (Resealing)	**BLOCK GRANT**															
	MR125 Urana Road	Start 900m North of Property 3899 for 4km (Walla Rd Intersection) (CH 39850 to CH 43905)		Contractor													
	MR331 Culcairn Holbrook Road	Start Property 1750 to Purtell St Morven (CH 17480 to CH 21170)		Contractor													
				Contractor													
	STATE ROADS (ORDERED WORKS)	**RMCC**															
	Main Road 78 (Olympic Way)																
RMCC WO	**Segment 255 (Culcairn Caltex)**	**Rehab of Segment - TfNSW now doing this work - TBA**		TfNSW													
RMCC WO	**Segment 290 (Baird Street)**	**Drainage upgrade - TBA - Waiting on Telstra Relocation**		Contractor													
RMCC WO	**Heavy Patching Various Segments**	**Heavy Patching - TBA**		TfNSW													
	Reseals Main Road 78 (Olympic Way)																
RMCC WO	**MR78 Olympic Highway**	Segment 290		Contractor													
	Main Road 284 (Tumba Road)																
RMCC WO	**Various Segments**	**Heavy Patching - TBA**		TfNSW													
	Reseals Main Road 284 (Tumba Road)																
RMCC WO	**MR284 Tumbarumba Road**	Segment 20		Contractor													
RMCC WO	**MR284 Tumbarumba Road**	Segment 60		Contractor													
RMCC WO	**MR284 Tumbarumba Road**	Segment 110		Contractor													
	TRAFFIC FACILITIES	**BLOCK GRANT**															
TBA	**Regional Roads**	Linemarking Various Locations		Contractor													
TBA	**Local Roads**	Linemarking Various Locations		Contractor													
TBA	**Urban Streets**	Linemarking Various Locations		Contractor													
	BITUMEN RESEALING PROGRAM - REGIONAL	**COUNCIL RESEAL PROGRAM**															

54	MR125 Urana Road	Shire Boundary to Molkentin Rd (4.9km)		Contractor	
C/F	MR125 Urana Road	Start 920m North of Property No 3899 for 4km. Ch 39.850 to CH 43.850		Contractor	
	MR211 Holbrook Wagga Road	Rankins Ln to 1.2km North of Kanimbla Rd (6.2km)		Contractor	
55	MR331 Culcairn Holbrook Road	400m West of Mitchells Road to Property 2420 (1.27km)		Contractor	
	MR331 Culcairn Holbrook Road	Start Property No 1750 to Purtell Street (CH 17480 to CH 21170)		Contractor	
	BITUMEN RESEALING PROGRAM - RURAL	COUNCIL RESEAL PROGRAM			
10	Hovell Road	From Bungowannah Rd to End of Seal (CH0-CH5890)		Contractor	
11	Moorwatha Road	From Hovell Rd to Unsealed Section (CH0-CH180)		Contractor	
12	Jennings Road	Start 1km from Olympic Hwy to end of seal 501km (CH1000-CH6100)		Contractor	
13	Burrumbuttock Walla Walla Road	From 106km north of Hamdorf Rd for 3km (CH3000-CH6000)	Completed	Contractor	28/11/2023
14	Morven Cookadinia Road	From Wagga Holbrook Rd south for 2.58km (CH12600-CH15185)		Contractor	
15	Four Mile Lane	From 15.5km from Hume Hwy for 2km (CH11180-CH17580)		Contractor	
16	Yenches Road	Start of seal 2.1km from Jingellic Rd (CH2150-CH2500 and CH5030-CH6420) total fo 1.74km		Contractor	
17	Henty Walla Road	1km South from Hickory Hill Rd for 5km towards Walbundrie rd (CH12550-CH17550)	Completed	Contractor	29/11/2023
18	Mountain Creek Road	1.17km from Hume Hwy for 2.4km (CH1170-CH3600)		Contractor	
19	Tunnel Road	Ferndale Rd to Tin Mines Trail (CH6020-CH10025)		Contractor	
20	Trigg Road	Start 925m from Urana Rd, sealed section over bridge to end of seal (CH7180-CH8650)		Contractor	
21	Sweetwater Road	From Narrow seal to road end (CH900-CH4625)		Contractor	
	Yenchs Road	Start 2.5km from Jingellic Road (CH 2500 to CH 3070) 2 Coat Seal Required 14/7mm		Contractor	
C/F	Henty Cookadinia Road	From 3km east of Lubkes Rd to Kreutzbergers Rd (CH 9320 to CH 12820)	Completed	Contractor	27/11/2023
C/F	Morven Cookadinia Road	From 6.7km north of Carabobla Lane, North for 3km (CH 10000 to CH 13000)		Contractor	
C/F	Burrumbuttock Walla Walla Road	North from Urana Road for 3km CH 0 to CH 3000)	Completed	Contractor	28/11/2023
C/F	Burrumbuttock Brocklesby Road	From 360m west of Cook Road to Kywong Howlong Road (CH 10000 to CH 12400)		Contractor	
C/F	Four Corners Road	Full Length - Daysdale Road to Hall Raod (CH 0 to CH 3950)		Contractor	
C/F	Westby Road	Full length from Hume Highway to Shire Boundary (CH 0 to CH 11920) Various widths		Contractor	
	BITUMEN SEALING PROGRAM - URBAN	COUNCIL RESEAL PROGRAM			
	Balfour Lane, Culcairn	Railway Pde to McBean St	Completed	Contractor	4/12/2023
	Princes Street, Culcairn	Gordon St to road end (CH0-CH195)		Contractor	
	Croft Street, Holbrook	Bowler St to Spurr St (CH0-CH350)		Contractor	
	Wilson Street, Holbrook	Bowler St to road end (CH0-CH350)		Contractor	
	Hay Street, Woomargama	Woomargama Way to South St (CH0-CH420)	Completed	Contractor	30/11/2023
	Dickson Street West, Woomargama	Hay St to Hume St (CH0-CH450)	Completed	Contractor	30/11/2023
	Dickson Street East, Woomargama	Berry St to road end (CH0-CH160	Completed	Contractor	30/11/2023
	Yarra Street, Holbrook	King St to Purtell St (CH0-CH190)		Contractor	
	Adams Street, Jindera	Dights Forest Rd (50kph signs to just west of School) (CH0-CH1885)		Contractor	
	Hume Street, Woomargama	Berry St to Edward St (CH0-CH317)	Completed	Contractor	30/11/2023
	GRAVEL RE-RESHEETING	COUNCIL RESHEETING PROGRAM			
31	River Road	Ongoing Program		Contractor	
32	Coppabella Road	Sections (CH5410 -CH5850, CH6065- CH6670 and CH7860-CH9240) Just east of Cribbs Rd	Completed	Contractor	13/11/2023
33	Cannings Road	Full Length (CH0-CH4100)	Completed	Contractor	20/10/2023
34	Brittas Reserve Road	Full Length (CH0-CH7860)	Completed	Contractor	14/11/2023
44	Graetz Road	Full Length (CH0-CH2185)	Completed	Contractor	27/10/2023
35	Astra Lane	Full Length	Completed	Contractor	28/09/2023
36	Hanels Road	Full Length (CH0-CH3156)		Contractor	
37	Stewarts Road	Daysdale Rd to Hudsons Rd (CH-0CH3210)	Completed	Contractor	23/11/2023
38	Seidels Road	Full Length (CH0-CH4950)	Completed	Contractor	26/10/2023
39	Crawlseys Road	CH0-CH2360	Completed	24/11/2023	
40	Ryan Road	Full Length (CH0-CH4695)	Completed	Contractor	22/11/2023
41	Glenelg Road	For Approx 1.55km off Hume Hwy	Completed	Contractor	22/11/2023
42	Thugga Road	Full Length	Completed	Contractor	16/10/2023
43	Shoemarks Road	Part Section Scholz Rd to Graetz Rd (CH3340-CH3970)		Contractor	
LRCIP3	Walla West Road	End of Seal CH 4165 to CH 9120		Contractor	
LRCIP3	Shoemarks Road	CH 0 to CH 3340	Completed	Contractor	27/11/2023

LRCIP3	Lennon's Road	CH 0 to CH 8155		Contractor	
LRCIP3	Balldale Walbundrie Rd	Old pit entrance to Triangle Rd (CH 7370 to CH 9970) 2.6km		Contractor	
LRCIP2	McGorman Lane	Corowa Rand Rd to Flaxvale Rd (CH 0to CH 3130) 3.1km		Contractor	
C/F	Bowlers Road	Full Length (CH 0 - CH 1628)	Completed	Contractor	18/10/2023
C/F	Cambells Road	Full Length (CH 0 - CH 3760)		Contractor	
C/F	Jobsons Road	Full Length (CH 0 - CH 2590)	Completed	Contractor	16/10/2023
C/F	Luther Road	Full Length (CH 0 - CH 1280)	Completed	Contractor	16/10/2023
	Holbrook Airpark	Gravel Resheeting		Contractor	
	Bridge / Major Culvert	BRIDGE PROGRAM			
	Footpath Construction	COUNCIL PROGRAM			
52	Urana St, Jindera	Creek St to Pioneer Park (Playground) East Side - 200m		Contractor	
	Kerb and Gutter	COUNCIL PROGRAM			
	Bus Shelters	COUNCIL PROGRAM			
	Various Locations				
	Town Services - Villages Vote	COUNCIL PROGRAM			
	Brocklesby	Replace Septic System in Blacksmith Park with AWTS			
	Stormwater Drainage				
1	Balfour Street, Culcairn	Replace Kerb & Channel & install drainage (Fraser St to Stock Route North Side to connect new residential area)	Completed	Contractor	29/11/2023
2	Holbrook Flood Mitigation	Construction of levee& associated drainage infrastructure		Contractor	
51	Henty Cookadinia Road	New Culvert to the east of Henty	Awarded	Contractor	
	Yenches Road	New Culvert over Water Creek	Commenced	Contractor	
	Parks and Gardens				
4	Jindera Rec Ground	Install all ability swing in Adventure Playground		Contractor	
5	Eric Thomas Park, Culcairn	Culcairn Rail Footbridge Relocation		Contractor	
6	Jindera Pioneer Park	Install Concrete Path		Contractor	
	Jindera Rec Ground	Adventure Playground Installation	Commenced	Contractor	
7	Jindera Playground/Skatepark	Install CCTV System		Contractor	
	Local Road and Community Infrrastructure Projects				

Applications Approved

AUTHORITY

c_dm073 | Approved Between1/11/2023 and 30/11/2023 | 05/12/2023

Application No.	Location	Development Type	Est. Cost	Received	Determination		Total Elapsed Days	Stop Days	Adjusted Elapsed Days
DA/2016/122	Applicant: Blueprint Planning Development 123 Nioka RD JINDERA Lot: 102 DP: 1227668	Six (06) Lot Torrens Title Subdivision in Three (3) Stages	$0	23/10/2023	Approved	23/11/2023	32	0	32
DA/2021/227	Applicant: B & H Homes Pty Ltd 875 Woomargama WY WOOMARGAMA Lot: 2 DP: 1135045	New Dwelling as Modified	$440,086	2/10/2023	Approved	30/11/2023	60	0	60
DA/2022/175	Applicant: Blueprint Planning Development 41 Range View DR JINDERA Lot: 7 DP: 1164647	New Dwelling Pergola Shed Water Tank Garage - Amend Pergola Location	$535,000	10/11/2023	Approved	23/11/2023	14	0	14
DA/2023/99	Applicant: J W Carroll 110-112 Mitchell ST JINDERA Lot: 3 Sec: 3 DP: 758544	New Shed	$23,000	7/09/2023	Approved	1/11/2023	25	31	25
DA/2023/110	Applicant: M Massaro 64 Howlong RD BURRUMBUTTOCK Lot: 1 DP: 835098	Alterations Additions to Dwelling and Demolition and Shed Construction	$690,484	11/08/2023	Approved	13/11/2023	25	70	25
DA/2023/133	Applicant: D K Thomas 151 Molkentin RD JINDERA Lot: 140 DP: 1080277	New Steel Framed Pergola and Amenities	$35,000	19/09/2023	Approved	15/11/2023	58	0	58
DA/2023/137	Applicant: I R Francis 7 St Johns CT JINDERA Lot: 12 DP: 773623	New Shed and Slab	$19,462	27/10/2023	Approved	20/11/2023	25	0	25
DA/2023/140	Applicant: Albury Sheds & Patios Pty Ltd 112 Fallon ST JINDERA Lot: 18 DP: 1054959	New Colorbond Shed	$49,237	13/10/2023	Approved	7/11/2023	26	0	26

Applications Approved

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Application No.	Location	Development Type	Est. Cost	Received	Determination		Total Elapsed Days	Stop Days	Adjusted Elapsed Days
DA/2023/144	Applicant: St Paul's Lutheran Primary Sch 30 Lyne ST HENTY Lot: 179 DP: 665536	New Covered Outdoor Learning Area	$75,000	10/10/2023	Approved	20/11/2023	42	0	42
DA/2023/147	Applicant: Macjac Sheds 9 Cade CT JINDERA Lot: 5 DP: 1249885	New Shed	$22,883	16/10/2023	Approved	8/11/2023	24	0	24
DA/2023/148	Applicant: M Pitman 15 Wagner DR JINDERA Lot: 211 DP: 1280394	New Shed	$31,465	18/10/2023	Approved	9/11/2023	23	0	23
DA/2023/151	Applicant: St Pauls College 3 Klemke AVE WALLA WALLA Lot: 15 DP: 1112086	Construct Ensuite Bathroom to Existing Boarding House	$46,500	20/10/2023	Approved	20/11/2023	32	0	32
DA/2023/171	Applicant: Peter Bowen Homes 11 Holly Tree CT JINDERA Lot: 112 DP: 1277003	Single storey residence and garage	$0	17/11/2023	Withdrawn	17/11/2023	1	0	1
CDC/2023/52	Applicant: S L Verity 2 Stan DR JINDERA Lot: 3 DP: 1228380	New Swimming Pool	$43,650	24/11/2023	Approved – Private Certifier	24/11/2023	1	0	2
CDC/2023/53	Applicant: Waterline Building Services Pty 2 Holly Tree CT JINDERA Lot: 106 DP: 1280183	New Dwelling and Garage	$353,803	21/11/2023	Approved – Private Certifier	21/11/2023	1	0	1
CDC/2023/54	Applicant: Bridgewood Homes 4 Rosler ST JINDERA Lot: 205 DP: 1280394	New Dwelling & Garage	$555,166	28/11/2023	Approved – Private Certifier	28/11/2023	1	0	1

Applications Approved

AUTHORITY

c_dm073 | Approved Between1/11/2023 and 30/11/2023 | 05/12/2023

Application No.	Location	Development Type	Est. Cost	Received	Determination	Total Elapsed Days	Stop Days	Adjusted Elapsed Days

Report Totals & Averages

Total Number of Applications : 16

Total Estimated Cost : 3,306,696.00

Average Elapsed Calendar Days: 30.75
Average Calendar Stop Days: 6.31
Average Adjusted Calendar Days: 24.44

Total Elapsed Calendar Days: 492.00
Total Calendar Stop Days: 101.00
Total Adjusted Calendar Days: 391.00

Gayan Wickramaarachchi
(acting) Director Environment & Planning
Greater Hume Shire Council

Present: Mr John Batchelor – Acting Chair
Mrs Melanie Dusterhoft-Mavrick - Independent Member
Cr Heather Wilton – Greater Hume Council
Brad Bohun – Guest External Auditor Crowe

Observers:
David Smith – Director Corporate and Community Service, Greater Hume Council
Dean Hart – Chief Financial Officer, Greater Hume Council
Jane Gould – Risk & Governance Manager, Greater Hume Council

Apologies:

Meeting Commenced 10.00am

Motion to temporarily replace the Chair with Independent Member John Batchelor.

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]

ITEM 1 Welcome and Apologies
Mayor, Cr Tony Quinn
Cr Lea Parker
Chair, David Maxwell
General Manager, Evelyn Arnold
Internal Auditor, National Audits Phil Swaffield

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]

ITEM 2 Acknowledgement of Country
The Chairman offered an acknowledgement of Country

ITEM 3 Declarations of Interest
Nil

ITEM 4 CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS for adoption AND Noting of Committee Report 1 August 2023 Meeting;

RESOLVED [Cr Wilton/John Batchelor]

1. That the Minutes and the Committee report of the Greater Hume Council Audit, Risk and Improvement Committee meeting held on 1 August 2023 as printed and circulated be confirmed as a true and correct record of the proceedings of the meeting.

2. That the Committee Report 1 August 2023 be noted.

3. That the Minutes and the Committee report of the Greater Hume Council Audit, Risk and Improvement Committee Special Meeting held on 5 September 2023 as printed and circulated be confirmed as a true and correct record of the proceedings of the meeting with the exception of

adding Melanie Dusterhoft-Mavrick as an Observer of the 5 September 2023 Meeting.

ITEM 5 Business Arising From Previous Minutes

Nil

ITEM 6 Review of 2022 Audit Follow-Up Matrix

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]

1. That the Audit Follow-Up Matrix Report be received and noted.
2. That all items less than High Risk be removed from the 2022 Audit Follow-up Matrix and be placed in the operational action plan for ELT.
3. That all HIGH Risk Items be moved to the 2023 Audit Follow-Up Matrix.

ITEM 7 External Audit

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]

1. That the External Audit Report on the Conduct of the Audit 2023, Engagement Closing Report 2023 and Final Management Letter 2023 be received and noted.
2. Note that the external audit function will move to the NSW Audit Office for 2024 External Audit.

ITEM 8 Internal Audit

RESOLVED [Cr Wilton/ John Batchelor]

1. That the Internal Audit Status Report be received and noted.
2. That the Committee's internal audit program be reviewed in February 2024.

ITEM 9 Reports from Officers and Other Agencies

9.1 StateCover Self Audit Annual Priority Actions Plan for 2023

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]
That the following report be received and noted.

9.2 Cyber Security Update Report, Cyber Security NSW Policy, BCP – IT Sub Plan

RESOLVED [Melanie Dusterhoft-Mavrick/ Cr Wilton]

That the following recommendations are endorsed;

1. Greater Hume complete a risk based cyber security assessment using the Cyber Security NSW Risk Maturity Tool Kit. This will underpin the right level and type of cyber security required by Greater Hume Council at this time.

2. Greater Hume Council complete an Essential Eight Maturity Assessment using the Cyber Security NSW Essential Eight Maturity Matrix. This will give us an objective understanding of our minimum operational protections status and lead to an actions list should it be necessary.
3. Greater Hume Council complete a review of the current Business Continuity Plan - IT Sub Plan.
4. Greater Hume Council consider the contracting of a specialist auditor to complete a cyber-security internal audit.
5. To maintain focus on cyber security at the appropriate level of Greater Hume Council Executive and maintain appropriate cyber security records, cyber security should be reported through Incident Management as this is a strategic risk. Incident Management is reported to the Executive Leadership Team (ELT) weekly.
6. The Director in charge of Information Management and Cyber Security should receive on a weekly basis an Operations Report of agreed metrics including the ongoing and improving maturity of the Essential Eight. The Director can raise updates with the ELT as and when.

The following additional recommendation was put forward and endorsed;

7. That funding for a specialist cyber security auditor be included in the 2024/2025 budget.

9.3 Greater Hume Council Strategic Risks Presentation

RESOLVED [Melanie Dusterhoft-Mavrick/ Cr Wilton]
That the Strategic Risks as presented be received and noted.

ITEM 10 Committee Operations

10.1 ARIC Annual Forward Meeting Plan

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]
That the Committee adopt the Annual Forward Meeting Plan for 2024

10.2 Independent Member Rotation – Report endorsed by Council

RESOLVED [Cr Wilton/Melanie Dusterhoft-Mavrick]
That the Committee receive and note the Independent Member Rotation Report endorsed by Council.

There being no further business the meeting closed at 11.40am

Next meeting dates Tuesday 6 February 2024
(NOTE: All meetings will commence 10am at the Culcairn Chambers)

GEROGERY HALL COMITEE MEETING (17th September 2023)

Meeting opened at 4.20pm

ATTENDANCE... Ian, Robert, Martin, Grace, Harry

APOLOGIES... Tony, Tanja, Darryl

Minutes from previous meeting read Moved... Robert Seconder... Martin

BUSINESS ARISING... Nil

TREASURE REPORT... As Attacked to Minutes MOVED by Robert and CARRIED by Ian.

GENERAL BUSINESS... 14TH October 2023 Gerogery Hall will be use by AEC and set up on Friday 13th October.

27th January 2024 will be having a Trivia Night at Hall by Grace.

Gerogery School will be having a Christmas party in December sometime{ Date will be notifiy}

NEXT MEETING HELD AT GEROGERY HALL on Sunday 3rd December at 4pm

MEETING CLOSE AT 4.40pm

GHS GEROGERY HALL COMMITTEE TREASURERS REPORT

DATED	SUPPLY	FUNCTION	EXPENSES	DEPOSIT	WITHDRAW	BANK BALANCE
	Closed HBS				$409.75	$00.0
26/4/23	Open WAW			$409.75		$409.75
26/4/23	Petty cash			$50		$459.75
17/5/23		Hire Hall		$75		$534.75
17/5/23		Trivia night		$370.00		$904.75
17/5/23		Donation for trivia night		$50		$954.75
17/5/23		Recycle 10 cent bottles		$21.90		$976.65
25/3/23		BBQ Election		$150		$1,126.65
06/5/23	Pay Food Mill Walla				$150	$976.65
15/5/23		Music club Hire Hall		$50		$1,026.65
13/6/23		Music club Hire Hall		$50		$1,076.65
30/6/23			Interest Credit	$0.02		$1,076.67
11/7/23		Music Club Hire Hall		$50		$1,126.67
2/8/23	GHSC Financial Contribution		Cheque # 016842	$1,550.00		$2,676.67
15/8/23		Music club Hire Hall		$50		$2,726.67
13/9/23		Music Club Hire Hall		$50		$2,776.67

Walla Walla sportsground management committee

Minutes of Annual general meeting held on 23/10/23 at Walla Walla sportsground commencing at 7.10 pm

Present: Alan Odewahn, Trevor Merkel, John Mullavey, Ross Krause, , Don Scott Geoff Dunlop. Elaine Carter, Karla Leschke

Apologies: Dave Graham Selina Kohlhagen, Merv Wegener Ross Hoffman

Minutes of the last AGM on 5/9/22 were read and adopted move Trevor Merkel 2nd Don Scott

Treasurers report as per attached sheets balance Start $10425.52 Finish $53033.92 (31st May 2023) Move John Mullavey 2nd Carla Lieschke Camping Fees up and transfer into main acct from Fund raising account approx. $16000

Presidents report: Thank volunteers , Comment on the great committee and their work sportsground in good condition, do not need working bees as Don and Geoff do things before we can allocate work.

Election of office bearers

President Allan Odewahn nominated accepted and declared

Vice president Don Scott nominated accepted and declared

Secretary Trevor Merkel nominated accepted and declared

Treasurer john Mullavey nominated accepted and declard

Signatories at WAWCU to be President secretary and treasurer as above

Committee Merv Wegener, John Siedel, , Ross Krause, Ross Hoffmann Dave Graham Elaine Carter, Karla Lieschke and 2 members of each club as per last year.

Agm Close 7.41

General Business

Re surface of the Netball Courts quote was $51,000, Move to Repair Netball Courts and ask Greater Hume for a Loan or the Giants Football Netball club for $20,000 and waive their fees until money is replaced Move Karla Lieschke 2nd Don Scott Carried.

Tennis Club lights need a lock on the switch.

Old Cricket pitch need removing

Seating at playground

Development committee want to plant trees around the sports ground Ok withthaty provided its not trees that drop limbs

Still need to get solar on at Caravan Park

Need to purchase plates for functions Karla to look into regarding cost and type.

Discussed dishwasher and whats wrong with it.

Need to be able to pay Caravan fees with a card Johno to look into.

Meeting closed 8.24pm