



**Greater
Hume
Council**

Ordinary Meeting of Greater Hume Council

Wednesday, 20 March 2024

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Jindera Community Hub, 83 Urana Street, Jindera, commencing at 6.00pm. The meeting commences with a Public Forum.

Persons wishing to address Council in the forum must register by 5pm Monday, 18 March 2024. The conduct of the forum is governed by the Council's Code of Meeting Practice. A new procedure applies for persons wishing to attend the meeting which can be obtained from Council's website or any Council office.

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

Evelyn Arnold
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Ordinary Meeting of Greater Hume Council

Wednesday, 20 March 2024

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

BUSINESS:

1. OPENING THE MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

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

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

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 21 February 2024

6. ACTION REPORT FROM THE MINUTES

7. DISCLOSURES OF INTERESTS

8. MAYORAL MINUTE(S)

9. NOTICES OF MOTIONS

10. REPORTS FROM OFFICERS

PART A For Determination

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

ITEM REFERRED TO CLOSED COUNCIL

- Nil

PART B To Be Received and Noted

- Corporate and Community Services

PART C Items For Information

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

PART D Items for Information

11. MATTERS OF URGENCY

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

13. CONCLUSION OF THE MEETING

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MAYORAL MINUTE

Nil.

NOTICE OF MOTIONS

1. **NOTICE OF MOTION**

Nil.

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OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATION 10.2023.191.1 – RECREATION FACILITY (OUTDOOR) – OPERATE A RIDING SCHOOL, CAR PARKING & SIGNAGE – LOT 2 DP 1140932 AT 442 DIGHTS FORREST ROAD JINDERA NSW 2642**

Report prepared by Town Planner – Gayan Wickramasinghe.

REASON FOR REPORT

The purpose of this report is to provide an assessment and recommendation for the above development application for “Recreation facility (outdoor) – operate a riding school, car parking & signage” on Lot 2 DP 1140932 at 442 Dights Forest Road Jindera NSW 2642.

Following public exhibition of the Development Application from 19 January 2024 to 8 February 2024, Council received one objection to the proposal. The objection primarily addressed the suitability of the site, given its location in a 100 km/hr zone and its proximity to sensitive receivers. Concerns were also raised regarding potential amenity impacts, such as acoustic disturbances, excessive dust, and odours, as well as the potential devaluation of the land. Further discussion on these submissions can be found in Section 4.15(1)(a)(d) of this report (**ANNEXURE 1**).

Accordingly, this matter is reported to Council for determination as per the Council adopted assessment of development applications policy.

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

This development application seeks Council approval for the establishment and operation of ‘**Recreation facility (outdoor)**’ at the above address. More specifically approval is sought to operate a horse-riding school as an additional use within the site.

Various documents were submitted by the applicant including the supplied Statement of Environmental Effects (SEE) including the following information related to the proposal:

- *“Customers will be provided with an opportunity to interact and ride ponies on the property under instruction, supervision, control and guidance.*
- *Activities are designed for beginners wanting to have a pony/horse experience, pony/horse ride and learning about and how to ride independently. We provide supervised interaction with ponies/horses through to riding ponies/horses.*
- *Example of activities include grooming and rides in and around designated areas on the property.*
- *Activities typically take an hour per person/group.*
- *Numbers of staff: One riding instructor, owner operator.*
- *Hours and days of operation: Monday to Saturday from 8.30am – 5.30pm Times will vary within these times for summer and winter and client demand.*
- *There are 13 ponies and horses kept on the premises for Bits and Boots Pony Rides.*
- *Maximum expected number of customers: Maximum expected clients on a Saturday is 4 or 5 clients per hour. This number is less during the week. School holidays will have a maximum of 6 clients per hour.*

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- *Horse Manure – Horse manure collected will be composted and used on gardens and spread on pastures.*
- *General rubbish – recycle and rubbish bins will be provided. Rubbish will be minimal as clients do not usually have occasion to have rubbish during riding lessons.*
- *Human waste – A toilet is located on site and has its own septic.*
- *Erect a metal sign 162cm x 140cm on steel posts to a height of 272cm”.*

The proposed development involves the use of the site as it exists and, as such, no physical works are proposed as part of this DA.

Finally, given the rural nature of the property Council staff are satisfied that the development site has ample room for car parking.

This Application is supported by the following;

1. Proposed site plan;
2. A copy of the proposed business identification sign and a view of the elevation diagrams showing the location of the sign;
3. Completed Pre-Lodgement Application Form;
4. A cost summary for the proposal (\$1,400).

Please refer to the submitted plans, and the body of the report for background and further details **(ANNEXURE 2)**.

ASSESSMENT

1.1 DESCRIPTION OF THE SITE AND LOCALITY

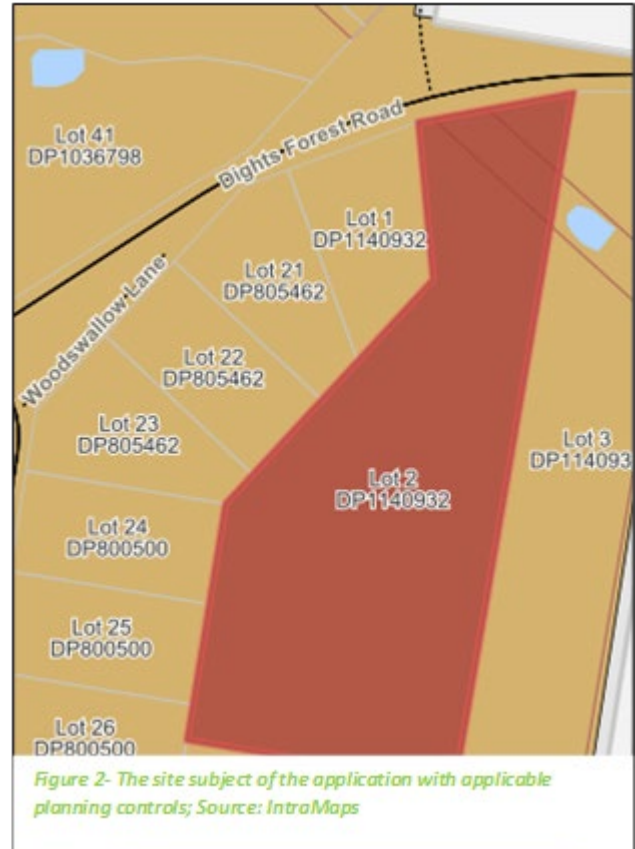
The subject land is legally described as Lot 2 DP 1140932 and is addressed as 442 Dights Forest Road, Jindera, NSW 2642. The site is irregular in shape with a frontage of approximately 160m to the all-weather sealed Dights Forest Road. It covers an area of approximately 13.47 hectares.

The site currently contains a single-storey dwelling house together with a metal shed at its southern section, adjacent to the eastern boundary. The development site has access to the Council’s reticulated water services. The site subject to the application is zoned RU1 Primary Production pursuant to the Greater Hume Local Environmental Plan (GHLEP) 2012. Neither the subject development site contains any known items of environmental heritage significance as outlined in Schedule 5 of the GHLEP 2012, nor has it been identified as flood-prone land for a 1:100 ARI flood event. **'Figures 1-2' outline the subject site, while 'Figure 3-5' outline the nature of the proposed development.**

The immediate vicinity to the west of the site is characterised by single storey dwellings with an attached or detached shed, and with a regular, orthogonal street pattern influenced by the flatter elevated topography. The properties that are located immediately adjacent to the subject development site are large rural residential lots zoned RU4 Primary production Small Lots.

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OPERATE A RIDING SCHOOL, CAR PARKING & SIGNAGE – LOT 2 DP 1140932 AT 442 DIGHTS
FORREST ROAD, JINDERA NSW 2642 (CONT)



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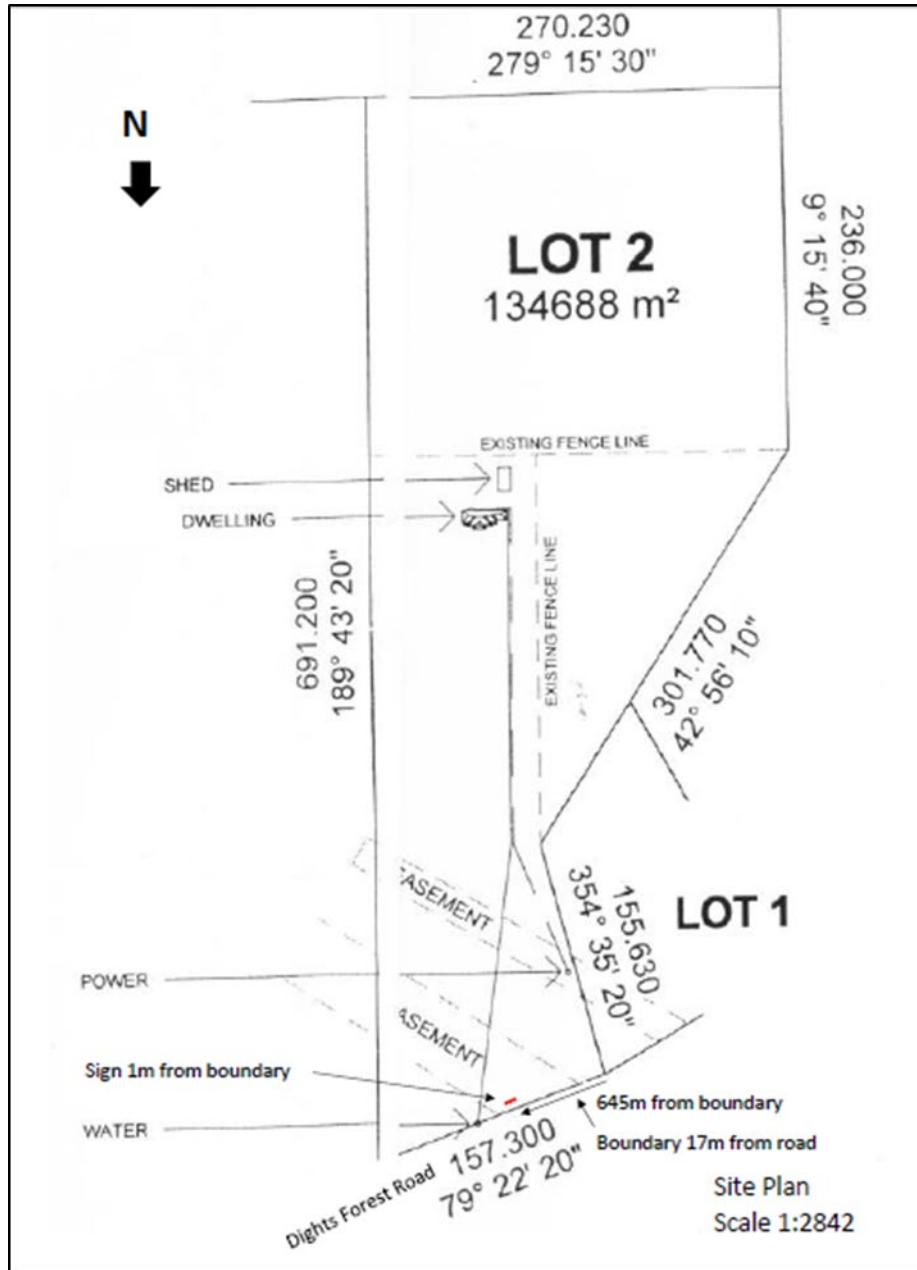
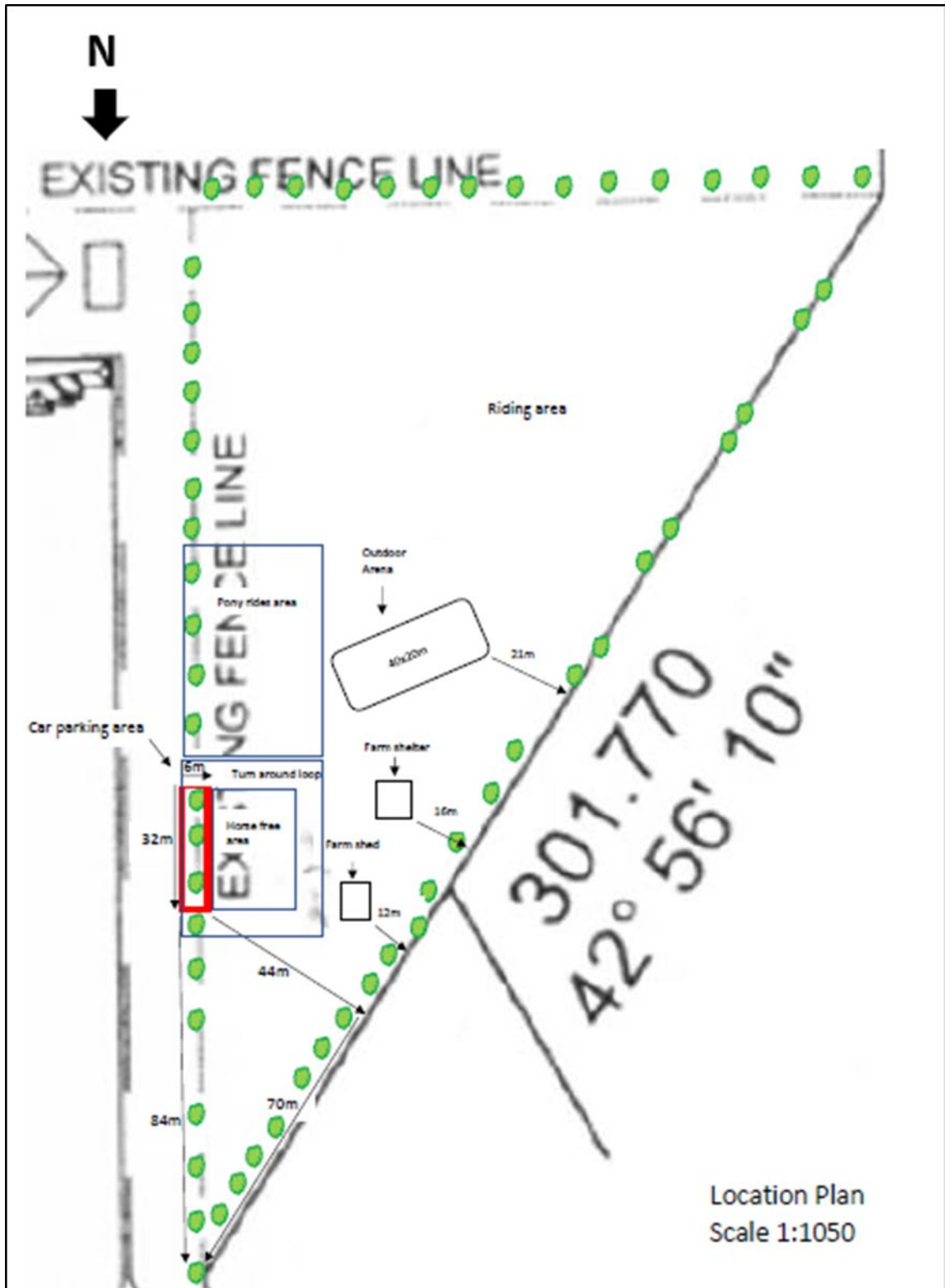


Figure 3 – Overall site plan by the Applicant

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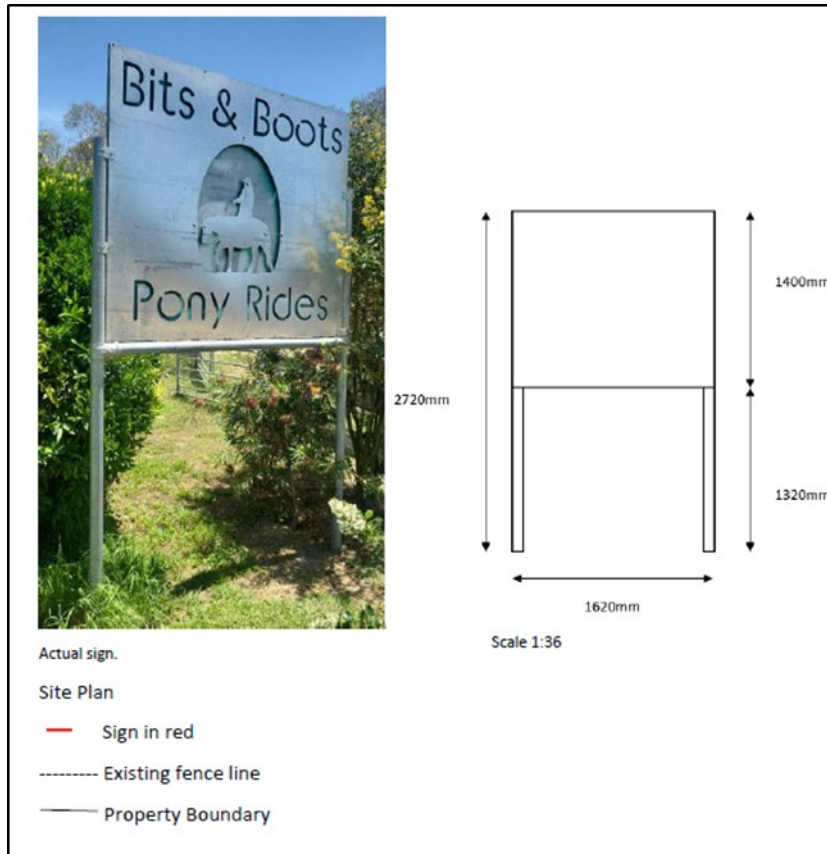


Figure 5 – proposed business identification sign

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

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

Section 4.46 - What is “integrated development”?

The application is not classed as Integrated Development as the application does not require a separate approval under this section.

4.15 Evaluation

(1) Matters for consideration-general

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

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*

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- (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) (Repealed)
that apply to the land to which the development Application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

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

LOCAL ENVIRONMENTAL PLANS

Greater Hume Local Environmental Plan (GHLEP) 2012

Zone RU4 Primary Production Small Lots

Objectives of zone

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The proposed use has been identified as recreation facility (outdoor) in accordance with the GHLEP 2012. It is noted that recreation facility (outdoor) is a permissible form of development within the RU4 Primary Production Small Lots. The Dictionary within the Plan provides the following definition related to the proposed use:

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

The proposed development is not considered to be inconsistent with the objectives of the Zone RU4 Primary Production Small Lots of the GHLEP 2012.

As noted above, some of the primary objectives of land zoned RU4 Primary Production Small Lots are to enable sustainable primary industry and to encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature. The Applicant is seeking to operate a horse-riding school as an additional use within the site, which is considered to be consistent with the objectives of this zone.

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Council staff are also satisfied that the proposed business identification sign is ancillary to the proposed main use of the site as per [Planning Circular PS 21-008](#). The following definition can be found within the GHLEP 2012 Dictionary in relation to a business identification sign:

business identification sign means a sign—

- (a) that indicates—
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Part 5 Miscellaneous provisions

Section 5.10 Heritage conservation

The site does not contain any known items of Environmental Heritage Significance as outlined in Schedule 5 of the GHLEP 2012. It is further noted that a standard condition related to protection of unknown Aboriginal Heritage will be recommended on any consent granted.

Section 6.7 Essential services

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

Subsection	Comment
(a) the supply of water,	Existing infrastructure in place.
(b) the supply of electricity,	Existing facilities on site as per applicant's documentation.
(c) the disposal and management of sewage,	Existing infrastructure in place. Council staff are satisfied that subject to the imposition of a condition waste generated from animals can be appropriately managed on site.
(d) stormwater drainage or on-site conservation,	No change to the existing arrangement.
(e) suitable vehicular access	The subject site has frontage to all weather sealed Dights Forest Road.

State Environmental Planning Policies (SEPPs): The following SEPPs are applicable for the development:

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

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

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

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

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

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

As per Section 4.6(1)(a), and a search of Council GIS System indicate that the land has not been used for any approved activities which would render the soil contaminated to such a degree as to prevent the future development of the land for the intended purpose. Therefore, it is considered that the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

State Environmental Planning Policy (Industry and Employment) 2021

As discussed above the applicant has proposed to install a business identification sign (162cm x 140cm on steel posts to a height of 272cm) at the front section of the property facing primary Dights Forest Road. As per Section 3.4 (1) the proposed sign requires consent from Council.

Section 3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

Please refer to the detailed assessment below.

1 Character of the area

- (a) *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- (b) *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

Council staff are satisfied that the proposed signage is local in scale and primarily limited to identify the business carried on by the person at the premises or place at which the sign is displayed. Notwithstanding that Council staff also believe that the proposed business identification sign is ancillary to the proposal. Therefore, it is considered that the proposal is consistent with the character of the area.

2 Special areas

- (a) *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

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The development site is not being identified as environmental sensitive or heritage sensitive area as per NSW ePlanning Spatial Viewer and the GHLEP 2012. The proposed signage is limited to name of the business and the nature of the business carried on by the person at the premises. It is also noted that the proposed business identification sign will not be illuminated. Therefore, it is considered that the proposal will blend in with the surrounding landscape and will not have any detrimental impacts on the surrounding environment and is generally acceptable in quality and dimension.

3 Views and vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

It should note that the proposed sign will have a total height of 2.72m. Due to its location and size, the sign will not dominate the skyline and reduce the quality of vistas or will not compromise important views.

4 Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

It is considered that the scale, proportion and form of the proposed sign is proportionate to the existing streetscape in general. Due to its size and the location, Council is satisfied that the design does not dominate the street or any public open space. Therefore, the scale, proportion and form of the proposed sign is acceptable in this instance.

5 Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

The proposed sign is intended to advertise the proposed additional use of the site. As noted previously within this report, the proposed signage will be positioned at an angle that will allow for the sign to be easily read from the front property boundary. The information on the intended sign is limited to the promotion of the proposed development. Therefore, it is considered that the proposed sign is consistent with the above criteria and is adequately integrated into the site.

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6 Associated devices and logos with advertisements and advertising structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

As per the submitted sketch, the proposed sign will not be illuminated or will not have any lighting devices attached. It is therefore considered that the proposed sign will not have potential to create any visual safety concerns. A condition will be recommended to include on any consent granted.

7 Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

As noted previously within this report, the proposed sign will not be illuminated. Therefore, Council as consent authority is satisfied that the proposed sign will not result in unacceptable glare, will not affect safety for pedestrians, vehicles or will not detract from the amenity of any residence.

8 Safety

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

The proposed business identification sign is solely to be contained within the private property with no illumination and no additional devices attached. Therefore it is considered that the proposed signage would not reduce the safety for pedestrians or cyclists.

As a result of the above discussion, it is considered that the proposed ancillary business identification signage is consistent with having regard to the matters prescribed under this SEPP.

SECTION 4.15(1)(A)(II) - ANY PROPOSED INSTRUMENT THAT IS OR HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION UNDER THIS ACT AND THAT HAS BEEN NOTIFIED TO THE CONSENT AUTHORITY (UNLESS THE PLANNING SECRETARY HAS NOTIFIED THE CONSENT AUTHORITY THAT THE MAKING OF THE PROPOSED INSTRUMENT HAS BEEN DEFERRED INDEFINITELY OR HAS NOT BEEN APPROVED);

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

SECTION 4.15(1)(A)(III) - ANY DEVELOPMENT CONTROL PLAN;

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

- Chapter 10– Notification Policy.

10.0 NOTIFICATION POLICY

This chapter of the GHDCP applies to Council’s policy for notifying development applications.

In accordance with the *GHDCP 2013* the application was notified to adjoining landowners from 19 January 2024 to 8 February 2024. As mentioned previously within the body of the report Council received one (1) submission. Please see below key summary and response from the assessing officer.

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

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

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

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

- Part 4, Division 1- ‘Determination of Development Applications’;
- Division 2, Subdivision 1- ‘Development in General – Section 69-74 & Section 81 within Subdivision 2’

Due to the nature of the proposal, it is considered that no prescribed conditions are applicable in this instance.

SECTION 4.15(1)(B) - THE LIKELY IMPACTS OF THAT DEVELOPMENT, INCLUDING ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, AND SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY;

ISSUE	COMMENT
Context & setting	The subject site spans an area of 13.47 hectares and includes a single-story dwelling and an outbuilding associated with the current residential use of the land. Given the extent of the land and subject to the imposition of relevant conditions on any consent granted, Council staff are satisfied that potential impacts such as noise, waste, and dust on the surrounding environment or locality can be adequately managed and the proposed additional use can be appropriately accommodated onsite.
Access & parking	Site access is provided via the all-weather sealed Dights Forest Road. Any additional traffic generated by the proposed development is not considered to create an adverse impact on the surrounding network whilst the development site has ample space for on-site parking.

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Utilities	As discussed within Section 6.7 of the report, the development site has been provided with all necessary services and or Council is satisfied that subject to imposition of a relevant condition this requirement can be met.
Noise	<p>The applicant noted that the potential noise emissions associated with the proposal includes the following:</p> <ul style="list-style-type: none"> • <i>Sounds associated with Pony hoof impact with the ground</i> • <i>Sounds Associated with ponies' neighing and communicating</i> • <i>People speaking and laughing</i> <p>In addition to that vehicle movement associated with the proposal may have potential for additional noise to be generated onsite.</p> <p>Most importantly, the applicant has proposed that the proposed additional use will only be carried out from Monday to Saturday between 8.30am -5.30pm. Therefore, Council considers that the noise associated with the above sources will not have detrimental impacts on the neighbouring properties. It is however noted that in the event if the application is approved a condition will be incorporate on the consent requiring the applicant to comply with the relevant noise level for the development.</p>
Heritage	The subject development site does not contain any known items of environmental heritage significance as outlined in Schedule 5 of the GHLEP 2012 nor has it been identified as a heritage conservation area in accordance with the Greater Hume Shire Community Based Heritage Study 2010.
Stormwater	No changes required.
Odour	Due to the number of horses and ponies to be station on the site in close proximity to the sensitive receivers (dwelling houses) Council staff are concerned that the proposal may have potential for additional odour to be generated and may impact on the adjacent properties. Therefore, a condition will be imposed to address this matter on any consent granted.
Economic Impacts	The proposed development provides investment in the current location and some economic benefits to the local community. The proposal has potential to create additional visitors to the Greater Hume LGA with beneficial economic flow on effects via visitor spend.
Landscaping	No additional Landscaping is required in this instance.

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

The application has been referred to Council's Engineering Department for consideration together with the submission received. The referral responses to the recommended implementation of conditions to manage potential impacts of the development which have been included in the draft condition section within this report. In addition to that the subject land is also considered to be suitable for the particular purpose due to the following reasons:

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- The proposal is permissible form of development in land zoned RU1 Primary Production Small Lots Village pursuant to the GHLEP 2012;
- The development is generally considered to be satisfactory in regard to Section 4.15 of the EP&A Act;

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

External Referral	Response
Not required	
Internal Referrals	Response
Engineering Department	Engineering Department has no objection to the proposal subject to imposition of relevant conditions on any consent granted.
Public Submissions	
The Application was notified to adjoining property owners and was also advertised on the NSW Planning Portal from 19 January 2024 to 8 February 2024. As mentioned previously within the body of the report Council received one submission for the proposal.	
The submission was reviewed by Council’s Engineering and Planning Staff. Please see below key summary and response from the assessing officer.	
Submission	Response from the assessing officer
suitability of the site (being located in a 100Km/hr zone)	The matter related to the 100 km/hr speed limit was discussed with the Council’s Engineering Department. They noted that due to the small number of vehicular movements to and from the site, the location is not considered unsuitable. However, they have recommended including a condition (i.e., pruning and trimming trees along the northern boundary of the property to improve visibility) on any consent granted.
potential amenity impacts including acoustic impacts, excessive dust and odour	The noise generated from the proposal is considered acceptable due to the proposed hours of operation. However, it is recommended to include a specific condition on any consent granted to manage noise levels within acceptable limits. Additionally, to address potential dust and odor concerns, conditions have been recommended for inclusion in the consent.
Potential devaluation of land	The application was assessed against the relevant matters outlined in Section 4.15 (1) of the Environmental Planning and Assessment Act 1979. As part of the assessment, Council is unable to consider potential devaluation of land resulting from the development.

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

The proposal is consistent with Council's relevant controls and the approval of the application is seen to be in the public interest.

Section 7.12 Fixed development consent levies

Not applicable in this instance.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

The proposed additional use of the land is consistent with the overall objectives of the zone and is unlikely to result in any negative impacts on the locality subject to imposition of relevant conditions on any consent granted. It is therefore considered that the proposal is consistent with the public interest.

The above assessment against Section 4.15 of the EP&A Act indicates that the development is acceptable in this instance.

RECOMMENDATION

That Council resolves to:

1. Approve Development Application No. 10.2023.191.1 at 442 Dights Forest Road Jindera NSW 2642 on Lot 2 DP 1140932 for "Recreation facility (outdoor) – operate a riding school, car parking & signage" subject to the conditions attached to this report pursuant to Sections 4.16 and Section 4.17 of the *Environmental Planning and Assessment Act 1979*.

Part A – GENERAL CONDITIONS

1. Compliance With Plans And Conditions

Development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the development application receipted and subject to the following conditions. All conditions of consent must be fulfilled at the expense of the applicant.

The development must comply with the definition of **recreation facility (outdoor)** as outlined within the Greater Hume Local Environmental Plan (GHLEP) 2012. Under the GHLEP 2012:

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

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PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

No conditions have been imposed under this section.

PART C – BEFORE BUILDING WORK COMMENCES

No conditions have been imposed under this section.

PART E– BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

No conditions have been imposed under this section.

PART F – OCCUPATION AND ONGOING USE

2. Letter of Completion

The Applicant must not allow or permit the development to be occupied or used, until:

1. All conditions of this consent have been completed in full;
2. Correspondence being submitted to Council outlining how each relevant condition has been met; and
3. Council has issued a Letter of Completion

3. Vehicle Entry and Exit from Property

Prior to the use of the site for the intended purpose, the applicant must construct a 10-metre-long hard-surfaced driveway matching the width of the existing driveway, extending from the development site to the edge of the bitumen (Dights Forest Road) to ensure sedimentation does not transfer onto the road surface.

4. Road Safety

To ensure safety and traffic flow efficiency, the applicant must regularly prune, and trim trees located on the northern section of the development site along Dights Forest Road, at the applicant's cost.

5. Noise Generating Activities - Daytime and evening hours

During the hours of 8.30am to 5.30pm, the development must be managed so that the LAeq noise levels, measured at any point in accordance with the NSW EPA Noise Guide for Local Government (2023), do not exceed 5dB(A) (LAeq) above background levels (LA90) with respect to noise amenity of residential properties and associated outdoor areas.

Noise Generating Activities - Night hours

Between the hours of 5.30pm to 8.30am on the next day, the development must be managed so that the noise level does not create offensive noise when assessed against the NSW Environment Protection Authority Noise Guide for Local Government (2013).

In the event the use exceeds permitted levels, the person in control of the premises must arrange for an acoustic investigation to be carried out by an accredited acoustic engineer and implement those measures to reduce noise to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

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6. **Facility – Management**

- (a) The facility shall be operated in accordance with:
 - (i) The principles and practices contained within the Office of Environment and Heritage publication "[Horse properties on the rural urban fringe' - Best practice environmental guide for keeping horses](#); and
 - (ii) [Schedule 2, Part 5 of the Local Government \(General\) Regulation 2021](#).
- (b) Waste manure is to be disposed of at regular intervals to prevent the waste from overflowing and emanating odour and is not to be stored in close proximity to neighbouring residential uses. If manure and bedding are stockpiled or composted on site, they are to be kept away from drainage lines and covered to prevent rainwater from leaching nitrogen from the pile into the surrounding environment;
- (c) The horse and pony wash down are to only be conducted away from neighbouring residential uses;
- (d) No liquid or solid matter from the operation or activities conducted on the development is to cross property boundaries;
- (e) The development is not to create offensive odour; and
- (f) The horse facility is to be maintained:
 - (i) in a clean condition to avoid offensive odour, dust, or drainage problems;
 - (ii) to prevent the proliferation of flies, lice, fleas, and other insect pests; and
 - (iii) free of rodents and other vermin.

7. **Amenity Protection**

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

- (a) The appearance of any, works or materials used.
- (b) The parking or movement of motor vehicles.
- (c) The transporting of materials or goods to or from the site.
- (d) Noise, air and water discharges from the site.
- (e) Electrical interference.
- (f) The storage and handling of garbage, or other materials.
- (g) Emissions or discharges into the surrounding environment including, from wastewater, vibration, odours or other harmful products.

Note: The Applicant must notify, at the earliest opportunity, Greater Hume Council of any incident which has caused, or threatens to cause, material harm to the environment. The Applicant must provide Greater Hume Council with a detailed report on the incident, and such further reports as may be requested.

8. **Riding area - Dust Control**

The riding area and gathered area must be wet down prior to each use to prevent dust nuisance.

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9. **Maximum Number of Animal**
A maximum of thirteen (13) ponies and horses are permitted to be stationed within the premises at any one time.
10. **Hours of Operation**
The hours of operation for the business are:
 - a) Mondays to Saturdays, 8.30am to 5.30pm.
11. **Use of site - Limit Customers Onsite**
Customer visits to the site are to be arranged on an appointment only basis so that:
 - a) No more than six customers being attended to by the business proprietor at any one time.
12. **Stormwater – Management of Overland Flow**
The works associated with the development shall ensure that:
 - a) water flowing from the property must not be redirected or concentrated to adjoining properties;
 - b) all natural water flow from adjoining properties is not impeded or diverted; and
 - c) surface and subsurface water flows are not redirected or concentrated onto adjoining properties.
13. **Advertising Structures**
The approved Business Identification Sign must be maintained to an acceptable level. If any deterioration of the development becomes noticeable, the Business Identification signs must be replaced or removed as soon as possible to ensure the visual amenity of the area is maintained.
14. **Repair of Public Infrastructure**
Any damage or deterioration to any Council property including road reserves, or removal of any existing street trees, must be reinstated to its original condition to the satisfaction of Council and at no cost to Council.
15. **Aboriginal Objects**
If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au. Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the [National Parks and Wildlife Act 1974](#).
16. **Protection of vegetation**
There must be no clearing of any vegetation (including within Council's road reserve).

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ADVICE TO APPLICANT

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

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

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2. **DEVELOPMENT APPLICATION 10.2023.23.1 – RESUBDIVISION OF TWO (2) LOTS INTO FORTY-FOUR LOT (44) TORRENS TITLE SUBDIVISION, VEGETATION REMOVAL, EARTHWORKS, ROAD CONSTRUCTION, & ASSOCIATED CIVIL WORKS IN FIVE (5) STAGES ON LOT 2 & 3 DP 1287711 AT 29 WALLA WALLA ROAD, WALLA WALLA**

Report prepared by Director Environment & Planning - Colin Kane and Town Planner – Gayan Wickramasinghe

REASON FOR REPORT

The purpose of this report is to provide an assessment and recommendation for the above development application for a forty-four (44) lot Torrens Title Subdivision including, vegetation removal, road construction, and associated civil works on Lot: 2 and 3 DP: 1287711 at 29 Walla Walla Road, Walla Walla.

The development application was initially notified to the public from 2 May 2023 to 19 May 2023. During the notification period Council received a total of ten (10) submissions. Given the applicant's intention to remove native vegetation, Council assessment staff requested supporting documentation justifying the potential vegetation removal on 9 May 2023. In response to the Council's request, the applicant submitted additional correspondence, including the Biodiversity Assessment Report (BDAR), via the Planning Portal on 23 January 2024.

Based on the submitted documentation, the application is now classified as **Threatened Species Development** under [Schedule 1 Part 1 Division 2 Section 8A of the Environmental Planning and Assessment Act \(EP&A\) 1979](#) and [Section 7.7\(2\) of the Biodiversity Conservation \(BC\) Act 2016](#). Consequently, Council was required to renotify the application for a period of 28 days in accordance with the above provision. The application, along with the additional information, was therefore notified to the public from 29 January 2024 to 29 February 2024. During the notification period, the Council received a total of two (2) submissions from the same individuals who had made a submission during the initial notification of the proposal (**ANNEXURE 3**).

Council assessment staff have noticed that eleven (11) submissions (**ANNEXURE 3**) have requested Council to take further action prior to determining the Application, while the other submission was lodged in support of the proposal. The submissions were formed around potential future amenity impacts, the potential for depreciation of land value, potential industrial use of land instead of retail use, fewer parking spaces on the subdivision, the absence of a walkway from Commercial Street on the south side of PJN Shed, potential future visual impacts, potential flood impacts and the absence of a recreational area within the proposal.

The submissions were reviewed by Council's planning and engineering staff who are satisfied that, subject to imposition of suitable conditions on any consent granted, the submissions can be appropriately addressed. The submissions were also referred to the applicant for comment and considered in the assessment of the application. A further discussion of these submissions is found in Section 4.15(1)(a)(d) of this report.

Accordingly, this matter is reported to Council for determination as per the Council adopted assessment of development applications policy.

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REFERENCE TO DELIVERY PLAN

None-relevant.

DISCUSSION - DESCRIPTION OF PROPOSAL

Pursuant to Section 4.12(1) of the Environmental Planning and Assessment (EP&A) Act 1979 Development Application No. DA 10.2023.53.1 seeks consent for subdivision of land into forty-four (44) Torrens Title lots including, vegetation removal, road construction, and associated civil works on Lot: 2 and 3 DP: 1287711 in five (5) stages. As per the preliminary layouts, the proposed subdivision will consist of parcels that range from 894m² to 7,955m².

In accordance with the submitted staging plans and the Statement of Environmental Effects prepared by Eslers Land Consulting, the submitted application specifically involves the following:

1. Stage 1: Subdivision of existing Lot 2 DP 1287711 into three (3) lots including two industrial lots and creation of one residue lot identified as Lot 3.
2. Stage 2: Subdivision of existing residual lot (Lot 3) and existing Lot 3 DP1287711 into six (6) lots including creation of one residue lot identified as Lot 26 and construction of roads.
3. Stage 3: Subdivision of existing residual lot (Lot 26) into six (6) lots including creation of one residue lot identified Lot 36 and construction of roads.
4. Stage 4: Subdivision of existing residual lot (Lot 36) into six (6) lots including creation of one residual lot identified as Lot 46.
5. Stage 5: Subdivision of existing residual lot (Lot 46) into twenty-seven (27) lots including extension of the existing road.

This Application is supported by the following;

1. A Statement of Environmental Effects prepared by Eslers Land Consulting;
2. Series of preliminary plans prepared by Eslers Land Consulting (i.e. 'Proposed Layout Plan', 'Proposed Sewer Plan', 'Proposed Drainage Plan', and a series of staging plans).- **(ANNEXURE 4)**;
3. A Biodiversity Development Assessment Report prepared by Steve Hamilton and dated 22 January 2024 **(ANNEXURE 4)**;
4. Preliminary site investigation report prepared by McMahon Earth Science and dated June 2023.

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

The development application was internally referred to Council's Engineering Department whilst it was also referred to Transport for NSW (TfNSW) for their respective referral responses.

The applicant (Eslers Land Consulting) has made the development application with the consent of 'Annesley Holdings Pty Ltd'.

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

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Figure 1 – An overview of the proposed subdivision layout by the Applicant.



Figure 2 – Proposed service layout by the Applicant.

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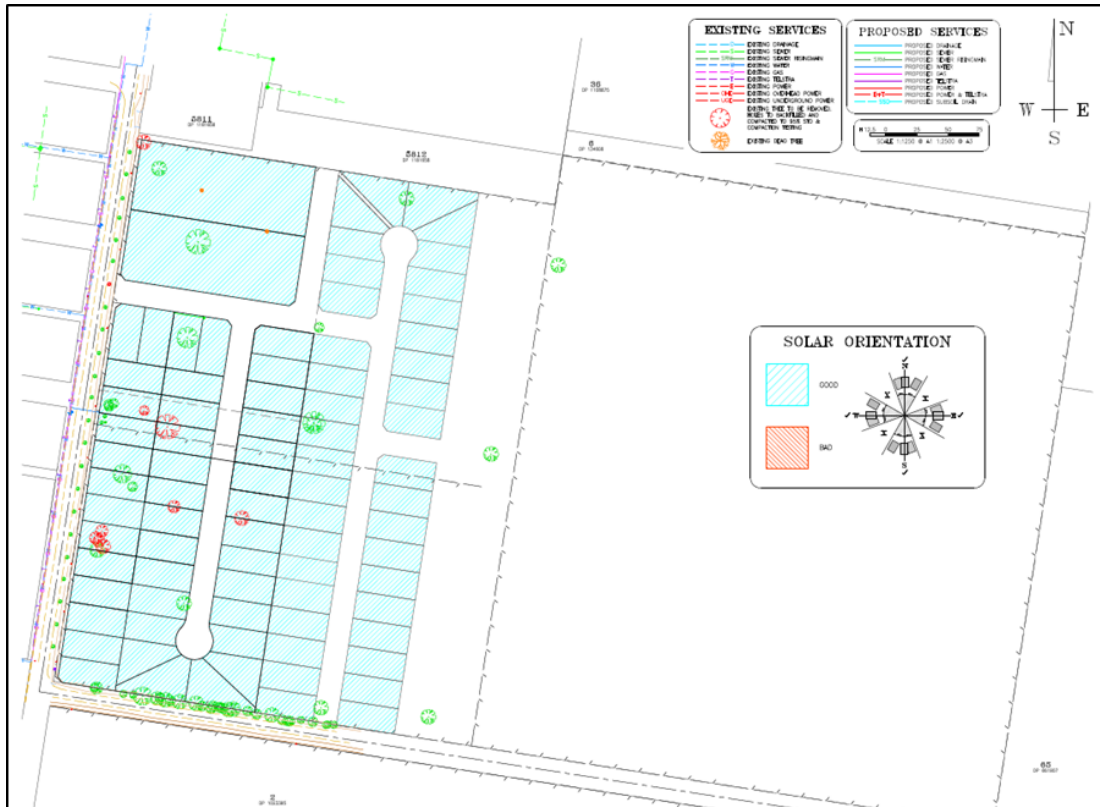


Figure 3 – Solar orientation for the proposed layout by the Applicant.

ASSESSMENT

1.2 DESCRIPTION OF THE SITE AND LOCALITY

The subject site is addressed as 29 Walla Walla Road NSW 2659 which comprise of two (2) allotments and identified as Lot: 2 and 3 DP: 1287711 and is located on the eastern side of Commercial Street and northern side of Walla Walla Road with direct access from both streets respectively.

As per Council's GIS System, Lot: 2 DP: 1287711 also known as 29 Walla Walla Road NSW 2659 covers an area of 3.3070 hectares with an approximately 203m frontage to Commercial Street whilst Lot 3 of DP 1287711 has an area of 3.843ha with an approximate 235.9 m frontage to Commercial Street. According to aerial imagery, both allotments are covered with scattered vegetation. The elevation of the land covered by the application ranges from approximately 221.0m AHD at its south-eastern corner to 217.2m AHD at its north-western corner as per the submitted survey plans.

The majority of the land subject of the application is zoned RU5 Village whilst a small portion is zoned R5 large lot residential pursuant to the Greater Hume Local Environmental Plan (GHLEP) 2012. The development site is not being identified as a bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). The subject development site does not contain any known items of environmental heritage significance as outlined in Schedule 5 of the GHLEP 2012. Land immediately to the North is zoned RU5 Village, with existing sporting facilities, a public

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Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994.

The proposed development will involve major ground disturbance – including excavation with the use of heavy machinery within the area of the proposed development footprint, with the construction of dwellings, fences, roads, kerb and channel, and provision of services and drainage (see Figure 4- existing layout and Figure 2- Proposed Development Layout). This will result in the loss of all native vegetation within the freehold section of the proposed development area, and within the road access area to the Walla Walla Road in the south of the proposed development.

The applicant has estimated that a total of thirty-one (31) trees will require to be removed to facilitate the proposal. The applicant has estimated that this is equivalent to a total of 5.77ha of native vegetation within the development footprint. Most importantly the proposed development site is not within an area of Biodiversity Value Map and therefore entry into the BOS is not required as a result of this trigger. Based on the '[Area Clearing Threshold Technical Explanation](#)' guidelines issued by the Department of Planning and Environment, the Area Clearing Threshold for the site is 0.25ha based on the allotment size. Therefore, in this instance as the applicant has proposed to clear approximately more than 5ha according to the supplied BMAT Report, entry into the BOS is required under this trigger and as a result a BDAR has been prepared by a suitably qualified person in support of the subdivision.

The supplied BDAR identifies the native vegetation within the development site as Western Grey Box, Blakey's Red Gum etc, which is listed as a native ecological community. This vegetation also provides potential habitat for different native fauna species.

The prepared Biodiversity Development Assessment Report (BDAR) nominates 0 credits to be retired whilst it indicates that a total of thirty-seven (37) species credits that must be retired to offset the biodiversity impacts associated with the development.

Table 14 within Section 6 and Table 19 within Section 8 of the submitted BDAR have identified the potential prescribed impacts and management measures respectively. The author argues no prescribed impacts are to occur should the development proceed. The author also noted that the proposed development site is not a connecting landscape corridor within the district, and therefore the removal of the native vegetation at the site will have negligible impact on habitat connectivity on the following basis:

"The only threatened species identified at the site-Gang-gang Cockatoo – was only recorded by audio-capture on one occasion for a period of < 5 minutes, suggesting that over a 118 day period, it was a low frequency and opportunistic visitor to the site, and that such a frequency is highly unlikely to place the species at risk due to vehicle strike.

And

Petries Creek to the east does connect with continuous native vegetation to the large Gum Swamp Reserve 4 km north of the site; however, this creek corridor is 1.5 km to the west of the site, and there is no vegetation connectivity to it.

Based on the above, the submitted report justified the likely removal of vegetation associated with the proposed subdivision as below;

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“ Given the extent of clearing within and in close proximity to the site given its location on the fringe of Walla Walla suburban area, the proposed development site is not a connecting landscape corridor within the district, and the removal of the native vegetation at the site will have negligible impact on habitat connectivity;

The author of the report has however recommended the following management measures to mitigate residual impacts before and during construction phases:

- *Prior to clearance, all native vegetation to be retained in proximity to the development site must be clearly identified by marker tape to ensure that there is no confusion as to the approved clearance retained native vegetation.*
- *All vehicles and equipment that will enter the site must have been cleaned for potential weed seed carry-over.*

It is therefore considered that the proposed development will have no significant adverse impacts upon the natural or built environments.

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

As per NSW ePlanning Spatial Viewer, the subject development site is not mapped as a bushfire prone land on the map maintained by the NSW Rural Fire Service (RFS). Therefore, no referral under this section is required.

Section 4.46 - What is “integrated development”?

Not applicable in this instance.

4.15 Evaluation

(2) Matters for consideration-general

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

(a) the provisions of:

- (iii) any environmental planning instrument, and*
- (iv) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (v) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (vi) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (vii) (Repealed)*
that apply to the land to which the development Application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.*

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

Local Environmental Plans

The Greater Hume Local Environmental Plan (GHLEP) 2012 applies. A major portion of the subject land is zoned RU5 Village whilst a small portion of both allotments are zoned R5: Large Lot Residential. The relevant matters of the LEP are addressed as follows.

Zone RU5 Village

Objectives of zone

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

R5 Large Lot Residential

Objectives of zone

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

It is considered that the proposal provides residential housing in a rural village setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. It is therefore considered that the proposal is not inconsistent with the objectives of land zoned RU5 Village and R5 Large Lot Residential zones. Please refer to discussion against Section 2.6 and 5.3 for further details.

Section 2.6 Subdivision—consent requirements

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

Section 4.1 Minimum subdivision lot size

As per the Lot Size Map of the GHLEP 2012, the minimum lot size provision applicable for land zoned RU5 is 600 m² whilst the land zoned R5 has a minimum lot size of 2ha. The applicant has proposed to subdivide a small portion of land zoned R5 Large Lot residential below the minimum allotment size as outline under this Section. Please refer to Section 5.3 for a further discussion regarding this matter.

Section 5.3 Development near zone boundaries

This Section seeks to allow a degree of flexibility with regard to the permissible minimum site areas of land in a zone within 50 metres of a boundary of land in another zone.

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Based on the submitted staging layout, it appears that a 10m wide portion of land zoned R5: Large Lot Residential is proposed to be subdivided as part of the proposal. The GHLEP 2013 stipulates that the size of any lot resulting from a subdivision in R5 land is not to be less 2ha. However, it is noted that if the proposed layout is approved by the council, the portion of the new lots zoned in the R5 zone will range from 230m² to 380m². Therefore, the proposal is in breach of Section 4.1 of the GHLEP.

As a result, the applicant relies upon Section 5.3(4) of the GHLEP 2012 to proceed with the proposal. The following is noted as per Section 5.3(4) of the GHLEP 2012;

“Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—

- (a) the development is not inconsistent with the objectives for development in both zones, and*
- (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.”*

Consideration must now turn to whether the proposed development meet *Sections 5.3(4) (a) and (b)*. In this regard, the following is noted:

- the proposal is not inconsistent with the objectives for development in both zones as one of the primary objectives of the zones is to provide residential accommodation within a rural setting;
- the development site is located on the south-eastern fringe of the township of Walla Walla, with public recreational land to the immediate north and residential blocks to the west, making the site highly desirable for the location of a new small-lot residential development.

on that basis, it is considered that the proposal complies with Section 5.3 and no further assessment is required.

Section 5.10 Heritage conservation

The Application is accompanied with a basic AHIMS search. The AHIMS report confirms that no known Aboriginal sites or places have been recorded in or near the location with a buffer of 200 metres. As a result, Council staff are satisfied that the applicant is not required to provide additional documentation to proceed with the proposal. It is noted however the applicant is still required to comply with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* to ensure that unknown Aboriginal Heritage items are protected during works. Consequently, any consent granted will contain the standard Heritage NSW condition regarding protection of Aboriginal Cultural Heritage.

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

Section 5.21 Flood planning

The site subject of this development application has not been identified as a flood prone land in accordance with the Greater Hume Shire Council Walla Walla Floodplain Risk Management Study 2017. Therefore, no further consideration is required.

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Section 6.1 Earthworks

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

As per the submitted documentation, the development involves creation of forty-four (44) new allotments, associated civil works and creation of a number of internal public roads to support the future new allotments. The earth works associated with this development cannot be considered as of a minor nature. Therefore, the works require a separate approval, which can be granted along with this approval in the event that Council approves this application. It is also noted the site subject of this application is located adjacent to established residential estate. Therefore, the proposed earthworks may have potential to bring detrimental impacts on the neighbouring properties. As such, any consent issued for this application will be appropriately conditioned to minimise impacts on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

(2) Development consent is required for earthworks unless—

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

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

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

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

The proposed earthworks may have potential to change the natural drainage pattern and soil stability in the locality. Therefore, the applicant has provided a preliminary service layout with proposed drainage system to support the application. The submitted plan was referred to Council's Engineering Department who has not raised any issues in relation to the suitability of the plan. Therefore, in the event should Council give consent for the development, a condition will be recommended to mitigate soil stability in the locality.

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

The intent of the proposed earth works is to create additional forty-four (44) residential lots, facilitate associated civil works and to design internal roads. Therefore, it is considered that the proposed earthworks will facilitate the future development (residential) on the land.

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

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

(d) the effect of the development on the existing and likely amenity of adjoining properties,

Whilst it is acknowledged that a number of submissions were received for the proposal Council staff are satisfied that the proposal will not bring detrimental impacts on the adjoining properties subject to including appropriate conditions on any consent granted.

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

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

(f) the likelihood of disturbing relics,

As per the submitted Aboriginal Heritage Assessment and the AHIMS Search, no known Aboriginal objects are recorded on or near the site. Therefore, it is considered that subject to imposition of a condition related to Aboriginal Heritage the development can proceed.

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

No water catchment, waterway or environmental sensitive area is located adjacent to the proposed development site.

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

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

Section 6.7 Essential services

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

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Subsection	Comment
(a) the supply of water,	<p>Riverina Water is responsible for supply of water for Walla Walla Township. As such the Development Application was referred to Riverina Water. In their referral response dated 2023/5/8 they have provided the following response:</p> <ul style="list-style-type: none"> • <i>The land is situated at an elevation (approx. 217m – 220m AD) with current infrastructure fronting the system being supplied from Walla Walla Reservoir, the top water level sits at 235m AD.</i> • <i>The natural elevation of the ground and rise in gradient at the southern end of Walla Walla it is currently not possible to provide an adequate water supply to the 44 lot subdivision without impacting the current levels of service.</i> • <i>Further analysis and consulting will need to be undertaken to determine to full extent of the subdivision and any further southern developments.</i> • <i>Additional fee and charges for water supply may be incurred by the proposed development.</i> • <i>Developer must make an application for a Certificate of Compliance for water supply.</i> • <i>Certificate of Compliance for water supply required prior to issuing of Subdivision Certificate</i> • <i>Riverina Water infrastructure shall be installed in the nature strip and utility corridor as per standard utility allocation.</i> <p>In light of the above response, it is clear that the applicant is required to lodge an application with Riverina Water, while a Certificate of Compliance must also be obtained from Riverina Water for each stage. Therefore, these requirements will be appropriately conditioned upon any consent granted.</p>
(b) the supply of electricity,	A general condition related to provide Notice of Arrangement (NOA) will be imposed on any consent granted prior to issue of a subdivision certificate.
(c) the disposal and management of sewage,	As per Council's Engineering Department referral response, the Applicant is required to provide sewer connection for the new allotments resulting from this subdivision. A condition will be included on the consent granted to reflect this requirement.
(d) stormwater drainage or on-site conservation,	Council's Engineering Department responded that the Applicant is required to prepare a stormwater drainage design for all stages of the proposed subdivision. This requirement will form part of any consent granted.

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(e) suitable access	vehicular	<p>The development site has access from Commercial Street to the west and Walla Walla Road to the South. The proposed subdivision layout is also incorporated with an internal road network.</p> <p>As per the submitted preliminary plan, each lot will have direct or indirect access to proposed internal roads whilst some of the allotments will have direct access via Commercial Street to the west. The referral responses indicate that Council's Engineering Department is satisfied with the proposed arrangement subject to incorporating a footpath linking the Central Business District along Commercial Street. This requirement will form part of any consent granted.</p>
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Relevant State Environmental Planning Policies applicable for the proposal:

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

Chapter 4- Koala habitat protection 2021 applies to the subject site. the aim of the chapter is 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.'*

Schedule 3 of this Policy contains a list of tree species that may have potential for koala habitation. The supplied BDAR confirms that the development site contains some of the tree species listed under Schedule 3 within the Policy. The documentation however noted that no Koalas were observed during the fauna survey and no evidence of Koala habitation – such as scats, claw and scratch marks – were located on the site. As a result, the subject site is not considered to form 'core koala habitat' as defined under this SEPP.

**State Environmental Planning Policy (Transport and Infrastructure) 2021.
Section 2.119 Development with frontage to classified road.**

As the proposed development site has frontage to regional classified road, the proposal was referred to Transport for NSW (TfNSW) via the NSW Portal. TfNSW in their referral dated 12/05/2023 have notified that they entrust Council to assess and manage the traffic implications of the proposal. Accordingly, Council's Engineering Department have reviewed the proposal and provided comments and conditions to be included on any consent granted.

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

As per Chapter 4 of Section 4.46 (1) of this policy the subject land is not considered to be contaminated or likely to be contaminated and is not listed on Council's Contaminated Land Register. Therefore, it is considered that the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

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

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

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

As part of the planning proposal for rezoning of part Lot 2 and 3 of DP 1287711 and Lot 1 DP 1287711 from R5 Large Lot Residential to RU5 Village, a preliminary site investigation report (report) was submitted via the Planning Portal by the applicant of the Planning Proposal (Blueprint Planning). The report was prepared by McMahon Earth Science and was dated June 2023. The scope of the report includes the existing Lot 2-3 DP 1287711 and Lot 1 DP 1287711, with Lot 2-3 DP 1287711 being the subject sites of this application. The following wordings are noted within Section 9.0 of the report:

“Conceptual site model:

“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.

Based on the above conceptual modelling the assessor has conducted the preliminary site investigation has provided the following conclusion 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.”

And

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.

In light of the above discussion and in accordance with Section 4.6(1)(a),(b),(c) and (2) Council is satisfied that the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

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

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

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

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

- Chapter 5 – Townships Structure Plan
- Chapter 6 – Subdivision
- Chapter 10 – Notification Policy

CHAPTER 5 - TOWNSHIP STRUCTURE PLANS

CONTROLS

This chapter of the GHDCP relates to the role of township structure plans in guiding the location of types of landuses and development within the zoned urban areas of the Shire. Such guidance is necessary because of the use of one broad-based zone in the GHLEP (the RU5 Village zone) across much of the townships.

The structure plans are based on those prepared as part of the Greater Hume Shire Strategic Land Use Plan 2007- 2030 (“the SLUP”). The overall purpose of the SLUP is to guide the future development and use of land within the Shire for the next 20 years and beyond. In some cases the structure plans within the SLUP indicate non-rural activities around the fringes of the current zoned urban boundaries of townships. Further investigation of these areas is required before they can be considered suitable for inclusion in the zoned urban area of townships. These areas are excluded from this chapter of the GHDCP.

COMMENT

The ‘*Walla Walla Structure Plan*’ applies to the development site.

The Plan notes that the two allotments subject of the application are suitable for future commercial use. Most importantly, the allotments are zoned R5 and RU5, where a range of commercial activities are permitted with consent. The proposed subdivision will not prohibit any form of future commercial activities, subject to lodging a development application with the Council.

On that basis, the inconsistency can be justified.

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CHAPTER 6 - SUBDIVISION

6.1 Staging

<p>1. <i>Where staging of a subdivision is proposed, a staging plan must be submitted with the Development Application.</i></p>	<p>A staging plan has been provided. The staging layout has been reviewed by Council's Engineering and Planning staff, who are satisfied that, subject to including conditions for compliance with any applicable requirements, it meets the necessary standards.</p>
<p>2. <i>Staging of subdivision should have regard to the existing and proposed provision of services and avoid staging development which would have negative impacts upon infrastructure provision and/or design.</i></p>	<p>Based on internal and external comments received for the proposal, Council staff are satisfied that the proposal can proceed as proposed.</p>

6.2 Movement Network

<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>The application was internally referred to Council's Engineering Department, whilst it was also externally referred to Transport for NSW under Section 2.119 of the State Environmental Planning Policy (Transport and Infrastructure) 2021. In summary, based on the comments received, and subject to the imposition of conditions, the proposal can proceed.</p>
<p>2. <i>All development for subdivision must comply with the Council's standards for road design.</i></p>	<p>The submitted cross-section for the local access road indicates that the total width of the road is to be approximately 19m, including a 3.5m road reserve and 2.5m curb and gutter on either side, while the actual road width is approximately 7m. The proposed subdivision layout plan was referred to the Council Engineering Department, which advised that the proposed road must adhere to the Council's road design specifications. A condition will be recommended for any granted consent to reflect this requirement.</p>

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<p>3. <i>For lots fronting a main road, access shall be from a secondary road where the opportunity exists.</i></p>	<p>Based on the provided layout, proposed Lots 1, 2, and 21 are able to accessed via the main road (Commercial Street) and the proposed internal road (secondary access) off Commercial Street. Driveway locations for the proposed new allotments have been taken into account by the Engineering Department and they consider the proposal to be acceptable having regard to the requirements specified.</p>
<p>4. <i>All lots are to be provided with access to a public road. Easements for access will only be considered in extraordinary circumstances.</i></p>	<p>The internal road design indicates that each and every allotment created as a result of the subdivision will have direct access from a public road.</p>
<p>5. <i>Any upgrade or construction of a public road to provide access to a lot shall be at the applicant's expense.</i></p>	<p>Noted. A general condition will be recommended in this regard.</p>
<p>6.3 Lot design</p>	
<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>As above. Refer to the assessment against Section 6.2(1).</p>
<p>2. <i>Multi-lot subdivisions should provide for a range of lot sizes.</i></p>	<p>The proposed subdivision will consist of parcels that range from 894m² to 7,955m². This will allow for a diversity in housing form. This approach will facilitate smooth transition between lower to higher density.</p>
<p>3. <i>Lots are to be provided with legal and practical public road access.</i></p>	<p>As noted in Section 6.2(3), all proposed new lots are provided with legal and practical public road access.</p>
<p>4. <i>Lots are to be designed to accommodate the type of development envisaged. Irregular shaped lots or lots too small will be regarded by Council as incompatible with objectives for this standard.</i></p>	<p>The applicant noted that two lots resulting from the subdivision will be dedicated for industrial use, while the remaining forty-two allotments are designated for residential purposes. The two industrial allotments (Lot 1 and 2) will have an area of 7955m² and 7951m² respectively. The proposed residential blocks will range in area from 894m² to 1278m². Based on the allotment sizes and their orientation, Council staff are satisfied that residential accommodation and/or ancillary structures can comfortably fit within the proposed new allotments.</p>
<p>5. <i>For battle-axe allotments a minimum width of the access handle is to be 4.5m.</i></p>	<p>No battle-axe allotments are proposed.</p>

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<p>6. <i>Lots are to be able to contain a rectangular building envelope measuring 10 metres by 15 metres, suitable for the erection of a dwelling</i></p>	<p>Due to the proposed length and width of the proposed allotments Council staff are satisfied that the lots resulting from this subdivision are capable of supporting a rectangular building envelope of 10m x 15m for a dwelling.</p>
<p>7. <i>Lots are to be designed to maximise solar access.</i></p>	<p>According to the preliminary layout, the majority of parcels are oriented in north-south or east-west directions. The application also includes a solar orientation plan, clearly demonstrating that the resulting allotments from the subdivision would have improved solar access if the Council approves the concept. Therefore, it is considered that the proposal aligns with this objective.</p>
<p>6.4 Infrastructure & services</p>	
<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>As above. Refer to the assessment against Section 6.2(1)</p>
<p>Higher density and Average density, Lower density and Rural living</p> <p>2. <i>Where a reticulated external potable water supply is provided, all lots shall be connected.</i></p>	<p>Riverina Water is responsible for supplying potable water to the Walla Walla Township. As noted in Section 6.7 of the assessment report, the applicant is required to provide water connections to each allotment resulting from this subdivision. However, Council acknowledges that the applicant is required to undertake additional work (i.e., upgrades to existing water infrastructure facilities) before issuing subdivision works certificates for Stages 3, 4, and 5. It is noted that Council staff are satisfied that this can be appropriately conditioned on any consent granted.</p>
<p>6.5 Hazards</p>	
<p>1. <i>On land mapped as bushfire prone, compliance with the NSW Rural Fire Service guide Planning for Bushfire Protection (2006).</i></p>	<p>Not applicable.</p>
<p>2. <i>On land considered by Council to potentially being subjected to flooding, an investigation of the land as to the flood risk and consideration of the Floodplain Development Manual: the management of flood liable land (2005).</i></p>	<p>Not applicable.</p>

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<p>3. <i>On land that is, or has previously been used for a potentially contaminating activity, an investigation of the land in accordance with the requirements of State Environmental Planning Policy No.55 – Remediation of Land. An investigation should be in accordance with the process detailed in the State Government's Managing Land Contamination – Planning Guidelines SEPP55 Remediation of Land (1998)</i></p>	<p>Refer to the assessment against the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> within the body of this report.</p>
<p>6.6 SITE MANAGEMENT</p>	
<p>1. <i>Compliance with the Greater Hume Shire Engineering Guidelines for Subdivisions and Development Standards.</i></p>	<p>As above. Refer to the assessment against Section 6.2(1)</p>
<p>2. <i>Compliance with Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i></p>	<p>The application was referred to Council's Engineering Department for comment and no objection was received. It is therefore considered that the DA is not inconsistent with this guideline.</p>
<p>10.0 NOTIFICATION POLICY</p>	
<p><i>This chapter of the GHDCP applies to Council's policy for notifying development Applications.</i></p>	<p>As discussed at the beginning of this report, the development application was initially notified to public from 2 May 2023 to 19 May 2023. Due to additional correspondence received (i.e. BDAR Report), it was renotified to the public for 28 days in accordance with Schedule 1 Part 1 Division 2 Section 8A of the Environmental Planning and Assessment Act (EP&A) 1979 and Section 7.7(2) of the Biodiversity Conservation (BC) Act 2016. Council received a total of ten (10) Submissions. Please refer to Section 4.15(1)(d) within this report for further discussion.</p>

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

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

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

The requirements outlined in Section 70 of the Environmental Planning and Assessment Regulation 2021 are applicable to the proposal in this instance, and in the event that Council approves the DA, they will form part of any consent granted.

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

CONTEXT	COMMENT
Context & setting	The allotments subject to the application are appropriately zoned for the intended subdivision. The proposed subdivision layout generally aligns with the existing historical subdivision layout pattern within the locality. Additionally, the site is in close proximity to various community and education facilities, including recreational facilities, schools, and the Walla Walla Central Business District. The proposed landscaping measures would soften the overall appearance of the development, upon completion. Therefore, it is considered that the proposed subdivision will reinforce the residential character in the locality by redeveloping currently under-utilised large urban RU5 and R5 zoned parcels of land for an efficient medium-density development.
Access, parking, Roads & traffic	The proposed subdivision will create an additional forty-two (42) residential lots, consequently increasing traffic volumes on Classified Council-managed Commercial Street. The referral response from TfNSW indicates that they rely upon Council to assess the proposal and include suitable conditions to finalise the proposal. As noted previously, Council's Engineering Department has undertaken a review and is satisfied that the proposed internal road network is sufficient to service the overall development.
Utilities	Section 6.7 of the GHLEP 2012 requires the provision of essential services to new allotments. These include the supply of water, electricity, sewer connection, and stormwater. As discussed above within this report, a suitable condition will be incorporated into the consent to address this requirement
Heritage	The subject site has not been identified as a heritage conservation area in accordance with the Greater Hume Shire Community Based Heritage Study 2010 for the Walla Walla conservation area. It is also noted that the proposal is not inconsistent with Section 5.10 of the GHLEP 2012, subject to the imposition of a suitable condition related to the protection of unknown Aboriginal objects during works on any consent granted.
Economic Impacts	New subdivisions and the subsequent provision of new housing lots will have a positive economic impact on the area, providing new jobs during construction and new accommodation to prospective buyers.
Social Impacts	The development is unlikely to create any adverse social impact. The proposal will deliver an increased supply of average-density residential housing in an area located in close proximity to the Walla Walla CBD. It is noteworthy that the design of each future dwelling will be assessed separately.

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Safety, security & crime prevention	The proposal will eventually increase the number of dwelling opportunities in a location close to the Walla Walla CBD, thereby enhancing human surveillance.
Soils & erosion	The proposed subdivision also includes a considerable amount of earthworks. The proposed earth works may have the potential to create issues such as additional noise from construction equipment, dust, destabilisation of soil, and sediment transfer to other properties. However, Council is satisfied that the conditions of the development consent will address potential impacts associated with construction
Flora & fauna	A BDAR has been prepared in support of the development, which outlines the number of species credits required (i.e., 37 credits) to be retired as a result of the proposed clearance. The BDAR also recommends a number of management measures to mitigate residual impacts before and during construction phases. The report concludes that if the proposal proceeds, there will be no potential entities at risk for serious and irreversible impacts on biodiversity value.
Waste	These matters will be controlled by standard conditions of development consent.
Technological hazards	As a result of earthwork associated with the development and the removal of trees, additional noise impacts can be anticipated for a relatively short period of time. A general condition related to the maximum noise level to be adhered to during works will be included in any consent granted

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

The detailed assessment above has taken into account various factors when evaluating the suitability of the site for the specific development.

Council's Engineering Department has undertaken a review of the submitted documentation and has raised no objection to the proposal, subject to a number of recommendations.

The submitted BDAR Report concluded that the proposal would have no significant adverse impacts upon the natural environment.

The site has not been identified as being bushfire prone or flood prone land. Consequently, neither the applicant was required to provide additional documentation, nor was the application required to undergo additional referral.

In summary, the applicant has provided sufficient documentation for Council to be in a position to proceed with the assessment. As a result of the detailed assessment above, it is considered that the sites subject to the application are suitable for the specific development.

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

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External Referral	Response
TfNSW	TfNSW in their correspondence dated 12/05/2023 indicated that in this instance they rely upon Council to assess the proposal and impose relevant conditions.
Riverina Water	<p>Riverina Water has provided the following response in their email correspondence dated, 8/05/2023.</p> <p>I have done some investigations on the water supply in the vicinity of this land and can advise of the following.</p> <ul style="list-style-type: none"> ▪ <i>The land is situated at an elevation (approx. 217m – 220m AD) with current infrastructure fronting the system being supplied from Walla Walla Reservoir, the top water level sits at 235m AD.</i> ▪ <i>The natural elevation of the ground and rise in gradient at the southern end of Walla Walla it is currently not possible to provide an adequate water supply to the 44 lot sub division without impacting the current levels of service.</i> ▪ <i>Further analysis and consulting will need to be undertaken to determine to full extent of the subdivision and any further southern developments.</i> ▪ <i>Additional fee and charges for water supply may be incurred by the proposed development</i> ▪ <i>Developer must make an application for a Certificate of Compliance for water supply</i> ▪ <i>Certificate of Compliance for water supply required prior to issuing of Subdivision Certificate</i> ▪ <i>Riverina Water infrastructure shall be installed in the nature strip and utility corridor as per standard utility allocation.</i> <p>In light of the above response and follow-up phone calls with Riverina Water it was confirmed that subject to including a condition on the consent the DA can proceed.</p>
Internal Referrals	Response
Engineering Department	As per the referral response received, Engineering Department has no objection to the proposal subject to imposition of relevant conditions on any consent granted.
Public Submissions	
The key summary of the submissions, along with the response from the assessing officer, is noted below	

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Key summary	Response from the assessing officer
Potential future amenity impacts due to proposed industrial use.	The existing development application (DA 10.2023.53.1) aims solely to subdivide the land and does not inherently designate it for industrial use, despite the applicant nominating industrial allotments on the plans. Once the subdivision is finalised, if the potential owner wishes to erect a building for industrial or commercial purposes, it will be assessed separately against the relevant controls outlined in the GHLEP 2012 and GHDCP 2013. As part of this process, Council staff will notify neighboring properties prior to the determination and will take into account all comments received.
The potential for depreciation of land value	The development application has been assessed against Section 4.15(1) of the EP&A Act 1979. Property value depreciation is not a concern that Council assessment staff can consider as part of this assessment.
Potential industrial use of land instead of retail use	As noted previously within this report, this application is solely related to the subdivision of land. On the other hand, a range of uses are permitted in land zoned RU5 Village within the GHLEP 2012. Any future development application will be assessed against Section 4.15 of the EP&A Act 1979, prior to the determination.
Fewer parking spaces on the subdivision	Council's Engineering Department has reviewed the plans and did not object to the proposed layout.

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

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

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

BUDGET IMPLICATIONS

The payment of Section 64 Contributions is payable in the event that the application is approved.

CONCLUSION

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

No adverse environmental impacts are anticipated with the proposal, and it is recommended that the proposal be supported subject to the recommended conditions of consent contained within this report.

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RECOMMENDATION

That Council resolves to:

2. Approve Development Application No. 10.2023.53.1 on Lot 2 & 3 DP 1287711 at 29 Walla Walla Road Walla Walla & Walla Walla NSW 2659 for forty-four (44) lot Torrens Title Subdivision, vegetation removal, earthworks, road construction, & associated civil works in five (5) stages, subject to the conditions attached to this report pursuant to Sections 4.16 and Section 4.17 of the *Environmental Planning and Assessment Act 1979*.

PRESCRIBED CONDITIONS OF CONSENT

Section 70: Erection of signs

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

GENERAL CONDITIONS WHICH MUST BE FULFILLED

1. Compliance with Plans and Conditions

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

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

2. Subdivision Works Plans

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

- a) Internal road design;
- b) Sewer;
- c) Stormwater Management;
- d) Details of any fill material to be brought on site;
- e) Concrete footpaths (1.5m wide) including along Commercial Street linking the Central Business District (CBD);
- f) Certified Essential Energy (electricity) plans;
- g) Street lighting;
- h) Speed zone;
- i) Cost summary report;
- j) Indicative details of utilities (gas, telecommunications);
- k) Riverina water approved water supply network plans.

Details of where any excavated material is to be stored must be submitted to and approved by Council.

These plans must be approved by Council prior to the release of the Subdivision Works Certificate **FOR EACH STAGE**.

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3. Biodiversity - Species Credit Retirement

Prior to the release of the Subdivision Works Certificate for **Stage 1** the class and number of species credits in the following Table (**Table 1**) must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits outlined in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table 1 requirements must be provided to the consent authority (Greater Hume Council).

Table 1- Species credits required to be retired – like for like

Impacted species credit species	Number of species credits	IBRA subregion
Callocephalon fimbriatum / Gang-gang Cockatoo	37	Any in NSW

4. Street Naming

A written application for street naming must be submitted to Greater Hume Council for approval. The road names proposed must comply with requirements of the NSW Geographical Names Board and Council.

The application must nominate three suggested names per street, in order of preference, and the source of the names proposed.

Fees are payable for this service as specified in Council's Fees and Charges Policy.

5. Riverina Water - Notice of Requirements

A Notice of Requirements must be obtained from Riverina Water prior to the release of the Subdivision Works Certificate **FOR EACH STAGE**. The applicant is advised to make an early application for the certificate, as there may be water pipes to be built that can take some time.

6. Erosion and Sediment Control Plan

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

7. Payment of Long Service Levy

A Subdivision Works Certificate will not be issued with respect to the plans and specifications for any subdivision work unless any long service levy payable under the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a

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levy is payable by instalments, the first instalment of the levy) has been paid in accordance with the submitted cost summary report for each stage.

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

8. Subdivision Works Certificate

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

9. Notification and Appointment of a Principal Certifier

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

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

10. Erosion and Sedimentation Controls

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

11. Temporary Water Closet Accommodation

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

CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS

12. Hours of Work

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

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

13. Aboriginal Objects Discovered During Work

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au. Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the [National Parks and Wildlife Act 1974](#).

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14. Imported Fill Material

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

15. Site Management – Flora and Fauna

The following measures are to be undertaken to minimise flora and fauna impacts during construction:

- a) The felling of hollow-bearing trees is to be conducted under the supervision of a fauna ecologist to ensure appropriate animal welfare procedures are taken, particularly for threatened species.
- b) If any fauna species, a nest or roost are located during development works, then works should cease until safe relocation can be advised by a fauna ecologist.
- c) Mitigation measures are to be implemented in accordance with the submitted Biodiversity Development Assessment Report prepared by Steve Hamilton; BAAS18106 and dated 22 January 2024. In particular Section 8.4 page 52 and 53

16. Compaction – Landfill

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

17. Soil Contamination - Unexpected Finds

A suitable soil chemical analysis and investigation report is required **IF ANY EVIDENCE OF CONTAMINATION** on the subject site is found during works as recommended by McMahon Earth Science and dated June 2023. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

18. Vehicles During Construction

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

19. Minimise Noise

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

20. Dust Control Measures

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

- a) All materials must be stored or stockpiled at the best locations;

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

21. No Obstruction of Road Reserve Permitted

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

22. Disposal of Waste

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

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

23. Subdivision Certificate

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

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

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

24. Completion of Subdivision Works

A Subdivision Certificate for each stage cannot be issued prior to the completion of all subdivision works covered by **Condition 2** of this consent and a satisfactory final inspection of the works by Council's Engineering Department for each stage.

25. Development Contribution - sewerage headwork charges and landscape

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

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STAGES	RETICULATED SEWER	LANDSCAPE CONTRIBUTIONS FEE - PER BLOCK TO SUPPLY, PLANT AND MAINTAIN A STREET TREE.	TOTAL \$ TO BE PAID
Stage 1	2 Lots	2 Lots	Rate at time of SC lodgement per lot
Stage 2	5 Lots	5 Lots	Rate at time of SC lodgement per lot
Stage 3	5 Lots	5 Lots	Rate at time of SC lodgement per lot
Stage 4	5 Lots	5 Lots	Rate at time of SC lodgement per lot
Stage 5	27 Lots	27 Lots	Rate at time of SC lodgement per lot

26. Imported Fill Material

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

27. Correspondence From Agencies

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

a) **Riverina Water - Compliance Certificate**

A Compliance Certificate must be provided confirming satisfactory arrangements have been made for the provision of water prior to issue of the Subdivision Certificate. The certificate must refer to this development consent and all of the lots created.

8. **Note:** The certificate must clearly state that water service is connected.

b) **Electricity**

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

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- c) of underground low voltage reticulated electricity to each proposed Lot;
Telecommunications and Fiber-ready Facilities
Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for the installation of fibre-ready facilities to all individual allotments in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

28. Street Numbering

The street names and street numbering for the subject development must be approved and finalised by Council Prior to the release of the Subdivision Certificate for each stage.

29. Private Infrastructure

Any private services/assets or alike (i.e. water, stormwater, sewer etc.) which are located within the new allotments and benefit other allotments must be removed **OR** be shown within an appropriate easement to be registered. Any such easements must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

30. Works as Executed Plans

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

31. Defects Liability Period

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

32. Defects Liability Bond (Security)

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

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

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

Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents. The bond is refundable on application to Council and upon satisfactory final inspection by Council.

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33. Repair Of Public Infrastructure

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

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

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

ADVICE TO APPLICANT

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

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

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3. **DEVELOPMENT APPLICATION 10.2022.228.1 – USE OF PORTABLE HORSE STABLES FOR SHORT TERM AGISTMENT (BOARDING) & CONSTRUCTION OF A SOUND WALL – HOLBROOK RECREATION GROUND LOT 204 DP 753340 BOWLER STREET, HOLBROOK**

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

Council is in receipt of a Development Application 10.2022.228.1 which is for Use of Portable horse stables for short term Agistment (Boarding) and construction of a sound wall at Holbrook Recreation Ground Lot 204 DP753340 Bowler Street Holbrook. The applicant is Holbrook Show Society and owner of the land is the State of NSW.

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

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

Council received a development application dated 14 November 2022 for the use of portable stables for overnight stays by people transporting horses. The development involves the installation of portable horse stalls within an existing steel framed livestock pavilion to meet horse welfare standards for the use of show exhibitors and travelling/evacuated horses.

Secure stabling provides exhibitors and others a safe place for horses and provides a wide range of local businesses with opportunity for economic growth and employment.

The development utilises an existing steel framed rectangular livestock pavilion with a packed gravel floor. The site is flat, clear of vegetation, with an open common drain running between the building and the boundary fence, into which stormwater from neighbouring properties feeds.

Requested hours of operation are between the hours of 5.30am and 9.30pm.

ASSESSMENT

A development application containing proposed plans (**ANNEXURE 5**) is required to be assessed by Council against the following 'matters for consideration' listed in Section 4.15 of the EP&A Act.

The application was notified to adjacent landowners on the 11 January 2023 for a period of fourteen (14) days and a submission was received.

Section 4.15(1)(a) The provisions of any current or draft environmental planning instrument, development control plan, or matters prescribed by the regulations

State Environmental Planning Policies

There is no requirements within the State Environmental Planning Policies that is pertinent to this application.

Greater Hume Local Environment Plan 2012 ("the GHLEP 2012) is the principal environmental planning instrument applicable to the property. The subject land is zoned RU5 Village and the objectives of the zone is provided below:

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Zone RU5 Village

Objectives of zone

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

Providing noise attenuation is provided then the proposal does not derogate from the objectives of the zone.

The GHLEP has a land use defined as **animal boarding or training establishment** which means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

This land use is a prohibited use in the RU5 zone of the GHLEP 2012 however it is noted that this use does not apply to the agistment of horses. Agistment is defined as the taking in of livestock for feeding at a specified rate.

The portable stables are located adjacent to land zoned RE2. Clause 5.3 (GHLEP 2012) Development Near Zone Boundaries is a provision that considers proposals located adjacent to zone boundaries. The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveal that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and will be compatible with the planning objective and land uses for the adjoining zone.

Zone RE2 Private Recreation

Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

Providing noise attenuation is provided then the proposal does not derogate from the objectives of the zone.

animal boarding or training establishment is permitted with consent in the RE2 zone

Clause 5.3 (4) states the following

Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—

- (a) the development is not inconsistent with the objectives for development in both zones, and
- (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

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As the proposed activity is within 50 metres of the RE2 zoning then the provisions of Clause 5.3 of the GHLEP 2012 permits an **animal boarding or training establishment** in the proposed location.

Greater Hume Development Control Plan 2013

The Greater Hume Development Control Plan 2013 (“the DCP”) applies to all land within the Shire. A review of the DCP has revealed that the proposal does not derogate from any of the provisions within the DCP.

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

ISSUE	ACCEPT-ABLE	COMMENT
Context & setting	✓	The adjacent land is zoned RU5 and RE2 and with the provision of a noise attenuation barrier then the proposal will be in keeping with the existing use of land in the locality. A further discussion regarding noise from the proposal is provided below.
Access & parking	✓	Adequate provision is currently provided.
Roads & traffic	✓	The traffic impacts of the development are minimal and will not result in an adverse outcome in terms of the road network.
Utilities	✓	Adequate provision is currently provided.
Heritage	✓	The lot is not a heritage place nor contains any heritage items.
Archaeology	✓	There are no known archaeological items on the lot.
Stormwater	✓	The proposal will have no impact on stormwater.
Soils & erosion	✓	Any works associated with the subdivision will need to be undertaken in accordance with the <i>Soil and Water Management Guidelines for Subdivisions – Albury, Wodonga & Hume Councils</i> .
Flora & fauna	✓	The proposal will have little impact on flora and fauna.
Flooding	N/A	
Bushfire	N/A	
Technological hazards	N/A	-
Safety, security & crime prevention	N/A	-
Privacy	✓	
Landscaping	N/A	-
Overshadowing	N/A	-
Land resources	N/A	-

The submitter to this application raised the issue of noise associated with the proposal and a number of concerns which will later be addressed. The author formed the opinion that the submitter was likely to be effected by noise impacts from the development proposal. Consequently, the applicants were

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requested to submit an acoustic assessment for their proposal. An acoustic assessment from Harwood Acoustics was undertaken on 9 November 2023 which concluded that:

“Recommendations are made in Section 5 of this report to reduce the level of noise emission from the use of the stables to within the EPA’s noise design guidelines so far as reasonable practicable.”

The requirements from Section 5 are summarised below:

1. Erect a sound barrier screen along the shared boundary to a minimum height of 3.5 metres above ground level.
2. Prepare a noise management plan which will restrict the hours of operation so that no trucks or horse floats are attendant to the stables between the hours of 10 pm and 7 am Monday to Saturday and 10 pm to 8 am on Sundays and Public Holidays.
3. Implement restrictions so that there is no camping at the site.

It is proposed to grant a consent with a limited period of 18 months for which the development may be carried out. To enable a continuation of the proposal, a new application will need to be submitted at the conclusion of the 18 months.

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

The site will be suitable for the proposal with noise attenuation and other requirements being met through conditions of consent.

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

A submission (**ANNEXURE 6**) has been received to the notification of the proposed subdivision which is discussed below.

Comment to Proposal	Response
Noise impacts from horse kicking the stables and rattling the metal cages, squealing and trucks loading and unloading all through the night.	The remediation measures outlined within the Harwood Acoustic Report will be a condition of consent and will address these matters.

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<p>The stables do not meet the NSW Department of Primary Industries Guidelines for Minimum Standards for Keeping of Horses in Urban Area: Fact Sheet 16</p>	<p>It needs to be considered that this document is a guideline. The requirements within the guideline maybe more pertinent for permanent stabling of horses in comparison to the intermittent stabling of horses. Areas where the proposal does not align with the guideline is the walls of the stables, floors and drainage and height of the stables.</p> <p>Floors- the guideline indicates that the floor of the stables should be concrete and there should be a collection system for drainage. The floors of the stable are currently compacted sand. It is considered that this flooring will be acceptable for the initial 18 month period. The flooring can later be changed to concrete if required. Conditions of consent will require the cleaning of the stables after each usage.</p> <p>Walls of the stables – the guideline indicates that the walls of the stables should be masonry. Currently the walls of the stables are plastic and steel mesh. The applicant believes that horses kicking the walls of the stables contribute to noise issues. In response the sound barrier will address noise and it is also proposed to prevent the use of the six stables that are closest to the submitter.</p> <p>Height of the Roof- The minimum height for the roof of the stables is 2.75 metres. The six stables closest to the submitter has roof elements that are beneath 2.75 metres in height. It is proposed to not permit the use of these stables for overnight agistment. The remaining stables have adequate height through the roof and these stables are in the best location for ventilation.</p>
<p>Dust Issues</p>	<p>The submitter is concerned about raised dust from truck movements. It is considered that the bitumen surface and gravel surface of the roadways would restrict elevated dust.</p>

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National Construction Code and Fire Safety	The submitter raises issue with the building not complying with the National Construction Code. To respond, the building can be considered a class 10 non habitable building. There is no requirement for implementing fire safety requirements. Given the use of the building there would be very little combustible material onsite.
Odour and fly Issues	Issues with odours and flies is a concern for the submitter. The submitted material from the applicant indicates that fly traps are used around the building. All stables are cleaned immediately after use and lime is used to neutralise urine odours. No feedstuff are stored onsite.

4.15(1)(e) The public interest

The proposed use of portable horse stables for short term agistment is permissible development with consent and when undertaken in accordance with the applicable requirements of the Greater Hume Local Environment Plan 2012, is not against the public interest.

Section 7.12 Fixed development consent levies

Not applicable in this instance.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

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

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

It will be recommended to approve the development subject to conditions.

RECOMMENDATION

Approve Development Application No 10.2022.228.1 – for use of portable horse stables for short term agistment (boarding) and construction of a sound wall at Holbrook Recreation Ground Lot 204 DP753340 Bowler Street Holbrook subject to the conditions attached to this report pursuant to Sections 4.16 and Section 4.17 of the Environmental Planning and Assessment Act 1979.

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Part A – GENERAL CONDITIONS

1. Compliance With Plans And Conditions

Development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the development application received and subject to the following conditions. All conditions of consent must be fulfilled at the expense of the applicant.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. No Boarding of Horses Until Construction of Acoustic Wall

No boarding of horses is to be undertaken until an Occupation Certificate has been issued by the Principal Certifying Authority for the completed Acoustic Wall that complies with the provisions contained in Section 5.1 of the Acoustic Assessment 'James McKoy Pavillion' Horse Stabling Facility Holbrook Sporting Complex prepared by Harwood Acoustics dated the 9 November 2023.

Reason: To protect the amenity of the area

3. Lapsing of Consent

This consent lapses 18 months after the date of issue for the Occupation Certificate required by condition 2.

Note: At the conclusion of this time a new development application will be required to be submitted and approved to enable a continuation of the use of the facility for the boarding of horses.

Reason: To allow a re-assessment of the proposal to be undertaken.

4. Number of Horses Permitted to be Boarded and Location of Horse Stalls.

16 horses is the maximum number of horses to be boarded at any one time and those horses are to be kept solely within the stalls located in the middle of the pavilion. The 6 stalls located adjacent to common boundary with Lot 12 DP 1055714 are not permitted to be used for the boarding of horses.

Reason: To protect the amenity of the area and to comply with Department of Primary Industry requirements for the stabling of horses in residential areas

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

5. Payment Of Long Service Levy

Prior to the issue of a Construction Certificate any Long Service Levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) must be paid and a receipt of the payment submitted to Council).

Reason: To comply with the Building and Construction Industry Long Service Payments Act 1986.

6. Odour Management Plan

An Odour Management Plan must be submitted to and approved by Council prior to the issue of a Construction Certificate. The plan must include the method and program of 'regular cleaning and disinfection' proposed for all areas where horses are kept.

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The use and operation of the premises must not cause the emission of any odours that, by reason of its level, nature, character or quality is likely to be harmful to or interfere unreasonably with the comfort or repose of a person who is outside the premises. In the event the use exceeds acceptable levels, the person in control of the premises must implement measures to reduce odour to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

Reason: To protect the amenity of the area.

7. Noise Management Plan

A noise management plan must be submitted to and approved by Council prior to the issue of a Construction Certificate. The plan must include the measures to be implemented to address the emission of noise from the development. Things to be addressed include the conditions of use of the facility such as hours for arrival and departure, no camping restrictions and stipulations to minimise noise during arrival and departure.

Reason: To protect the amenity of the area.

PART C – BEFORE BUILDING WORK COMMENCES

8. Construction Certificate

An application for a Construction Certificate for the Acoustic Wall described in condition 2 must be **submitted to and approved by a nominated Certifier** prior to any building works taking place on the subject site. The application for Construction Certificate must be lodged via the [NSW Planning Portal](#).

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

9. Appointment Of A Principal Certifier

In accordance with Section 6.6 (1) and (2) (a) of the Environmental Planning and Assessment Act 1979, prior to the commencement of any works the person having benefit of the development consent must:

- a. appoint a Principal Certifier,
- b. notify Council of the appointment; and
- c. a notice of commencement is to be provided to Council not less than two (2) days from the date on which it is proposed to commence work associated with this Development Consent.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

PART D – DURING BUILDING WORK

10. Construction - Hours of Work

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

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

Construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties is to be restricted to the above hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.

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Reason: To protect the amenity of the area and to comply with the Environmental Protection and Operation Act 1997.

11. Noise, Vibration and Dust Management Requirements

The applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq above the background noise level when measured at the boundaries of the premises. The provisions of the [Protection of the Environment Operations Act 1997](#) apply to the development, in terms of regulating offensive noise.

Reason: To protect the amenity of the neighbourhood during construction.

12. All Vehicles During Construction

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

Reason: To ensure sediment is not trafficked onto Council's road network.

PART E– BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

13. Occupation Certificate

The applicant must not allow or permit the boarding of horses, until:

- a) All conditions of this consent have been completed in full;
- b) An application for an Occupation Certificate has been completed and lodged with the Principal Certifier via the [NSW Planning Portal](#); and
- c) The Principal Certifier has issued an Occupation Certificate.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

PART F – OCCUPATION AND ONGOING USE

14. Compliance with approved Odour Management Plan and Noise Management Plan

The boarding of horses is to be done strictly in accordance with the approved Odour Management Plan and Noise Management Plan that is required by Condition 2 and 3 of this development consent.

Reason: To protect the amenity of the area.

15. Amenity Protection

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

- (a) The appearance of any, works or materials used.
- (b) The parking or movement of motor vehicles.
- (c) The transporting of materials or goods to or from the site.
- (d) Noise, air and water discharges from the site.
- (e) Electrical interference.
- (f) The storage and handling of garbage, or other materials.
- (g) Emissions or discharges into the surrounding environment including, from wastewater, vibration, odours or other harmful products.

Reason: To protect the amenity of the area.

16. Control of Flies

The applicant is to maintain measures to control the presence of flies.

Reason: To protect the amenity of the area.

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GOVERNANCE

1 ANZAC DAY CEREMONIES IN GREATER HUME COUNCIL AREA – THURSDAY 25 APRIL 2024

Report by Tourism and Communications Coordinator – Emily Jones

REASON FOR REPORT

To report on ANZAC Day services across the local government area.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

ANZAC Day goes beyond the anniversary of the landing on Gallipoli in 1915. It is the day on which we remember Australians who served and died in all wars, conflicts, and peace keeping operations. The spirit of ANZAC, with its human qualities of courage, mateship, and sacrifice, continues to have meaning and relevance for our sense of national identity.

Set out below is a summary of 2024 ANZAC Day ceremonies to be held in Greater Hume area.

COMMUNITY	DETAILS
Brocklesby	<ul style="list-style-type: none"> 9:15am Conducted at the Brocklesby War Memorial Morning tea provided in the Hall following the service. <p>Contact: Julie Considine Email: howlongrsi@gmail.com</p>
Burrumbuttock	<ul style="list-style-type: none"> 12.00pm service at Burrumbuttock Public Hall. <p>Contact: Jeff Litchfield, T: 0438 293 227</p>
Culcairn	<ul style="list-style-type: none"> 10.00am - Marchers gather at Culcairn Bus Terminal 10.30am - ANZAC Day march to Balfour Street Memorial <p>Contact: Bruce Barkley, M: 490 858 460</p>
Henty	<ul style="list-style-type: none"> 10am Marchers gather at Ivor Street between Sladen and Lyne Streets 10.30am ANZAC Day march to Henty Memorial Park 11.00am Service and wreath laying at the Cenotaph <p>Contact: Louisa Heycox, Email: bandlheycox@gmail.com</p>
Holbrook	<ul style="list-style-type: none"> 10.30am Gather on corner Hume and Albury Streets. 10.45am March through Albury Street. 11am Ceremony at Cenotaph Ten Mile Creek Gardens. <p>Contact: Kim Turner Secretary, Holbrook RSL Sub Branch Email: Holbrookrsi2644@qmail.com</p>
Jindera	<ul style="list-style-type: none"> 10.30am Service at the Memorial Park Cnr Dight and Urana Streets. <p>Contact: Jenny O'Neill M: 0438 263 417</p>
Walla Walla	<ul style="list-style-type: none"> 10.00am Assemble at corner Short Street & Railway Street. 10.30am March down Commercial Street commences. 10.45am Service and wreath laying in Bicentennial Park. <p>Contact: Graeme Cunningham, T: 02 6029 6104</p>

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ON WEDNESDAY 20 MARCH 2024

ANZAC DAY CEREMONIES IN GREATER HUME COUNCIL AREA – THURSDAY 25 APRIL 2024 [CONT'D]

Greater Hume Council has traditionally been represented at each of the respective ANZAC Day ceremonies held on 25 April by a Councillor who has laid a wreath on behalf of the Council.

BUDGET IMPLICATION

Nil.

CONCLUSION

ANZAC Day is the day we remember all Australians who served and died in all wars, conflicts, and peacekeeping operations. In 2024, ceremonies held in a number towns/villages acknowledge the service of our veterans.

Council encourages all residents to not miss the opportunity to attend an ANZAC Day ceremony in Greater Hume.

RECOMMENDATION

That the Councillors be nominated to attend the following ANZAC Day Ceremonies:

1. Brocklesby
2. Burrumbuttock
3. Culcairn
4. Henty
5. Holbrook
6. Jindera
7. Walla Walla

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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CORPORATE AND COMMUNITY SERVICES

1. **SIGNING OF LEASE AGREEMENT FOR LAND ADJOINING BYERS INN HOLBROOK,
ALBURY STREET, HOLBROOK NSW 2644**

Report prepared by Director Corporate & Community Services – Louise Frichot

REASON FOR REPORT

To seek Council approval to sign a Lease Agreement for Land adjoining the Byers Inn Holbrook under the Common Seal of Council.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

The Byers Inn is currently under a Contract of Sale. The Purchasers, MANB Holdings Pty Ltd have engaged RM Legal to act on their behalf to manage the purchase of the property.

The land coloured green on the plan in **(ANNEXURE 7)** forms part of an un-used public road. The Council is the roads authority in relation to the land pursuant to the *Roads Act 1993*. The Council has formed the option that the land is not needed for present public use.

Accordingly, approval is hereby sought for the Mayor and General Manager to execute the required contracts under the Common Seal of Council.

BUDGET IMPLICATION

The Lease Agreement is for a small nominal amount and has no impact on the budget.

CONCLUSION

Approval is sought to execute a re-issued lease agreement to the Purchaser with the same terms and conditions as the current owner of the Byers Inn.

RECOMMENDATION

That the Mayor and General Manager be authorised to sign the Lease Agreement for the Land Adjoining Byers Inn, Albury Street Holbrook under the Common Seal of Council.

ORDINARY MEETING OF GREATER HUME COUNCIL
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2. DONATION OF FUNDS FOR PUBLIC LIABILITY INSURANCE ANZAC DAY 2024

Report prepared by Director, Corporate & Community Services – Louise Frichot

REASON FOR REPORT

To seek Council approval to donate the cost of Public Liability Insurance to the nominated event organisers of 2024 ANZAC Day Ceremonies in Greater Hume.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil.

BACKGROUND

ANZAC Day and the associated ceremonies is an important day for our residents. Council require all event organisers hosting events under Council Ownership to seek approval, as part of this approval process and Public Liability Insurance is required.

Council traditionally organize and pay for any relevant traffic management required at ANZAC Day events (in 2024, there are five locations at a cost of \$9,509). Council does not organize ANZAC Day Events as this is not considered a function of Council.

Through the Council Event Management Process, Council identified two communities that do not have the required Public Liability Insurance to cover ANZAC Day Ceremonies.

Table 1 highlights all the Ceremonies for ANZAC Day in Greater Hume Council Area and the status of their Public Liability Insurance.

Location	Traffic control	Public Liability
Brocklesby -	YES	Insured as Howlong RSL sub branch (chapter). Policy Number 10M7431902 expiry date 31/5/24
Burrumbuttock - Public Hall	NO	Will require PL insurance for the day from a non-government insurer.
Culcairn - Balfour St, Culcairn -	YES	Insured as a Wagga Wagga sub branch (chapter) Policy Number 10M 7431902 expiry 31/5/2024 with CGU
Henty - Henty Memorial -	YES	Insured as The Rock RSL Sub Branch s (chapter). Policy Number 10M7431902 expiry date 31/5/24

ORDINARY MEETING OF GREATER HUME COUNCIL
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DONATION OF FUNDS FOR PUBLIC LIABILITY INSURANCE ANZAC DAY 2024

	YES	
Holbrook - Cenotaph Ten Mile Creek Gardens -		Yes - With CGU. Policy Number 10M7431902 expiry date 31/5/24
Jindera - Dawn Service - Mike Smith 04 - Service at Memorial Park followed by Morning tea at School of Arts Hall	NO	Will require PL insurance for the day from a non-government insurer.
St Mary McKillop School -	NO	
Walla Walla - Service, March & BBQ	YES	Insured as a Wagga Wagga sub branch (chapter) Policy Number 10M 7431902 expiry 31/5/2024 with CGU

DISCUSSION

The risk associated of not donating the cost of the Public Liability Insurance includes a reputational risk within the impacted communities, and in the event of the ANZAC Day Ceremony whereby a member of the public was injured (and the organizer did not have the appropriate insurance) it could result in costly legal fees to the Council.

BUDGET IMPLICATIONS

The cost implications of donating the cost of the Public Liability Insurance cover is approximately; - \$5,000 - \$7,000 unbudgeted expense in the 2024-2024 financial year.

CONCLUSION

To support our local communities in hosting ANZAC Day events we seek approval for Council to donate the funds required to the two community-based organisers to purchase relevant Public Liability Insurance for the event.

RECOMMENDATION

That Council:

1. Approve \$5,000 - \$7,000 in funds as a donation to Jindera and Burrumbuttock event organisers to purchase relevant Public Liability Insurance for ANZAC Day ceremonies hosted on 25th April 2024.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
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ENGINEERING

1. **2023 – 2024 PROPOSED EXPENDITURE OF REGIONAL AND LOCAL ROADS REPAIR PROGRAM (RLRRP)**

Report prepared by Manager Works – Ken Thompson

REASON FOR REPORT

For Councillors to endorse the proposed expenditure to the Regional and Local Roads Repair Program (RLRRP).

REFERENCE TO DELIVERY PLAN ACTION

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

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

DISCUSSION

A previous report to Council noted the allocation of a \$9,130,569 grant to Council from the State Government for the repair of RLRRP. The State Government has a requirement for Council to provide a program of works that will detail the allocation of the grant and the proposed timeline of this expenditure by April 2024. This grant can be used for repairs and upgrades to Regional and Local roads as per the guidelines of the program, it should also be noted that with the approval of this grant funding the State Government has deferred the Regional Roads Repair Program for the duration of the RLRRP.

Since released, the grant funding has allowed Council to complete Pothole Patching, Heavy Patching and Asphalt Patching on sealed Regional Roads, Local Roads and Urban Streets, also allowing for additional Maintenance Grading on unsealed roads. The allocation of \$9,130,569 has been received by Council and it is a requirement of the grant that all works to be completed and funds be expended by 31 October 2027.

Council has effectively expended \$5,426,489 of the grant and a list of roads that have benefitted from this grant is attached **ANNEXURE 8**.

A copy of the previous report and correspondence received is attached for Councillor's information in **ANNEXURE 9**.

It is proposed that the remainder of grant be utilised as detailed in the table below.

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2023 – 2024 PROPOSED EXPENDITURE OF REGIONAL AND LOCAL ROADS REPAIR PROGRAM (RLRRP) [CONT'D]

Proposed Expenditure of the remainder of the Grant funding.	
2023-2024 Financial Year Asphalt overlay Corowa Rand Road intersection with MR331 Daysdale Road.	\$ 250,000
2023-2024 Rectify Edge Drop off on Howlong Balldale Road approximately 3.6km both sides (7.2km).	\$ 230,000
2024-2026 Additional Gravel Resheeting on unsealed roads	\$ 370,000
2024-2026 Heavy Patching Local Roads	\$ 400,000
2024-2026 Heavy Patching Regional Roads	\$ 400,000
2024-2026 Additional Resealing on Local Sealed Roads	\$ 254,080
2024-2025 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2025-2026 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2026-2027 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2027-2028 Financial Year Jingellic Road 1km Rehab	\$ 450,000
	\$ 3,704,080

BUDGET IMPLICATION

This will have no negative effect on the operational budget for Council in 2024-25 financial year or for the remainder of the program period.

CONCLUSION

In proceeding this will have no negative impact on Council, but will allow Council to conduct additional road repairs without detrimental effect to the budget.

RECOMMENDATION

That Council endorse the proposed expenditure of the RLRRP as detailed in this report.

Proposed Expenditure of the remainder of the Grant funding.	
2023-2024 Financial Year Asphalt overlay Corowa Rand Road intersection with MR331 Daysdale Road.	\$ 250,000
2023-2024 Rectify Edge Drop off on Howlong Balldale Road approximately 3.6km both sides (7.2km).	\$ 230,000
2024-2026 Additional Gravel Resheeting on unsealed roads	\$ 370,000

ORDINARY MEETING OF GREATER HUME COUNCIL
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2023 – 2024 PROPOSED EXPENDITURE OF REGIONAL AND LOCAL ROADS REPAIR PROGRAM (RLRRP) [CONT'D]

2024-2026 Heavy Patching Local Roads	\$ 400,000
2024-2026 Heavy Patching Regional Roads	\$ 400,000
2024-2026 Additional Resealing on Local Sealed Roads	\$ 254,080
2024-2025 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2025-2026 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2026-2027 Financial Year Jingellic Road 1km Rehab	\$ 450,000
2027-2028 Financial Year Jingellic Road 1km Rehab	\$ 450,000
	\$ 3,704,080

ORDINARY MEETING OF GREATER HUME COUNCIL
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2. TENDER TL 04 – 2023/24 REPLACEMENT OF THREE CULVERTS, WANTAGONG

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider tenders for the civil construction of replacement culverts on Spring Creek, Scent Bottle Creek and Fish Creek, Wantagong.

REFERENCE TO DELIVERY PLAN ACTION

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

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

DISCUSSION

This project is part of the Council delivery program. The scope covers three of the five major transverse drainage structures on Wantagong straight programmed for replacement and are integral to the upgrade of Jingellic Road.

Jingellic Road provides the main access between Holbrook and Jingellic. It is a significant tourist and logging route in addition to the normal local traffic. The existing culverts over these three creeks have been structurally assessed in recent years and are not capable of carrying heavy loads into the future. Furthermore the road pavement widths over these structures does not conform to modern standards.

The box culverts proposed for these locations are designed to protect against 1 in 100 year storm events, provide safe pavement widths and provide for HML traffic into the future.

Advertisements were placed in the Border Mail and on Tenderlink.

Tenders closed on Tuesday 20th February 2024. Three tenders were received via the Tenderlink portal.

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

Company	Tender Price (excluding GST)
Excell Gray Bruni P/L	\$ 1,671,649.00 excl GST
Goldex P/L	\$ 2,563,482.27 excl GST
Hutchinson Civil P/L	\$ 2,054,140.00 excl GST

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

Excell Gray Bruni P/L P/L is a well-established contractor based in Wodonga and has previously completed works for Greater Hume Council to a satisfactory standard. This company is currently undertaking the contract to replace the culvert at Serpentine Creek, at Wantagong. These works are being carried out in a satisfactory manner.

Mr Joel Quonoey from Excell Gray Bruni P/L attended a post-tender interview where it was confirmed that he was satisfied that they have the personnel and equipment to complete the project to the required standard in a safe manner.

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TENDER TL 04 – 2023/24 REPLACEMENT OF THREE CULVERTS, WANTAGONG [CONT'D]

Mr Quonoey indicated that a projected commencement date will be March 2024 would be appropriate to this project in order to avoid environmental control restrictions and high creek flows. An expected completion date in July 2024 is the programmed completion date however given the nature of these works the progress of construction will be heavily weather dependant.

A drawing of the proposed works is **ENCLOSED SEPARATELY** for Councillors information.

BUDGET IMPLICATION

The replacement of these existing structures at Spring Creek, Scent Bottle Creek and Fish Creek along with two other bridges are funded from a number of funds including, Black Summer Bushfire Recovery Program, HVSSP (Bridges Program) Roads to Recovery, Fixing Country Roads Round 6, and Council funds from a total budget of \$4,520,000.

The tender price of \$ 1,671,649.00 (excl GST) is consistent with the engineers' estimate and with current market rates and within the total budget for the project.

CONCLUSION

Three tenders were received for the Replacement of Three Culverts, Wantagong project.

All three tenders were considered.

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

RECOMMENDATION

That:

1. the tender submitted by Excell Gray Bruni P/L for tender TL04 2023/2024 for the Replacement of Three Culverts, Wantagong for \$ 1,671,649.00 (excl. GST) be accepted.
2. the unsuccessful tenderers be notified.
3. the General Manager and the Mayor be authorised to execute contract documentation with Excell Gray Bruni P/L under the Common Seal of Council.

ORDINARY MEETING OF GREATER HUME COUNCIL
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3. **PROVISION OF FOOTPATH AND KERB AND CHANNEL, MOLKENTIN ROAD, JINDERA**

Report prepared by Works Engineer – Andrew Walls.

REASON FOR REPORT

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

REFERENCE TO DELIVERY PLAN ACTION

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

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

DISCUSSION

As required by Council Policy, administration of *Contributions for Footpath/Kerb and Channel Construction Policy*, this report provides the proposed cost apportionment for the above named footpath project.

The works scope is part of the overall development of the Urana Street and Molkentin Road area which has to date involved the construction of a RCBC and floodway in Molkentin Road and the construction of Kerb, underground drainage and associated works in Urana Street between Pioneer Drive and Adams Street.

The portion of the proposed works that are the subject of this report include the construction of Kerb and Channel as well as a 1.5m footpath on the northern side of Molkentin Road.

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

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

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PROVISION OF FOOTPATH AND KERB AND CHANNEL, MOLKENTIN ROAD, JINDERA



BUDGET IMPLICATION

The funding of these works is the subject of a separate report to this Council meeting.

CONCLUSION

The completion of kerb and footpath within this street as planned will form part of the overall upgrade of this area as well as improve property owner amenity and public accessibility.

RECOMMENDATION

That Council:

1. Approve the construction of kerb and channel, and footpath in Molkentín Road , Jindera
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

ORDINARY MEETING OF GREATER HUME COUNCIL
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ITEM TO BE REFERRED TO CLOSED COUNCIL

Nil.

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

CORPORATE AND COMMUNITY SERVICES

1. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 29 FEBRUARY 2024

Report prepared by Accountant – Camilla Webb

REASON FOR REPORT

This report presents to Council details of all funds invested as at 29 February 2024 as required by the Local Government (General) Regulation 2021.

REFERENCE TO DELIVERY PLAN ACTION

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

DISCUSSION

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

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

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

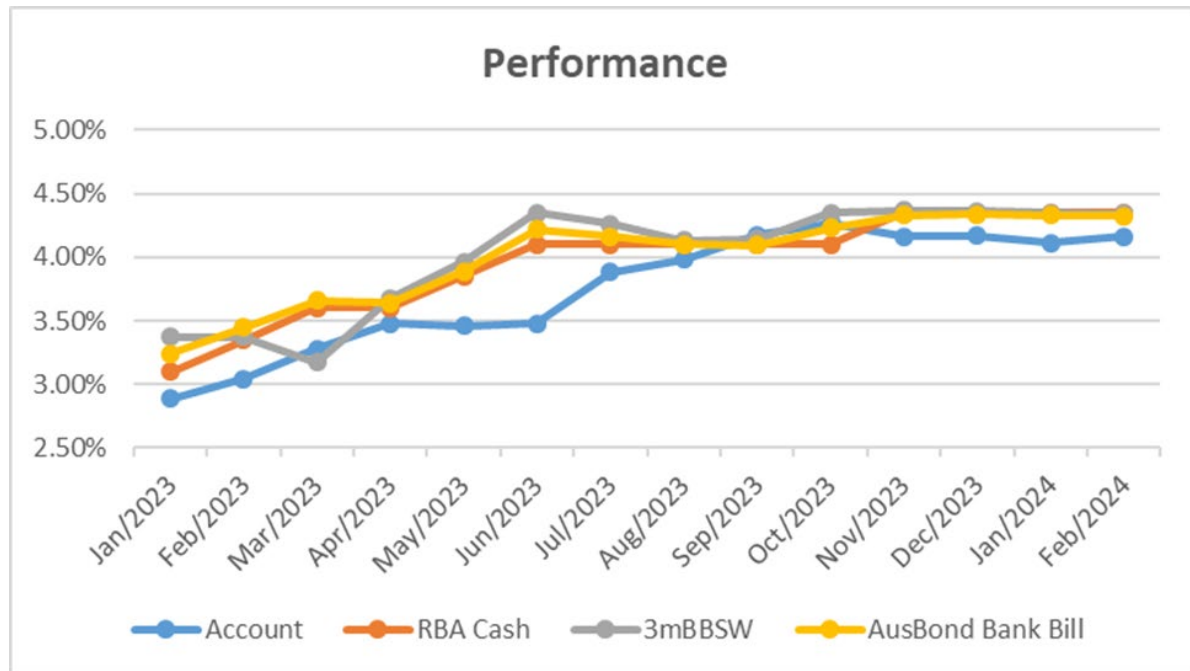
Greater Hume’s overall investment portfolio

Term Deposits and Treasury Bonds		
Balance held as at 31 January 2024	36	\$28,566,546.01
Add: New Investments this month	2	\$1,400,000.00
		\$29,966,546.01
Less: Matured Investments this month	8	\$5,900,000.00
Balance held as at 29 February 2024	30	\$24,066,546.01

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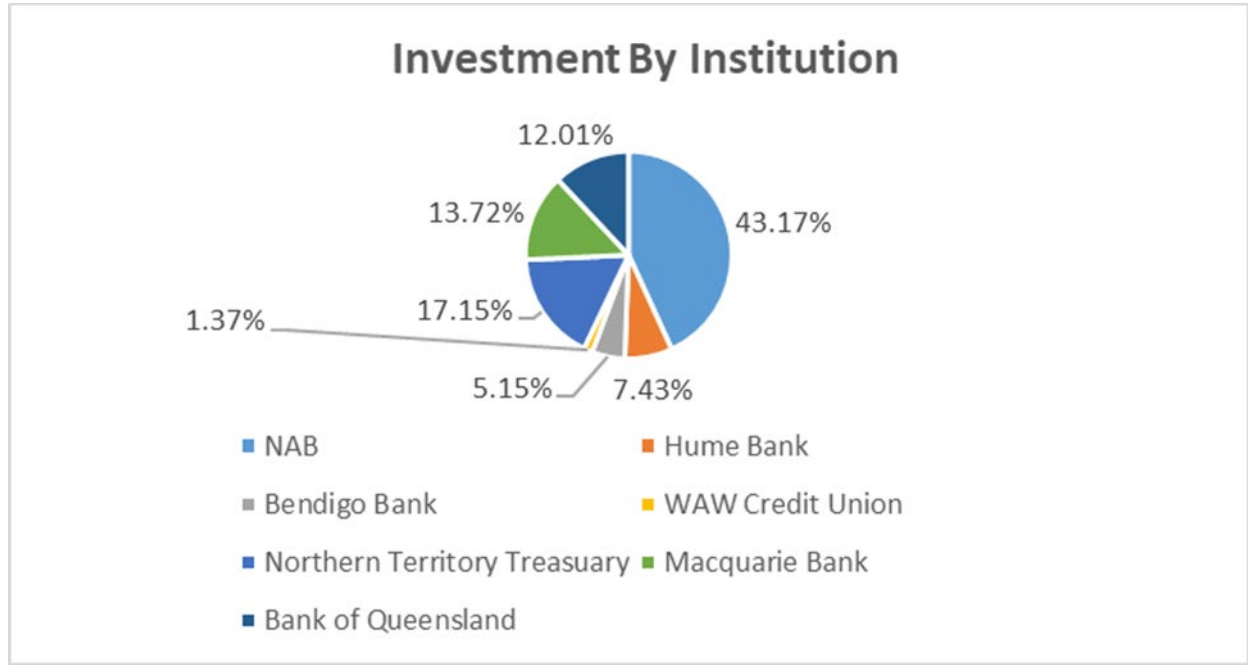
COMBINED INVESTMENT ACCOUNT – MONTH ENDED 29 FEBRUARY 2024 [CONT'D]

At Call Account		
Account balance as at 31 January 2024		\$1,198,850.64
Add: Net movement to/from At Call account		\$3,885,225.37
Account balance as at 29 February 2024		\$5,084,076.01
Total Portfolio Value as at 29 February 2024		\$29,150,622.02
Investment Yield		
Weighted Average Yield		4.16%
Reserve Bank Cash Rate (remained unchanged)		4.35%
<p>Note: The average yield on investments is currently below the Reserve Bank cash rate due to some low yield treasury bond investments in the portfolio. These investments will mature in June 2025 and June 2026. As can be seen in the table below recent investments are yielding well above the Reserve Bank cash rate.</p>		



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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 29 FEBRUARY 2024 [CONT'D]



Investment Register

Contract Number	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Monthly Accrued Interest
63568	Hume Bank	\$68,304.65	2/03/2023	1/03/2024	365	4.30%	\$233.36
65983	NAB	\$1,000,000	6/07/2023	4/03/2024	242	5.35%	\$4,250.68
66577	NAB	\$1,000,000	8/08/2023	5/03/2024	210	5.15%	\$4,091.78
65984	NAB	\$500,000	6/07/2023	2/04/2024	271	5.35%	\$2,125.34
66105	Bank Of Queensland.	\$1,000,000	17/07/2023	12/04/2024	270	5.47%	\$4,346.03
66898	Macquarie Bank	\$500,000	30/08/2023	26/04/2024	240	4.75%	\$1,886.99
64568	Hume Bank	\$46,751.06	2/05/2023	1/05/2024	365	4.25%	\$157.86
69674	Hume Bank	\$1,000,000	2/01/2024	1/05/2024	120	4.85%	\$3,853.42
70465	WAW Credit Union	\$400,000	6/02/2024	6/05/2024	90	4.75%	\$1,249.32
70358	Hume Bank	\$1,000,000	7/02/2024	10/05/2024	93	4.80%	\$3,024.66
66766	Macquarie Bank	\$1,000,000	18/08/2023	14/05/2024	270	4.83%	\$3,837.53
65005	Bendigo And Adelaide Bank	\$500,000	22/05/2023	21/05/2024	365	4.85%	\$1,926.71

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 29 FEBRUARY 2024 [CONT'D]

66897	NAB	\$500,000	30/08/2023	27/05/2024	271	5.10%	\$2,026.03
69042	Macquarie Bank	\$1,000,000	11/12/2023	11/06/2024	183	4.91%	\$3,901.10
69092	NAB	\$500,000	12/12/2023	12/06/2024	183	5.10%	\$2,026.03
66785	Macquarie Bank	\$500,000	22/08/2023	17/06/2024	300	4.90%	\$1,946.58
65921	Hume Bank	\$51,490.30	30/06/2023	29/06/2024	365	5.55%	\$227.05
69352	Bendigo And Adelaide Bank	\$1,000,000	3/01/2024	3/07/2024	182	4.95%	\$3,932.88
69351	Bank Of Queensland.	\$500,000	3/01/2024	3/07/2024	182	4.95%	\$1,966.44
69353	Bank Of Queensland.	\$1,000,000	3/01/2024	3/07/2024	182	4.95%	\$3,932.88
68771	NAB	\$500,000	27/11/2023	24/07/2024	240	5.15%	\$2,045.89
66578	Macquarie Bank	\$1,000,000	8/08/2023	7/08/2024	365	4.92%	\$3,909.04
65217	Bank Of Queensland.	\$500,000	5/06/2023	26/08/2024	448	5.15%	\$2,045.89
69111	Bank Of Queensland.	\$500,000	13/12/2023	9/09/2024	271	5.25%	\$2,085.62
67183	NAB	\$2,000,000	13/09/2023	12/09/2024	365	5.15%	\$8,183.56
67414	NAB	\$500,000	20/09/2023	19/09/2024	365	5.20%	\$2,065.75
69094	NAB	\$1,000,000	12/12/2023	11/12/2024	365	5.20%	\$4,131.51
56079	Northern Territory Treasury Corp	\$1,000,000	14/01/2022	15/06/2025	1,248	1.40%	\$1,112.33
52490	Northern Territory Treasury Corp	\$1,500,000	27/05/2021	16/06/2025	1,481	1.10%	\$1,310.96
51782	Northern Territory Treasury Corp	\$2,500,000	15/04/2021	15/06/2026	1,887	1.30%	\$2,582.19
49570	NAB	\$5,084,076.01	29/02/2024	1/03/2024	1	2.60%	\$362.15
Total		\$29,150,622.02					\$80,777.56

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COMBINED INVESTMENT ACCOUNT – MONTH ENDED 29 FEBRUARY 2024 [CONT'D]

Declaration

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

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

CONCLUSION

As at 29 February, 2024 total Investments held were \$29,150,622.02. The year to date accrued investment earnings for 2023/2024 was \$893,211.25 representing a weighted average yield of 4.16%.

RECOMMENDATION

That Council receives and notes the Investment Balances Report for the month of February 2024.

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PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. TOURISM AND PROMOTIONS REPORT – FEBRUARY 2024

Prepared by: Emily Jones, Tourism and Communications Coordinator

Greater Hume Council Websites

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

Comments

		greaterhume.nsw.gov.au		ghchildren.com.au		visitgreaterhume.com.au	
February 2024		Previous	Current	Previous	Current	Previous	Current
Website Traffic	New	14930	5400	502	523	2032	1055
	Returning	10130	4900	214	502	1443	818
Traffic Source	Organic	11266	3566	719	432	1256	726
	Direct	2653	936	246	186	237	208
	Referral	394	81	3	3	481	399
	Social	699	283	11	3	58	22
Device Paths	Desktop	3565	2292	356	240	622	420
	Mobile	6416	3028	635	281	1370	627
	Tablet	266	106	6	2	57	27

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

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

www.ghchildren.com.au – top pages:

1. Family Day Care
2. News - Higher Child Care Subsidy and Removal of Annual Cap
3. Enrol Your Child/Children
4. Contact Us
5. Holbrook Centre

www.visitgreaterhume.com.au – top pages:

1. Natural Wonders - Wymah Ferry
2. Culcairn - Explore Eat Stay/ Culcairn Caravan Park
3. Natural Wonders- Table Top Reserve
4. Holbrook
5. Culcairn

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TOURISM AND PROMOTIONS REPORT – FEBRUARY 2024 [CONT'D]

Social Media

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

Comments

Instagram, #visitgreaterhume – 1131 followers

Individual facebook pages:

- Greater Hume Council – 3866 followers
- Visit Greater Hume – 748 followers
- Holbrook Submarine Museum – 1290 followers
- Greater Hume Children’s Services – 1000 followers
- Greater Hume Youth Advisory Committee – 489 followers
- Buy Local in Greater Hume – 657 followers

Greater Hume Council Newsletters

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

Comments

Autumn edition of Greater Hume Council Newsletter was emailed out in first week of March. Some of the articles covered were Australia Day Celebrations at Wymah, Out and About, Halve Waste, Community Project Updates, and Library Information.

Grants and Funding

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

Comments

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

Name	About	Current
Maritime Museum	Submarine Museum Holbrook – Restoration and Framing of WWII Jolly Roger Flag \$1350.00	Successful - Work in Progress

Greater Hume Tourism and Promotions

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

Comments

- Monthly newsletters are sent to all Greater Hume Tourism Operators, providing latest information on tourism opportunities, marketing, social media and promotional campaigns as well as relevant contacts and statistics.
- Managing over 180 Greater Hume ATDW Listings. The Australian Tourism Data Warehouse (ATDW) is Australia’s national platform for digital tourism marketing in Australia. ATDW distributes information to over 60 partners’ websites to support local tourism businesses in expanding their on line exposure, bookings and marketing.
- Submitted visitor and What’s On advertising in Eat Play Summer 2023 Edition in Border Mail. The print run is 24,000, 14,000 are inserted into The Border Mail and the additional 10,000 distributed.

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

Distribution is to all Visitor Information Centres through NE Victoria and South West NSW/Riverina plus Canberra and Melbourne. Other business (inc motels) and advertisers. The Autumn Edition of Eat Play is currently being compiled.

- Emailed (over 600) 'What's On in February' to Visitor Information Centres in NSW and VIC, coach/bus/tour companies, tourism operators within shire and regional, media, visitor information points and to interested residents in shire.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and will now be rolled out from Summer 2023/2024. The first section of this campaign a 'social influencer trip' has been completed. The second stage, a photoshoot will be completed in March.

Visitor Information Centre and Submarine Museum

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

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

Comments

Visitor Information Centre Statistics:

Feb 24 - Walk In – 1026, Phone Calls - 19, Emails – 0.

Feb 23 - Walk In – 929, Phone Calls - 29, Emails – 0.

Submarine Museum Statistics:

Feb 24 - Adult - 106, Child - 16, Concession - 237, Family - 30, Group - 0, Total - 389.

Feb 23 - Adult - 120, Child - 10, Concession - 157, Family - 34, Group - 22, Total - 343.

Events

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

To assist with the promotion of Greater Hume's many and varied events. Encourage more residents to be involved in Greater Hume and events.

Comments

During this period we have supported over 20 events across Greater Hume from Australia Day, including Henty Ag Show, Festival by the Sub, Holbrook Triathlon and Holbrook Agricultural Show, Morgan Country Car Club Show and Shine and the Lights Show at Wirraminna Environmental Education Centre. We are currently supporting events such as G-Rodge Fest, various Jindera Pioneer Museum events, Holbrook Easter Fly-In and Anzac Day Ceremonies.

Australia Day

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

Comments

Preparation for the expressions of Interest to hold Australia Day next year have begun.

Signage

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

Comments

Signage has been completed for Yambla View 'Wambariga' Lookout in Woomargama National Park.

Murray Regional Tourism (MRT)

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

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

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

Comments

- Currently attending monthly zoom meetings with MRT and the VIC network group.
- COVID Recovery Funding - A Greater Hume promotional campaign in partnership with Murray Regional Tourism and Destination NSW has been developed and has now been extended to Summer 2023/2024. The first section of this campaign is being release during the first weekend in February as a 'Social Influencer' campaign.
- Staff are undergoing Social Media Training beginning in February, led by Murray Regional Tourism. This training includes one on one mentoring sessions.
- A photo shoot across Greater Hume has been organized for March 2024.

Museums and Heritage

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

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

Comment

A full training/workshop program has been developed for 2024 by the Museum Adviser with museum volunteers, staff of Albury and Greater Hume at the new Digitisation Hub.

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

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CORPORATE AND COMMUNITY SERVICES

1. GREATER HUME LIBRARY SERVICES

Report prepared by Customer Relations Coordinator– Susan Kane

REASON FOR REPORT

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

REFERENCE TO DELIVERY PLAN ACTIONS

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

DISCUSSION

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

Library Programs- February 24

Library Programs	Location	Event
Women's Week - March	All Libraries	Floral arrangement workshops. This program was completely booked out with interest shown for additional programs. – 80 participants – Funded by NSW Government Women's Week
Knitting -Wrap For Love Organisation	Culcairn Library	A fortnightly group who meets to knit, chat, and enjoy morning tea
Billabong High School library visit	Culcairn Library	A weekly event where 20 Billabong High School students visit the library to enjoy programs present by staff – trivia, jigsaw puzzles, learning about the library, and enjoying the recently purchased VR.
Jigsaw Puzzles	Culcairn Library	Community members are working together to complete jigsaw puzzles. To date over twelve puzzles have been completed
Technology Equipment	Culcairn & Henty Libraries	Using Local Priority Funding two VR Headset have been purchased for young people. The VR technology is proving to be extremely successful with an increase in young people visiting the libraries each afternoon.
Storytime	Culcairn, Henty, and Holbrook Libraries	Storytime continues at the libraries

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GREATER HUME LIBRARY SERVICES [CONT'D]

Upcoming Youth Programs – April 2024

Youth Programs	Location	Event
Youth Week	Billabong High School - Culcairn St Paul's College - Walla Walla	This project will take place at Billabong High School and Walla Walla St Pauls College. A presentation will be made Job readiness and how students can prepare for entering the workforce, employer expectations and how to prepare for a job interview. Gift and lunch provided.
School Holiday Program	Regional Youth Autumn Break Program	Clay making in the libraries

Upcoming Library Programs & Services

Library Programs	Location	Event
Tech Savvy Senior	All Libraries	Bridging the technological gap – providing one on one classes for community members on embracing technology
Seniors Week Festival – March	All Libraries and Walla Walla	Festivals at all libraries with presenters and activities.
Storytime	All Libraries	Storytime will commence in February 24 at all libraries with preschool and early primary school aged children

Library Statistics: February 24

Library Statistics – November 23	Henty	Culcairn	Holbrook	Jindera
Issues	280	284	507	75
Online Resources	160	84	135	27
Door Count	996	1585	1627	1595

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GREATER HUME LIBRARY SERVICES [CONT'D]

Mobile Library Statistics: February 24

Mobile Library Statistics	Brocklesby	Burrumbutt ock	Gerogery	Jindera	Walla Walla	Walbundrie	Woomargama
Issues	24	6	21	22	79	22	11
Online Resources	0	0	13	12	10	0	5

BUDGET IMPLICATIONS

Nil. Works are funded from budget allocations.

CONCLUSION

Women’s Week 24 was an extremely successful program with over eighty participants across Greater Hume Council attending the event. Women’s Week funded by the NSW Government through a successful grant application. Coming up in March will be the Senior’s Week Festival which is also funded by the NSW Government. Youth Week programs are organised for April with funding allowing students to participate in a workshop on being job ready with great organisational skills and the fun activity of working with clay in the libraries.

2. GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS

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

3. STATEMENT OF BANK BALANCES AS AT 29 FEBRUARY 2024

The statement of bank balances as at 29 FEBRUARY 2024 is attached at **ANNEXURE 10**.

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ENGINEERING

1. FEBRUARY REPORT OF WORKS

Grants Program

State Roads Maintenance (RMCC)

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

Regional Roads

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

Culvert installation and road reconstruction are continuing on Jingellic Road (MR331) as part of the 3.2km rehabilitation project between Yarara Gap and Coppabella Road. The first 1km rehabilitation has been sealed.

Heavy Patching on regional roads from natural disaster funding is complete.

Culvert replacement upgrade has commenced at Serpentine Creek on Jingellic Road (MR331).

Regional road sealing is continuing.

Local Roads Sealed

General maintenance on local roads is continuing.

Brocklesby Balldale Road (Stage 1) – Road construction has commenced with the first 1km section of the rehabilitation has been sealed.

Culvert installation is continuing as part of the 3.25km road reconstruction on Brocklesby Balldale Road (Stage 2).

Council's resealing program for 2023-2024 financial year is almost complete.

Vegetation clean up from natural disaster AGRN1034 is continuing.

Shoulder repairs are being conducted on various local roads from natural disaster AGRN1034.

Unsealed:

Clean up of tree debris, medium grading and heavy grading has commenced as approved from TfNSW (Natural Disaster AGRN 1001).

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

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FEBRUARY REPORT OF WORKS [CONT'D]

Road Name	Location	Length Graded (km)
Browns Rd	Full length	1.3
Campbells Rd	Full length	3.7
Clifton Ring Rd	From Westby Rd end, and WWCC section (0.9)	2.9
Diffeys Rd	Full length	5.7
Drums Rd	Full length	5.6
Fanning Ln	Full length	2.5
Groch Rd	Full length	2.2
Henty Swamp Rd	Full length	1.9
Kellys Rd	Near intersection with Steins Rd	2.1
Listers Ln	Full length	1
Lubkes Rd	Full length	2.3
Moorwatha Rd	From Fanning lane end	1.8
Morgans Rd	From Rockville Rd to Chinatown Ln	0.8
River Rd	East of Talmalmo	14
Rockville Rd	Full length	2.6
Ryan Stock Route	Full length	6
Schneiders Rd	Full length	3.2
Stonehaven Rd	Majority of road	9
Trigg Rd	Full length	8.1
Verdon Rd	Full length	3.3
Vile Ln	Fanning to Ziebath, and section south of Majors Creek Rd	1.2
Yambla Rd	Full length	3.6
Ziebath Rd	Full length	0.7
Total		87.64 km

Urban Streets:

General maintenance of urban streets including signage replacement is continuing.

Balfour Street Drainage Upgrade Project Stage 1B, McBean Street to Stock Route has been completed.

Council's urban resealing program has been completed with the exception of the office car parks in Culcairn and Holbrook. These works are programmed for March.

Footpath construction on Urana Street, Jindera from Creek Street to Pioneer Park is almost complete.

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FEBRUARY REPORT OF WORKS [CONT'D]

General:

General maintenance of public toilets and parks is continuing.

Footpath construction in Pioneer Park, Jindera has been completed.

Earthworks, water and wastewater infrastructure installation is continuing on the new Culcairn residential subdivision by contractors.

Monthly Works Maintenance Expenditure:

Local Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Urban Roads Maintenance	\$240,450	\$160,300	\$139,463	\$20,837	\$81,820	
Urban Roads Town Maintenance	\$281,000	\$187,333	\$339,076	-\$151,743	\$0	Over expenditure covered by under expenditure in other areas
Rural Roads Sealed	\$883,366	\$588,911	\$652,810	-\$63,899	\$3,029,132	Over expenditure covered by under expenditure in other areas
Rural Roads Unsealed	\$1,381,265	\$920,843	\$716,370	\$204,473	\$1,075,185	
Street Tree Maintenance	\$256,000	\$170,667	\$132,543	\$38,124	\$0	

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

Regional Roads Program	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Regional Roads Maintenance	\$1,926,000	\$1,284,000	-\$1,974,743	\$3,258,743	\$1,986,311	

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FEBRUARY REPORT OF WORKS [CONT'D]

Sportsgrounds, Parks & Public Toilets	Current Budget	Monthly Budget to Date	YTD Expenditure	Monthly Budget Variance to Actual	Natural Disaster & Pothole Expenditure to Date	Comments
Sportsground Maintenance	\$346,418	\$230,945	\$272,700	-\$41,754	\$0	Seasonal preparation for football season and additional staff. Budgets will be reassessed at the March budget review.
Parks & Gardens Maintenance	\$278,752	\$185,835	\$198,747	-\$12,912	\$0	Seasonal maintenance, additional watering and additional staff. Budgets will be reassessed at the March budget review.
Public Toilets Maintenance	\$218,060	\$145,373	\$166,779	-\$21,406	\$0	Additional staffing and requirement to clean more often. Budgets will be reassessed at the March budget review.
NB : Sportsground Maintenance excludes annual GHC contribution payment						

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FEBRUARY REPORT OF WORKS [CONT'D]

Major Projects Expenditure:

Project	Budget	YTD	Committed	Total	% Budget Expended	% Work Completed	Comments
2023-2024 Resealing Program	\$2,561,417.00	\$1,776,041.99	\$473,503.51	\$2,249,545.50	69.34%	80.00%	Sealing program is progressing.
2023-2024 Gravel Resheeting Program - Including LRCIP and Carry Forwards	\$2,645,465.06	\$2,395,022.99	\$0.00	\$2,395,022.99	90.53%	100.00%	All roads have been completed
Brocklesby Balldale Road Rehab - Stage 1 & 2	\$4,671,578.50	\$827,647.00	\$398,116.00	\$1,225,763.07	17.72%	18.00%	First kilometre has been sealed.
Regional and Local Road Repair Program - State Government Rounds 1 & 2	\$9,130,569.00	\$5,426,489.24	\$200,000.00	\$5,626,489.24	59.43%	60.00%	Additional works are being scoped for this funding and where required will be put to VP for pricing.
Coppabella Bridge Replacement	\$1,566,500.00	\$1,489,397.35	\$6,769.73	\$1,496,167.08	95.08%	100.00%	Final claim to be submitted to TfNSW - Work Completed
Balfour Street Culcairn - Upgrade Project	\$1,883,055.00	\$1,847,996.65	\$10,000.00	\$1,857,996.65	98.14%	98.00%	Work is nearing completion

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FEBRUARY REPORT OF WORKS [CONT'D]

Jingellic Road - Hulm to Coppabella Recon	\$3,600,000.00	\$1,009,115.00	\$1,150,541.72	\$2,159,656.72	28.03%	35.00%	First kilometre has been sealed.
Jingellic Road - 5 Bridges/culverts	\$4,520,000.00	\$454,416.83	\$615,400.97	\$1,069,817.80	10.05%	13.00%	Serpentine Creek has commenced
Culcairn Residential Subdivision	\$3,217,391.00	\$1,166,869.00	\$13,900.00	\$1,180,769.00	36.27%	43%	Stormwater, sewer and bulk earthworks completed

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ENVIRONMENT AND PLANNING

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF FEBRUARY 2024

The schedule of development applications processed for the month of February 2024 is attached at **ANNEXURE 12**.

PART D

COMMUNITY MEETING- MINUTES

Attached in **ANNEXURE 13**, are minutes of the following items:

1. **WALLA WALLA COMMUNITY DEVELOPMENT COMMITTEE MEETING 9TH OCTOBER 2023 7:00PM, WALLA WALLA HALL/RTC**
2. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING 20 FEBRUARY 2024, CULCAIRN COUNCIL CHAMBERS**
3. **GREATER HUME COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING 6 FEBRUARY 2024**
4. **GREATER HUME COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORT 6 FEBRUARY 2024**