

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
TO BE HELD AT THE COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY COURT, HOLBROOK
ON WEDNESDAY, 17 AUGUST 2016**

IN ATTENDANCE: Councillors Wilton (Chairperson), Heriot, McInerney, Meyer, O'Neill, Osborne, Quinn, Schilg and Schoff.

PRESENT: General Manager, Director Corporate & Community Services, Director Environment & Planning, Director Engineering and Executive Assistant.

Cr McInerney offered a prayer to open the meeting.

ACKNOWLEDGEMENT OF COUNTRY

Cr Wilton offered an Acknowledgement of Country at the commencement of the meeting.

DECLARATION OF PECUNIARY INTEREST OR NON PECUNIARY INTEREST (CONFLICT OF INTEREST)

Nil.

CONFIRMATION OF MINUTES

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 20 JULY 2016

4440 RESOLVED [Meyer/Quinn]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Holbrook on Wednesday, 20 July 2016 as printed and circulated be confirmed as a true and correct record of the proceedings of such meeting.

ACTION REPORT FROM THE MINUTES

1. QUESTION ON NOTICE - WALBUNDRIE COMFORT STOP

Cr Meyer asked for an update on the status of the matter. Director Engineering reaffirmed that further correspondence has been forwarded, but no response received to date, and he agreed to pursue a verbal response from RMS.

2. GUM SWAMP MANAGEMENT COMMITTEE

Cr Quinn queried whether any further correspondence had been received in relation to that committee, Director Corporate & Community Services advised not.

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3. CALENDAR OF REGULAR MANAGEMENT WORK

Cr Schoff advised that at the February meeting she had asked for a calendar for regular maintenance work in towns and villages be developed and requested an update on its progress.

Earlier Director Engineering responded that the calendar was possible and he would consider such, with the proviso that regular scheduling of maintenance would be subject to weather and other unplanned and unexpected events.

At the August meeting, Director Engineering said that he has requested lists of regular tasks from staff which he is still awaiting, and he agreed to follow up on the initiative.

4. QUESTION ON NOTICE – OFFICIAL OPENING LAUNCH OF MEDICAL CENTRE, JINDERA

Cr Osborne queried progress in the matter and asked that the Council be informed when the event is scheduled to be held.

5. EXTENSION AND ALTERATIONS TO CULCAIRN HOSPITAL AND KILTEARN HOUSE

General Manager asked Director Environment and Planning to provide Council with an update regarding the status of the development approval for the project. In response Director Environment and Planning advised that plans for an enhanced access-way were now to hand, which would require re-notification to adjoining landowners and public advertising calling for submissions by interested residents or parties, which would again need to be presented to the Joint Planning Panel for determination.

Cr Quinn queried whether the funding for the Culcairn Hospital redevelopment is allocated, and in response General Manager advised that funding is contained in the State Government's MPS budget for the 16/17 financial year.

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MAYORAL REPORT

1. **MAYORAL REPORT TO FINAL COUNCIL MEETING FOR THE CURRENT TERM OF COUNCIL**

4441 RESOLVED [Wilton]

That the report be received and noted.

OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

4442 RESOLVED [McInerney/Schilg]

That ENVIRONMENT AND PLANNING PART A REPORT ITEM 4. TO CONSIDER A REQUEST FOR VARIATION TO A COUNCIL PROCEDURE ON LAWN CEMETERIES AND FOR COUNCIL CONSIDERATION ON A REVISED LAWN CEMETERY POLICY be brought forward for consideration at 4.52pm.

4. **TO CONSIDER A REQUEST FOR VARIATION TO A COUNCIL PROCEDURE ON LAWN CEMETERIES AND FOR COUNCIL CONSIDERATION ON A REVISED LAWN CEMETERY POLICY**

4443 RESOLVED [McInerney/Osborne]

That:

1. the Provision of Council Lawn Cemetery Policy as included in ANNEXURE 3 and amended be adopted.
2. the request for variation to a half sized plaque be permitted on this occasion and on the provision that the chosen colour be compatible with the rest of the lawn cemetery.

4444 RESOLVED [McInerney/Schilg]

That the meeting return to the agenda as printed.

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**1. DEVELOPMENT APPLICATION 10.2016.71 – 13 LOT SUBDIVISION -
HOLBROOK AIRPARK**

4445 RESOLVED [Quinn/O'Neill]

That consent be granted to development application 10.2016.71 for 13 new lots at the Holbrook Air Park subject to the following conditions:

1. Development shall be generally in accordance with the approved plans and accompanying information (including the Statement of Environmental Effects), except where modified by the following conditions.
2. Prior to commencing any subdivision construction works, a construction certificate is to be obtained in accordance with Section 81A(4)(a) of the Environmental Planning and Assessment Act 1979.
3. **Prior to the issue of a Construction Certificate** for any lot, the applicant shall provide to Council for approval:
 - a. A plan and design for the drainage of the lots.
 - b. A plan and design of the vehicle access to the lots.
4. **Prior to the issue of a subdivision certificate** for any lot, the applicant shall provide to Council:
 - a. An easement for vehicle access to the lots.
 - b. Evidence of construction of the vehicle access to all lots in accordance with Council specifications.
 - c. Demonstrate to Council that occupants of the hangers can access a communal ablutions facility. Further the applicant will demonstrate how this facility will be maintained.
 - d. complete works which are subject to the construction certificate.
5. Written notice shall be given to Council seven (7) days prior to the commencement of any works on the site.
6. This approval shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.

Advisory Note: Council will restrict hangers to a specific size and uniform appearance through constraints on Title.

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DEVELOPMENT APPLICATION 10.2016.71 – 13 LOT SUBDIVISION - HOLBROOK AIRPARK
[CONT'D]

Reason for Conditions

The above conditions have been imposed:

1. to ensure compliance with the terms of the environmental planning instruments;
2. having regard for the requirements of any agency consulted as integrated development;
3. having regard to Council's duties of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, as well as Section 80A which authorises the imposing of the consent conditions; and
4. having regard to the circumstances of the case and the public interest.

DEVELOPMENT APPLICATION 10.2016.71 – 13 LOT SUBDIVISION - HOLBROOK AIRPARK

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Heriot McInerney Meyer O'Neill Osborne Quinn Schilg Schoff Wilton			

2. QUESTION WITHOUT NOTICE – BRIEFING – DEVELOPMENT APPROVAL AND COMPLYING DEVELOPMENT CERTIFICATE SHED APPROVAL PROCESS

4446 RESOLVED [Osborne/O'Neill]

That the contents of this report be received and noted.

3. POLICY DEVELOPMENT – CONTAMINATED LAND MANAGEMENT POLICY

4447 RESOLVED [McInerney/Meyer]

That in accordance with the requirements of Section 145(c) of the Environmental Planning and Assessment Act 1979 Council advertise the draft Contaminated Land Management Policy, as included in Annexure 2 for a period of 28 days.

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4. TO CONSIDER A REQUEST FOR VARIATION TO A COUNCIL PROCEDURE ON LAWN CEMETERIES AND FOR COUNCIL CONSIDERATION ON A REVISED LAWN CEMETERY POLICY

Dealt with earlier in the meeting.

GOVERNANCE

1. 2015/2016 DELIVERY PLAN – REPORT AS AT 30 JUNE 2016

4448 RESOLVED [O'Neill/Osborne]

That the report be received and noted.

Cr Osborne suggested that the information contained in the delivery plan and mayoral report find its way onto the facebook page. we need to report back to the community.

2. GENERAL MANAGER'S PERFORMANCE AGREEMENT

4449 RESOLVED [Meyer/Osborne]

That the General Manager's 2016/2017 Performance Agreement as circulated be adopted.

3. 2016 COMMUNITY SURVEY

4450 RESOLVED [Osborne/Heriot]

That:

1. the Greater Hume Shire Community Survey 2016 Management Report be made publically available by inclusion on Council's website and;
2. the results snapshot included as **ANNEXURE 4** be included on Council's website but also be made available in hard copy at all Customer Service Centres.
3. that the incoming new council review the results of the survey to captilise on the positives of the survey and be encouraged to develop strategies to address any negative findings.

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4. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE SUNDAY 16 – TUESDAY 18 OCTOBER 2016

4451 RESOLVED [Schoff/McInerney]

That the following motions be submitted to the 2016 Local Government NSW Annual Conference:

- ***Changing Places***

“That LGNSW make urgent representations to the Premier of NSW, Minister for Local Government and the Minister for Disability Services, to request that their departments begin making provision in the NSW budget for planning and construction of a “Changing Place”, at least in each local government area throughout NSW.”

- ***Tying Water Entitlements To Land Titles***

“That conference supports the concept that water is a basic, fundamental and essential utility and that Local Government NSW urgently lobby the State Government to reverse the decision to remove water rights from land title to ensure the economic and social sustainability of rural communities.”

5. MURRAY DARLING ASSOCIATION CONFERENCE – 26 & 27 OCTOBER 2016

4452 RESOLVED [Schoff/McInerney]

That Council approve the attendance of two Councillors at the 72nd Annual General Meeting and National Conference of the Murray Darling Association to be held at Dubbo on 26 and 27 October 2016.

Director Environment and Planning left the meeting room at 5.28pm.

6. AUSTRALIA DAY 2017

4453 RESOLVED [O'Neill/Osborne]

That the 2017 Australia Day event be hosted by the community of Henty.

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CORPORATE AND COMMUNITY SERVICES

1. INTERIM 2015/2016 QUARTERLY BUDGET REVIEW AS AT 30 JUNE 2016

4454 RESOLVED [Schoff/Heriot]

That Council note and approve the Interim Budget Review Statement as at 30 June 2016.

2. REQUEST FOR FINANCIAL ASSISTANCE – GEROGERY WEST TENNIS CLUB

4455 RESOLVED [Osborne/Quinn]

That Council provide a loan of \$25,000 over a term of ten (10) years to Gerogery West Tennis Club in accordance with Council's Financial Assistance to Community Groups – Loans Policy.

Director Environment & Planning returned to meeting room at 5.30pm.

3. PROVISION OF INTERNAL AUDIT SERVICES

Cr O'Neill left the meeting room at 5.34 pm.

4456 RESOLVED [Meyer/Schoff]

That:

1. the report be received and noted
2. that Cr Osborne (alternate Cr Quinn) stand in lieu of Cr McInerney and attend the next GH Internal Audit Committee Meeting at 9.30am on 7 September 2016.

4. POLICY DEVELOPMENTS

4457 RESOLVED [Meyer/Quinn]

That:

1. The Greater Hume Shire Council Bereavement Leave Policy be adopted.
2. The Greater Hume Shire Council Councillor Access to Information and Staff Policy be adopted.

Cr O'Neill returned to the meeting room at 5.36pm.

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5. END OF TERM REPORT

4458 RESOLVED [Osborne/Meyer]

That the Greater Hume Shire Council End of Term Report 2016 be received and noted.

6. REQUEST TO AMEND WATER CHARGES

AT THIS JUNCTURE, CR DENISE OSBORNE MADE A DECLARATION OF NON-PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE CHAMBER AT 5.37PM PURSUANT TO SECTION 45(1) OF THE LOCAL GOVERNMENT ACT 1993 AND TOOK NO PART IN THE DISCUSSION ON THE MATTER. THE REASON BEING IS THAT THE PROPONENT IS A FELLOW MEMBER OF THE JINDERA FIRE BRIGADE WHO SOUGHT CR OSBORNE'S ASSISTANCE TO WRITE HIS LETTER SEEKING THE REDUCTION IN CHARGES.

4459 RESOLVED [Quinn/Schoff]

That the water access charges levied to Mr Wayne Couthard, Assessment Number 10019180 be adjusted to \$408 for the period November 2015 to March 2016.

Cr Osborne returned to the chamber at 5.44pm.

ENGINEERING

1. PROPERTY ACCESS MAINTENANCE REQUEST – PUBLIC ROAD RESERVE MOUNTAIN CREEK

4460 RESOLVED [O'Neill/McInerney]

That Council:

1. advise the landowner that as the access in question is considered a private access and not part of Council's dedicated road network the landowner is responsible for any construction or maintenance of the access.
2. instigate the process to investigate the possible closure and sale of the road reserve to the landowner.

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2. POSSIBLE LOCATIONS FOR TELSTRA MOBILE PHONE TOWER AT BURRUMBUTTOCK

4461 RESOLVED [Schoff/O'Neill]

That Council advise Visionstream that:

1. Council owned land where the Burrumbuttock Hall is located is not suitable, however
2. Council owned land on Urana Rd and at Gibson Drive are suitable and therefore recommended for consideration for the location of the proposed Telstra mobile phone tower and associated equipment.

Further, that correspondence be forwarded to the Burrumbuttock Community Forum that they actively engage directly with Visionstream regarding the identification of further sites for consideration for the locating of a Telstra mobile phone tower in the Burrumbuttock locality.

MATTER TO BE REFERRED TO CLOSED COUNCIL

1. GENERAL MANAGER – ANNUAL PERFORMANCE REVIEW

4462 RESOLVED [Osborne/Meyer]

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

REASON

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

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PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. OFFICE OF LOCAL GOVERNMENT CIRCULARS
2. LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS
3. TOURISM AND PROMOTIONS OFFICER'S REPORT

CORPORATE AND COMMUNITY SERVICES

1. CUSTOMER REQUEST MODULE – SUMMARIES OF MONTHLY REQUESTS
2. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 JULY 2016
3. HUMAN RESOURCES REPORT
4. JINDERA MULTI-PURPOSE CENTRE

ENGINEERING

1. JULY REPORT OF WORKS
2. WATER & SEWER REPORT – JULY 2016

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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF JULY 2016**

2. **SENIOR WEEDS OFFICER'S REPORT – JULY 2016**

3. **RANGER'S REPORT – JULY 2016**

4463 RESOLVED [McInerney/Schilg]

That Part B of the Agenda be received and noted.

PART C – COMMITTEE AND DELEGATE REPORTS

4464 RESOLVED [McInerney/Schilg]

That Part C of the Agenda be received and noted.

QUESTIONS ON NOTICE

1. **MOTION TO LG NSW CONFERENCE**

Cr Osborne raised the matter of putting a motion to conference. It was agreed that the matter be raised as a matter of urgency at this meeting.

2. **TATHRA PLACE - STREET NAME IN JINDERA**

Cr Osborne raised the matter of how this name became a street name in Jindera.

Director Engineering informed the meeting that the name of Tathra Place had been put forward by the one landowner that resides in the street. Tathra Place is a private lane, which provides access to three properties only. Naming of private streets is the responsibility of the owners of land which the private lane provides access, and is not the responsibility of Council to go through a public consultation to determine the name.

Other adjoining owners did not formally object to the name at the time.

Council has undertaken to name the private access lane as Tathra Place.

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3. BEAUTIFICATION TO THE JINDERA EXCHANGE – REQUEST FOR TELSTRA TO CONTRIBUTE

Cr Osborne asked for an update on the matter which had been raised earlier. General Manager advised that Telstra had agreed to funding to paint the structure, and this suggestion was put to Jindera Community Forum with luke warm response.

4. CR OSBORNE ATTENDANCE AT LOCAL GOVERNMENT CONFERENCE – WHO PAYS

The question had been raised as to why LGNSW does not pay for its Board members to attend annual conference. General Manager provided an explanation.

5. CARROLLS LANE DRAINAGE SYSTEM

Cr Quinn queried who is responsible for the management of the build up of silt in the drains, gullies and culverts in the Carrolls Lane Drainage System, located in the middle western part of the shire. Director Engineering advised that Council is responsible where the drain crosses road reserves, however, Council is not responsible for the drain within private property. Director Engineering will endeavour to ascertain who is responsible for the maintenance of the drainage system.

Cr McLnerney left the meeting room at 6.16pm.

6. DILAPIDATED TIMBER FLOOR IN GEROGERY HALL

Cr Quinn requested an inspection of the existing timber floor in the Gerogery Hall be undertaken, and a report be prepared. Director Environment and Planning indicated that Council has done work to the structure in line with the asset management plan.

7. SHIRE TOUR – SOURCING SUITABLE GRAVEL DEPOSITS FOR REGRAVELLING UNSEALED ROADS IN THE SHIRE

Cr Heriot advised that on a previous shire road tour Council inspected River Road, where there was some discussion about investigating suitable gravel deposits in the locality to provide material for gravel road resheeting. Director Engineering advised that investigations are continuing into sourcing suitable gravel deposits across the shire, but indicated that it is likely that Council will also pursue modifying existing pavement materials to provide longevity for gravel surfaces and value into the future.

8. NEW COUNCIL – DEVELOPER CHARGES

Cr Meyer suggested that the new council needs to revisit developer charges for new developments in the shire.

Cr McLnerney left the meeting room at 6.19pm, returning at 6.20pm.

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MATTER OF URGENCY

4465 RESOLVED [Osborne/McInerney]

And ruled by the Chair that the AN ADDITIONAL MOTION FOR THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE, OCTOBER 2016 be considered at this time.

7. AN ADDITIONAL MOTION FOR THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE, OCTOBER 2016

4466 RESOLVED [Osborne/Quinn]

That Council request Local Government NSW to lobby the Department of Primary Industries to review the formula and policy which determines how noxious weeds funding is allocated to ensure funding is allocated on a more equitable basis.

CLOSING THE MEETING

At the request of the Chairperson, persons in the public gallery departed the meeting room at 6.29pm.

4467 RESOLVED [6.25pm] [Osborne/McInerney]

That the meeting be closed during the discussion of the confidential matters listed in the agenda.

COMMITTEE OF WHOLE SECTION

At this juncture, at 6.25pm, all staff departed the meeting room.

Cr Schilg left the meeting room at 6.25pm.

4468 RESOLVED [O'Neill/McInerney]

That, in accordance with the provisions of the Local Government Act 1993, Council enter into 'Committee of the Whole' for the discussion of the following items of business:

1. GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

Cr Schilg returned to the meeting room at 6.28pm.

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CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

1. GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

RECOMMENDATION [O'Neill/Schilg]

That the Council adopt the General Manager's Annual Performance Review for the year ended 30 June 2016.

Cr Quinn requested that his opposition to the recommendation be recorded.

ORDINARY MEETING RECONVENED

4469 RESOLVED 6.32pm [Quinn/Osborne]

That the Ordinary Meeting be reconvened for the purpose of determining the report of the matter dealt with in Committee.

COMMITTEE REPORT

The Mayor reported that the Committee of the Whole makes the following recommendation.

RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4470 RESOLVED [Quinn/Osborne]

That the foregoing report and recommendation from Closed Council (Committee of the Whole) be adopted.

Cr Meyer extended a vote of thanks to outgoing Cr McInerney for his contribution to Greater Hume Shire Council.

There being no further business, the meeting concluded at 6.32pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 21 September 2016 at which time the signature hereon was subscribed.

Cr Heather Wilton, Mayor - Greater Hume Shire Council