

**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, 20 JULY 2016**

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

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

Pastor Paul Wilksch 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)**

Cr Quinn gave notice of his intention to declare non pecuniary interest in PART A – ENGINEERING REPORT – ITEM 2 REQUEST TO CONSTRUCT AND MAINTAIN A SECTION OF MCLEOD ST GEOGERY WEST – RESUBMITTED TO JULY COUNCIL.

### **APOLOGY**

**4413 RESOLVED** [O'Neill/Schilg]

That the apology for Cr's Heriot and McInerney is received and leave of absence granted.

### **CONFIRMATION OF MINUTES**

#### **MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 22 JUNE 2016**

**4414 RESOLVED** [Meyer/Quinn]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Culcairn on Wednesday, 22 June 2016 as printed and circulated, be confirmed as a true and correct record of the proceedings of such meeting subject to the following inclusions:

1. Minute Number 4393 June 2016 be amended to include the statement "further that management aim to identify savings of 0.5% in Governance cost and 1% in transport and communications costs during the 2016/2017 financial year.

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## **ACTION REPORT FROM THE MINUTES**

1. QUESTION ON NOTICE - WALBUNDRIE COMFORT STOP

Cr Schilg queried whether any further advice had been received from Road and Maritime Services in relation to this matter. Director Engineering advised that no further information had been received however he would follow the matter up with Road and Maritime Services.

2. 4255 – JINDERA MULTIPURPOSE CENTRE

Cr Quinn queried the need for another report to come back to Council on the Jindera Multipurpose Centre. Acting General Manager advised that he would report back to Cr Quinn on the current status of this project.

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

### **ENVIRONMENT AND PLANNING**

1. **MODIFICATION OF DEVELOPMENT CONSENT 10.2003.261.2 – 21 LOT  
SUBDIVISION - MOLKENTIN ROAD JINDERA**

**4415 RESOLVED** [Quinn/Osborne]

That:

That the following changes be made to development consent DA261-03/04-AM3:

- a. Replace condition 1 with the following to reflect the current modification:  
*Development shall be generally in accordance with the plans and accompanying information (including the Statement of Environmental Effects) consented to on 20 May 2004 except where modified by the approved plans and accompanying information submitted with modifications approved on 9 December 2004, 3 August 2005, 18 October 2006 and submitted with DA10.2003.261.2, and by the following conditions.*
- b. Amend condition 2 as follows to ensure current lot references:  
*Following the reference to Lot 1 add DP1106498 and following the reference to Lot 2 add DP1106498.*  
Alter Condition 3 (a) to include after floodway "for events greater than 1%AEP".
- c. Delete condition 4(b) because it is redundant with the modification.
- d. Delete condition 4(g) because it is redundant with the subdivision approved on Lot 1 DP1106498.
- e. Amend condition 5(b) to reflect contributions to Village Water Supply (\$54, 810) and Jindera Sewerage Supply (\$74,484).
- f. Alter condition 6 to include after conjunction, is "greater than".
- g. Alter Condition 8 to replace 5 years with 10 years .Alter Condition 10 to remove "as a result of the subdivision" and replace with unless approved

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MODIFICATION OF DEVELOPMENT CONSENT 10.2003.261.2 – 21 LOT SUBDIVISION  
MOLKENTIN ROAD JINDERA [CONT'D]

Add the following four new conditions after Condition 15 under the heading of NSW Rural Fire Service:

***RFS conditions***

- a. *The development proposal is to comply with the subdivision layout identified on the drawing prepared by Wright Barrat numbered 15098, dated 24 March 2016.*
- b. *At the commencement of building works and in perpetuity all lots (including the drainage reserve) shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. A plan of management shall be created to ensure ongoing management of the drainage reserve.*
- c. *Water, electricity and gas are to comply with the following requirements of section 4.1.3 of 'Planning for Bush Fire Protection 2006'.*
  - i. *Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1-2005 'Fire Hydrant Installations'.*
  - ii. *Reticulated or bottled gas is to be installed and maintained in accordance with Australian Standard AS/NZS 1596:2014: 'The storage and handling of LP gas' and the requirements of relevant authorities. Metal piping is to be used.*
- d. *Public road access shall comply with the following requirements of section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.*
  - i. *Road(s) shall be two wheel drive, all weather roads.*
  - ii. *Traffic management devices are constructed to facilitate unobstructed access by emergency services vehicles.*
  - iii. *Public roads have a cross fall not exceeding 3 degrees.*
  - iv. *Non perimeter road widths comply with Table 4.1 in 'Planning for Bush Fire Protection 2006'.*
  - v. *Curves of roads (other than perimeter roads) are a minimum inner radius of 6 metres.*
  - vi. *The minimum distance between inner and outer curves is 6 metres.*
  - vii. *Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient.*
  - viii. *There is a minimum vertical clearance to a height of 4 metres above the road at all times.*
  - ix. *The capacity of road surfaces and bridges is sufficient to carry fully loaded fire fighting vehicles (approximately 15 tonnes for areas with reticulated water, 28 tonnes or 9 tonnes per axle for all other areas). Bridges clearly indicate load rating.*
  - x. *Dead end roads shall incorporate a 12 metre outer radius turning circle and be clearly signposted as a dead end.*

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MODIFICATION OF DEVELOPMENT CONSENT 10.2003.261.2 – 21 LOT SUBDIVISION  
MOLKENTIN ROAD JINDERA [CONT'D]

**Reason for Conditions**

The above conditions have been imposed:

- a. to ensure compliance with the terms of the environmental planning instruments;
- b. having regard for the requirements of any agency consulted as integrated development;
- c. 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
- d. having regard to the circumstances of the case and the public interest.
- e. Provide condition 5C to state "The applicant is to prepare a suitable covenant under S88B of the Conveyancing Act that requires all new boundary fencing to be of a single colour nominated by the applicant."

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

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**2. DEVELOPMENT APPLICATION 10.2016.64 – TWO LOT SUBDIVISION, 1A ELM STREET HENTY (VARIATION TO MINIMUM LOT SIZE)**

**4416 RESOLVED** [Meyer/Quinn]

That application DA 10.2016.64 for a two lot subdivision on land described as Lot 227 in DP753741 and addressed as 1A Elm Street, Henty be approved 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 the issue of a Construction Certificate** for any lot, the applicant shall provide to Council for approval:
  - a. Engineering plans, including those for alterations and connection to sewer.
  - b. A Soil and Water Management Plan prepared in accordance with Council's guidelines and that addresses:
    - i. The diversion of uncontaminated run-off around cleared or disturbed areas.
    - ii. The erection of a silt fence to prevent debris escaping into drainage systems or waterways.
    - iii. The prevention of tracking of sediment by vehicles onto roads.
    - iv. The stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site, and the removal or utilisation (where appropriate) of that stockpile after completion of the works.
3. **Prior to the issue of a subdivision certificate** for any lot, the applicant shall provide to Council:
  - a. All easements necessary to ensure the supply of, and access to, services.
  - b. Written advice from Country Energy, Telstra, Origin Energy and Riverina Water indicating the availability of electricity, telephones, gas and water to the proposed allotments.
  - c. Payment of a Sewer Headworks charge of \$4,138.
  - d. Connection of all lots to the Henty Sewerage System.
  - e. Connection of all lots to the Henty town water supply in accordance with the requirements of Riverina Water.
  - f. A written request from the applicant surrendering development consent 061-05/06 as modified by 10.2014.6.2 under Section 104A of the *Environmental Planning and Assessment Act 1979*.
4. Lot 2 shall remain connected to the existing sewer located in the south west corner of the lot. The remaining sewer that services Lot 1 shall be disconnected.

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DEVELOPMENT APPLICATION 10.2016.64 – TWO LOT SUBDIVISION, 1A ELM STREET  
HENTY (VARIATION TO MINIMUM LOT SIZE) [CONT'D]

5. Lot 1 to be disconnected from the existing sewer and reconnected the new sewer main extension. The owner shall pay all costs to design, supply and install the new sewer main extension.
6. Written notice shall be given to Council seven (7) days prior to the commencement of any works on the site.
7. This approval shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.

**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.

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

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

**4417 MOTION** [Osborne/Meyer]

That the matter be deferred pending an onsite inspection and meeting with interested parties from the Holbrook Air Park.

ON BEING PUT TO THE VOTE, THE MOTION WAS CARRIED.

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

**4. DEVELOPMENT APPLICATION 10.2016.78 – CONSTRUCTION OF A SHED–  
LOT 23 DP 2741 – 3 RAILWAY STREET WALLA WALLA**

**4418 RESOLVED** [Schoff/Osborne]

Pursuant to section 81(1)(a) of the Environmental Planning and Assessment Act 1979 Council consent be granted to Development Application 10.2016.78 for the construction of a proposed 135m2 shed at 3 Railway Street, Lot 23 DP2741 Walla Walla.

**RECOMMENDED CONDITIONS:  
APPROVED PLANS**

**1. Compliance with Plans and Conditions**

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

**2. Time Period of Consent**

This consent will lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

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DEVELOPMENT APPLICATION 10.2016.78 – CONSTRUCTION OF A SHED– LOT 23 DP 2741  
– 3 RAILWAY STREET WALLA WALLA [CONT'D]

**3. 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.

In the event that the demolition/construction relates to works inside the building and does not involve external walls or the roof, and do not involve the use of equipment that emits noise then the works are not restricted to the hours stated above. The provisions of the Protection of the *Environment Operations Act, 1997* in regulating offensive noise also apply to all construction works.

**GENERAL CONDITIONS**

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

**4. Compliance with Construction Certificate**

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

**5. Compliance with the Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
  - i. complies with the performance requirements; or
  - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions;or
- c. a combination of a. and b.



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DEVELOPMENT APPLICATION 10.2016.78 – CONSTRUCTION OF A SHED– LOT 23 DP 2741  
– 3 RAILWAY STREET WALLA WALLA [CONT'D]

**6. Critical Stage Inspections**

In accordance with Section 109E of the Environmental Planning and Assessment Act 1979 the Principal Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 109E(3)(d) Environmental Planning and Assessment Regulation 2000.

**Note: A \$600 on the spot fine may be issued for failing to request the Principal Certifying Authority to undertake the above inspections.**

**7. Construction – Maintenance and Clearing of Site**

The site shall remain clean and all waste building materials and the like shall be contained within the site boundaries. The site is to be cleared of all building refuse and spoil immediately after completion of the works.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

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

**8. Construction Certificate Required**

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

Enquiries regarding the issue of a construction certificate can be made to Council on 02) 6029 8588.

**9. Appointment of a Principal Certifying Authority**

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

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

**10. Notify Council of Intention to Commence Works**

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

**11. Kerb and Gutter Protection**

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

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DEVELOPMENT APPLICATION 10.2016.78 – CONSTRUCTION OF A SHED– LOT 23 DP 2741  
– 3 RAILWAY STREET WALLA WALLA [CONT'D]

**12. Erosion and Sedimentation Control**

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

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

**13. Toilet Facility**

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

**14. Sign During Construction**

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

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

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

**PRESCRIBED CONDITIONS OF CONSENT**

**The following conditions are known as “Prescribed Conditions” and are required by the Environmental Planning and Assessment Regulation 2000 to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council’s Development Department who will be happy to advise you as to whether or not the conditions are relevant to your consent.**

15. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).

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DEVELOPMENT APPLICATION 10.2016.78 – CONSTRUCTION OF A SHED– LOT 23 DP 2741  
– 3 RAILWAY STREET WALLA WALLA [CONT'D]

16. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
17. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - a. in the case of work for which a principal contractor is required to be appointed:
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer by which the work is insured under Part 6 of the Act,
  - b. in the case of work to be done by an owner-builder:
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
18. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the principal certifying authority for the work, and
  - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work is being carried out and must be removed when the work has been completed.

**NOTE:** This condition does not apply to building work that is carried out inside an existing building that does not affect the external walls of the building.

19. Any development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - a. protect and support the adjoining premises from possible damage from the excavation, and
  - b. where necessary, underpin the adjoining premises to prevent any such damage.

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NOTE: The condition referred to in sub clause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**PRIOR TO OCCUPATION OF THE DEVELOPMENT**

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

**20. Interim/Final Occupation Certificate Required**

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

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

**21. All Work to be Carried Out by a Licensed Plumber and Drainer**

All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 Part 3-2003, Part 5-2012 and the Local Government Act 1993 and Local Government (General) Regulations, 2005, the Plumbing & Drainage Act 2011 and Plumbing & Drainage Regulations 2012.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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**5. SOUTH JINDERA LOW DENSITY RESIDENTIAL MASTER PLAN & AMENDMENT TO GREATER HUME DEVELOPMENT CONTROL PLAN 2012**

**4419 RESOLVED** [O'Neill/Osborne]

That Council:

1. Council adopt the draft South Jindera Low Density Residential Master Plan for the purposes of public exhibition.
2. In accordance with Clause 18 of the Environmental Planning and Assessment Regulation 2000 concurrently exhibit the draft South Jindera Low Density Residential Master Plan and draft South Jindera Low Density Residential Development Control Plan.
3. In the event no submissions are received and no alterations are required to the draft Development Control Plan, adopt the draft Plan as the final Plan.

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

**6. QUESTION ON NOTICE – DEBRIEF – OPERATION OF COUNCIL'S PUBLIC SWIMMING POOLS 2015/2016 SEASON**

**4420 RESOLVED** [Osborne/Schilg]

That:

1. The contents of this report be received and noted.
2. A survey of pool users be undertaken during 2016/2017 pool season and email submissions be invited from Pool Committees prior to season commencing.

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## **GOVERNANCE**

**1. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - SUNDAY 16 TO TUESDAY 18 OCTOBER 2016**

**4421 RESOLVED** [O'Neill/Schilg]

1. That the Mayor and Deputy Mayor attend the Local Government NSW Annual Conference as voting delegates and Cr Osborne and General Manager as Observers.
2. Council give consideration to approving the attendance of an additional observer this year and
3. Councillors submit proposed motions to the General Manager by Friday 29 July 2016 to enable a report to be submitted to the August Council meeting for consideration.

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

**2. PROPOSED CHANGE OF VENUE - AUGUST COUNCIL MEETING**

**4422 RESOLVED** [Meyer/Schoff]

That the August ordinary meeting of Council to be held on Wednesday 17 August 2016 be transferred from the Council Chambers, Culcairn to Community Meeting Room at Holbrook.

**3. PROPOSED HOLBROOK COMMUNITY COMMITTEE**

**4423 RESOLVED** [Osborne/Quinn]

That the report be received and noted.

## **CORPORATE AND COMMUNITY SERVICES**

**1. REQUEST TO AMEND NON RESIDENTIAL SEWER AND LIQUID TRADE WASTE CHARGES**

**4424 RESOLVED** [O'Neill/Osborne]

That the non-residential sewer and liquid trade waste charges levied to the Jindera Plaza, Assessment Number 10017549 be adjusted to \$558.14 and \$622.08 respectively for the period November 2015 to March 2016.

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**2     DAVID & CHERYL PAECH – LEASE OF LAND**

**MOTION**     [Schoff/Schilg]

That the matter be deferred until Council receives correspondence from the Gum Swamp Management Committee and the current Management Plan process is completed.

ON BEING PUT TO THE VOTE, THE MOTION WAS CARRIED.

**3.     SEWER EASEMENT – PROPOSED EASEMENTS WITHIN LOT 31 DP 1062153, LOT 4 DP 240938, LOT 30 DP 1062153, LOT 33 DP 1099619, JINDERA**

**4425 RESOLVED**   [Quinn/Osborne]

That the Mayor and General Manager be authorised to execute the Deed of Agreement for Acquisition of Sewer Easement over Lot 31 DP 1062153, Lot 4 DP 240938, Lot 30 DP 1062153 and Lot 33 DP 1099619, Jindera under the Common Seal of Council.

**4.     POLICY DEVELOPMENTS**

**4426 RESOLVED**   [Meyer/Schoff]

That:

1. The Greater Hume Shire Council Street Stall Policy be adopted.
2. The Greater Hume Shire Council Document Control Policy be adopted.
3. The Greater Hume Shire Council Customer Service Policy be adopted.
4. The Greater Hume Shire Council Complaints Handling Policy be adopted.
5. The Greater Hume Shire Council Core Staff Numbers Policy be adopted.
6. The Greater Hume Shire Council Transfer Notice Access Policy be removed from Councils Policy Register and noted as Obsolete.
7. The Greater Hume Shire Council Access to Information Policy be adopted.
8. The Greater Hume Shire Council Staff Uniform Policy be adopted.

**5.     JINDERA PRE SCHOOL ASSOCIATION INCORPORATED – LEASE RENEWAL**

**4427 RESOLVED**   [Osborne/O'Neill]

That:

1. Council approve the terms and conditions of the Lease between Greater Hume Shire Council and Jindera Pre-School Association Incorporated, as provided.
2. The Mayor and General Manager be authorised to sign the Lease to Jindera Pre-school Association Incorporated under the Common Seal of Council.

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**6. GREATER HUME COMMUNITY HOUSING REFERENCE COMMITTEE**

**4428 RESOLVED** [Osborne/Quinn]

1. That a new reference committee of Council be established comprising of representatives, where possible, from Frampton Court Holbrook, Kala Court Holbrook, Culcairn Aged and Community Housing and Jindera Aged Housing.
2. That the Draft Terms of Reference for the Greater Hume Community Housing Reference Committee be adopted by Council.
3. The Mayor or other Councillor and Council's Community Health and Wellbeing Coordinator will be in attendance at meetings.

Cr O'Neill left the meeting room at 5.38pm, returning at 5.40pm.

**ENGINEERING**

**1. PROPOSED CHANGE TO PARKING IN ALBURY STREET HOLBROOK**

**4429 RESOLVED** [Meyer/Quinn]

That Council endorse:

1. the change of a standard parallel parking bay to a combined timed loading bay (10AM to 1PM Mon – Fri) and standard parallel parking bay in front of Meals on Wheels at 114 Albury St, and
2. the addition of four angle parking bays in front of the northern driveway to the old shell service station (next to Holbrook Bakery) at 122 – 124 Albury St.

**2. REQUEST TO CONSTRUCT AND MAINTAIN A SECTION OF MCLEOD ST  
GEOGERY WEST – RESUBMITTED TO JULY COUNCIL**

AT THIS JUNCTURE, CR TONY QUINN MADE A DECLARATION OF NON-PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE CHAMBER AT 5.44PM 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 CR QUINN GRAZES THE LAND TO REDUCE FIRE RISK.

**4430 RESOLVED** [Meyer/Schoff]

That Council:

1. Remove a small number of trees to improve access by emergency service vehicles in the McLeod Street road reserve.
2. Advise the landowner that the cost of construction of access and future maintenance to the property at Lot 184 McLeod Street from the end of the constructed section of Margaret St Gerogery West is the responsibility of the landowner.

Cr Quinn returned to the meeting room at 5.45pm.



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**3. PURCHASE OF TWO CONSTRUCTION GRADERS**

**4431 RESOLVED** [Osborne/Meyer]

That Council receive and note the report outlining the purchase of two new Komatsu GD 655-5 Motor Graders for a purchase price of \$324,542.60 (excl GST) each and selling Councils existing motor graders through a public plant auction at Rundles Auctions in Wagga Wagga.

**MATTERS REFERRED TO CLOSED COUNCIL**

**1. TENDER NO: TL 33 2015-2016 NEW POOL AMENITIES BUILDING HENTY POOL COMPLEX**

**4432 RESOLVED** [Meyer/Schoff]

That the consideration of the tender for the construction of a new amenities building at the Henty Pool Complex be referred to Closed Council in accordance with section 10(2)(d)(1) information that would, if disclosed, prejudice the commercial position of the person who supplied it.

**REASON**

On balance the public interest in preserving the confidentiality of the tendered prices for the construction of a new amenities building at the Henty Pool Complex outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information may prejudice the commercial position of the person who supplied it.

**2. WRITING OFF UNRECOVERABLE RATES AND CHARGES 2015-2016**

**4433 RESOLVED** [Meyer/Schoff]

That consideration of the report on the writing off of unrecoverable rates and charges be referred to Closed Council in accordance with Section 10A 2(b) of the Local Government Act, 1993 – the personal hardship of any resident or ratepayer.

**REASON**

On balance the need to preserve the confidentiality of the persons subject to the writing off of rates and charges outweighs the public interest in maintaining transparency in Council decision making because the information in the report may disclose issues of personal hardship or other person information relating to individuals.

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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
4. ECONOMIC DEVELOPMENT QUARTERLY REPORT

### **CORPORATE AND COMMUNITY SERVICES**

1. CUSTOMER REQUEST MODULE – SUMMARIES OF MONTHLY REQUESTS
2. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 MAY 2016
3. HUMAN RESOURCES REPORT

### **ENGINEERING**

1. MAY REPORT OF WORKS
3. WATER & SEWER REPORT – MAY 2016

### **ENVIRONMENT AND PLANNING**

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF MAY 2016
2. SENIOR WEEDS OFFICER'S REPORT – MAY 2016
3. RANGER'S REPORT – MAY 2016

**4434 RESOLVED** [Meyer/O'Neill]

That Part B of the Agenda be received and noted.

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## **PART C – COMMITTEE AND DELEGATE REPORTS**

### **4435 RESOLVED** [Meyer/O'Neill]

That Part C of the Agenda be received and noted.

## **QUESTIONS ON NOTICE**

### **1. STREET LIGHTS**

Cr Schoff raised the issue of the maintenance of street lights and Councillors requested that information on how to report damaged or unserviceable street lights be included in the next Greater Hume Shire Community Newsletter.

Cr Schilg queried how Council could increase the number of solar powered street lights. Director Engineering advised that two solar lights are currently being trialled and if successful further solar models will be installed.

Cr Osborne asked that Council engage with the Member for Albury, NSW Government regarding street lighting.

### **2. APPROVAL OF LARGE SHED IN CASSIA STREET, JINDERA**

Cr Osborne asked for clarification of the approval of a large shed on a property in Cassia Street, Jindera when at a similar time Council did not approve a similar size shed on a nearby property. Director Environment and Planning to investigate the matter and to provide a report to Council.

### **3. AVAILABILITY OF GRAVEL**

Cr Meyer questioned whether Council had access to adequate supplies of gravel to maintain rural roads. Director Engineering replied that gravel is in short supply and difficult to access and as such current work practices are aimed at in situ pavement modification programs. Further Director Engineering advised that a number of pavement modification trails are underway around the shire.

### **4. INTERNAL AUDIT COMMITTEE**

Cr Schoff sought clarification on an alternate councillor attending Internal Audit Committee meetings in August in the event that Cr McInerney is unavailable. Cr Osborne confirmed that she would attend meetings if required.

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## **CLOSING THE MEETING**

**4436 RESOLVED** [6.05pm] [Meyer/Quinn]

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

## **COMMITTEE OF WHOLE SECTION**

**4437 RESOLVED** [Quinn/Meyer]

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. **TENDER NO: TL 33 2015-2016 NEW POOL AMENITIES BUILDING HENTY POOL COMPLEX**
2. **WRITING OFF UNRECOVERABLE RATES AND CHARGES 2015-2016**

## **CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)**

1. **TENDER NO: TL 33 2015-2016 NEW POOL AMENITIES BUILDING HENTY POOL COMPLEX**

**RECOMMENDATION** [Meyer/Osborne]

That:

1. In accordance with Clause 178 (1)(b) of the Local Government Regulations 2005 Council decline all tenders;
2. In accordance with Clause 178 (3)(b) of the Local Government Regulations 2005 and in compliance with clause 167, 168 or 169, call for fresh tenders based on different details;
3. Council write to all tenderers and indicate that all tenders have been declined, thank them for submitting a tender and invite them to tender on the different details.

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**2. WRITING OFF UNRECOVERABLE RATES AND CHARGES 2015-2016**

**RECOMMENDATION** [Quinn /Osborne]

That Council note the writing off of rates and charged as detailed in COW ANNEXURE 1. Approve the writing off of charges as detailed in the report to Closed Council at July 2016 meeting.

**ORDINARY MEETING RECONVENED**

**4438 RESOLVED** 6.17pm [Quinn/Meyer]

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

**COMMITTEE REPORT**

The Acting General Manager reported that the Committee of the Whole makes the following recommendation.

**RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)**

**4439 RESOLVED** [Quinn /Meyer]

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

There being no further business, the meeting concluded at 6.17pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 17 August 2016 at which time the signature hereon was subscribed.

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Cr Heather Wilton, Mayor  
Mayor, Greater Hume Shire Council