

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN  
ON WEDNESDAY, 19 APRIL 2017**

**IN ATTENDANCE:** Councillors Meyer (Chairperson), Hicks, O'Neill, Osborne, Quinn, Stewart, Schilg and Weston.

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

Cr Schilg offered a prayer to open the meeting.

### **ACKNOWLEDGEMENT OF COUNTRY**

The Deputy Mayor (Chairperson) offered an Acknowledgement of Country at the commencement of the meeting.

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

Nil.

### **APOLOGY**

**4652 RESOLVED** [Quinn/Weston]

That the apology for Cr Wilton be received and leave of absence granted.

### **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

#### **MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 15 MARCH 2017**

**4653 RESOLVED** [Hicks/Quinn]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Burrumbuttock on Wednesday, 15 March 2017 as printed and circulated be confirmed as a true and correct record of the proceedings of such meeting.

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## **ACTION REPORT FROM THE MINUTES**

1. 4559 – CLOSED COUNCIL – IRENE LISTER, OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832)

Cr Quinn queried if there has been any further progress. General Manager advised correspondence had been forwarded to relevant landowners advising that Council had committed to undertaking the works.

2. 4625 – PROPOSED LOCATION FOR TELSTRA MOBILE PHONE TOWER AT BURRUMBUTTOCK

Cr Quinn queried progress in the matter. General Manager advised that correspondence has been forwarded to Visionstream indicating Council's desire to facilitate the construction of the mobile phone tower on privately owned land immediately adjacent to the Burrumbuttock Telephone Exchange and Council offers its support to take what-ever action necessary to expedite the process.

3. PETITION – DUST NUISANCE – LOT 2 DP819835 OLIVE STREET, BROCKLESBY

Cr Hicks queried progress in the matter. General Manager advised that the meeting scheduled for the 18 April has been rescheduled to 27 April.

4. CLEAN UP OF LAND FORMERLY KNOWN AS THE GOVERNMENT DAM AEA LEASED FROM STATE RAIL

Cr Stewart queried progress in the matter. Director Engineering advised that expressions of interest will be sought to garner support for a working committee to determine the scope of works to be undertaken.

5. LONG TERM ACTION REPORT – 3960 – ROAD RENAMING ANOMALIES BETWEEN GREATER HUME AND SNOWY VALLEYS COUNCIL (FORMERLY TUMBARUMBA SHIRE COUNCIL)

Cr Stewart queried why the matter is on the action report. General Manager briefed the Council on the background of the issue.

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## **NOTICE OF MOTION**

### **1. CR OSBORNE - FIRE AND EMERGENCY SERVICES LEVY**

**4654 RESOLVED** [Osborne/O'Neill]

That Council highlight on its Rates Notices the FESL component that will be included on our Rates Notices is a State Government Levy which has been introduced as a result of legislation and that we also highlight the 11.7% charge (which is to be paid in addition).

#### **Note**

Although ratepayers are now required to pay the Fire and Emergency Services Levy via their Local Council, rather than to their insurance provider, State Government has refused to delete the 11.7% which Local Government has been required to pay over many years, thus ratepayers are paying this levy twice. It is important that this be highlighted to our ratepayers.

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

### **ENVIRONMENT AND PLANNING**

**1. DEVELOPMENT APPLICATION 10.2017.21.1 – SHIPPING CONTAINER FOR INDOOR AIR PISTOL SHOOTING RANGE – LOT 5 DP253097 – 780 COACH ROAD CULCAIRN**

**4655 RESOLVED** [Hicks/Quinn]

Pursuant to section 81(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the following conditions of consent Council approve the Development Application 10.2017.21.1 for personal use of a shipping container as an air pistol range at Lot 5 DP253097, 780 Coach Road Culcairn subject to the following conditions:

#### **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.

**3 Approval of Firearm Range**

The subject activity is not to commence until the approval of NSW Police Firearm Registry is obtained.

**4 Hours of Operation**

The approved hours of operation for the use of the shooting range is 8.00am to 6.00pm Monday to Saturday and 9.00am – 4.00pm Sunday.

**5 Unreasonable Noise and Vibration**

The shooting range shall be utilised so as to avoid unreasonable noise and vibration and cause no interference to occupants within adjoining or nearby dwellings.

**6 Recycling of Lead Pellets**

All lead pellets are to be collected and taken for recycling and no lead pellets are to be disposed of on the property.

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DEVELOPMENT APPLICATION 10.2017.21.1 – SHIPPING CONTAINER FOR INDOOR AIR PISTOL SHOOTING RANGE – LOT 5 DP253097 – 780 COACH ROAD CULCAIRN [CONT'D]

**7 Use of Shooting Range by Occupant**

Only the applicant and his coaching staff are permitted to utilise the shooting range.

**DEVELOPMENT APPLICATION 10.2017.21.1 – SHIPPING CONTAINER FOR INDOOR AIR PISTOL SHOOTING RANGE – LOT 5 DP253097 – 780 COACH ROAD CULCAIRN**

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Meyer O'Neill Osborne Quinn Schilg Stewart Weston		Wilton	

**2. AMENDMENT TO THE GREATER HUME SHIRE COUNCIL S94A LEVY DEVELOPMENT CONTRIBUTIONS PLAN 2014**

**4656 RESOLVED** [O'Neill/Hicks]

That:

1. In accordance with Clause 33 of the Environmental Planning and Assessment Regulation 2000 Council give notice of its intention to repeal the Greater Hume Shire Council S94A Levy Development Contributions Plan 2014.
2. In accordance with Clause 28 of the Environmental Planning and Assessment Regulation 2000 Council place the draft Greater Hume Shire Council S94A Levy Development Contributions Plan 2017 on public exhibition for a period of 28 days with the inclusion of Main Street Gerogery as a listed project.

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AMENDMENT TO THE GREATER HUME SHIRE COUNCIL S94A LEVY DEVELOPMENT CONTRIBUTIONS PLAN 2014 [CONT'D]

**AMENDMENT TO THE GREATER HUME SHIRE COUNCIL S94A LEVY DEVELOPMENT CONTRIBUTIONS PLAN 2014**

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Meyer O'Neill Osborne Quinn Schilg Stewart Weston		Wilton	

**3. WASTE DISPOSAL ARISING FROM THE GREATER HUME SHIRE COUNCIL COMPONENT OF THE NSW GOVERNMENT VOLUNTARY PURCHASE AND DEMOLITION PROGRAMME FOR LOOSE FILL ASBESTOS INSULATION**

**4657 RESOLVED** [Osborne/Quinn]

That:

1. Council endorse the General Manager to sign the MOU with Public Works for the acceptance of waste generated by the programme.
2. Council notes that the quantity of waste accepted may require an Environmental Protection Licence to be obtained for the Culcairn Landfill.
3. Council resolve to utilise the revenue generated from acceptance of waste under the programme to transition the Culcairn Landfill to one having an Environmental Protection Licence and the timing of the transition being dictated by the quantity of waste accepted by the programme.
4. Council notes that the Director of Environment and Planning after liaising with the EPA will determine when to proceed with the application for the Environmental Protection Licence.

Further, this opportunity provide impetus for the further development of a long term waste strategy for the whole of the shire.

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## **GOVERNANCE**

### **1. REVALUATION OF GREATER HUME SHIRE FOR RATING PURPOSES**

**4658 RESOLVED** [Osborne/Hicks]

That the report be received and noted.

### **2. POLICY DEVELOPMENT – REVIEW OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO MAYOR AND COUNCILLORS POLICY**

**4659 RESOLVED** [Quinn/Stewart]

That Council:

1. adopt the Draft Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy and
2. place the Draft Policy on public exhibition for 28 days and consider any submissions at the June meeting.

### **3. POLICY DEVELOPMENT - REVIEW OF MODEL CODE OF CONDUCT AND PROCEDURES**

**4660 RESOLVED** [Stewart/Quinn]

That Council adopt the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

### **4. WALBUNDRIE BOTANICAL GARDENS**

**4661 RESOLVED** [Osborne/O'Neill]

That Council:

1. enter into a partnership with the Petaurus Education Group Inc. to project manage the development of the Walbundrie Botanical Gardens subject to annual reports being provided to Council on project work undertaken and costs incurred and
2. the Walbundrie Botanical Gardens Reserve totalling \$10,750 be transferred to the Petaurus Education Group Inc.

CR QUINN REQUESTED THAT HIS OPPOSITION TO THE RESOLUTION BE RECORDED.

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**5. ADDITIONAL COUNCIL MEETING – CONSIDERATION OF DRAFT COMMUNITY STRATEGIC PLAN**

**4662 RESOLVED** [Osborne/Weston]

That Council hold an additional meeting on Wednesday, 3 May 2017 to be held at the Council Chambers, Culcairn commencing at 6.00pm and a final budget workshop be held on 26 April 2017.

*Cr Quinn indicated that he would be an apology for meeting for 3 May 2017.*

**6. RIVERINA REGIONAL LIBRARY – AMENDED DEED OF AGREEMENT**

**4663 RESOLVED** [Quinn/Schilg]

That the Mayor and General Manager be authorised to execute the Riverina Regional Library Deed of Agreement 2012-2018 under the Common Seal of Council.

**7. REQUEST TO INVESTIGATE REFORMATTING OF COUNCIL'S ANNUAL RATES NOTICE TO ALLOW FOR GENERAL RATES AND OTHER CHARGES TO BE ON A SEPARATE NOTICE FROM WATER AND SEWERAGE CHARGES**

MOTION [O'Neill/Osborne]

That separate rate notices not be issued for water and sewerage annual charges for the 2017/2018 financial year but the matter remain under review for possible implementation from 1 July 2018.

**ON BEING PUT TO THE VOTE THE MOTION WAS LOST.**

**4664 MOTION** [Quinn/Hicks]

That Council officers commence with the proposition of preparing a separate rate notice for water and sewerage undertakings for the 2017/2018 rating year.

AMENDMENT [Osborne/O'Neill]

That Council officers commence discussions with Civica and bring back to the next Council meeting on 3 May 2017 a report as to a time frame for the implementation of a separate rate notice for water and sewerage charges.

**ON BEING PUT TO THE VOTE THE AMENDMENT WAS LOST ON CASTING VOTE OF THE CHAIRPERSON.**



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REQUEST TO INVESTIGATE REFORMATTING OF COUNCIL'S ANNUAL RATES NOTICE TO ALLOW FOR GENERAL RATES AND OTHER CHARGES TO BE ON A SEPARATE NOTICE FROM WATER AND SEWERAGE CHARGES [CONT'D]

Cr Schilg left the meeting room at 7.19pm.

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

**8. POLICY DEVELOPMENTS - ABORIGINAL CULTURAL PROTOCOLS AND PRACTICE POLICY**

Cr Schilg returned to the chamber at 7.21pm.

**4665 RESOLVED** [Quinn/Hicks]

That the Aboriginal Cultural Protocols and Practice Policy be adopted.

**9. GREATER HUME SHIRE ECONOMIC DEVELOPMENT & SOCIAL PLAN 2017 - 2022**

**4666 RESOLVED** [Hicks/Schilg]

That subject to the inclusion of broader energy recapture projects being listed as an opportunity within the document, that the Greater Hume Shire Economic Development and Social Plan 2017 – 2022 be adopted.

**10. BUY LOCAL IN GREATER HUME SHIRE INITIATIVE – STAGE 2 UPDATE**

**4667 RESOLVED** [Osborne/Schilg]

That the report be received and noted.

**ENGINEERING**

**1. EXPANSION TO JINDERA INDUSTRIAL ESTATE PROJECT – PROGRESS REPORT**

**4668 RESOLVED** [Osborne/Quinn]

That the report be received and noted.

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**2. CONSTRUCTION OF ELECTRICAL RETICULATION FOR THE JINDERA INDUSTRIAL ESTATE.**

**4669 RESOLVED** [Quinn/Hicks]

That:

1. the tender submitted by Inland Power Solutions of \$164,872.73 (excl. GST) be accepted.
2. the General Manager and the Mayor be authorised to sign the Contract with Inland Power Solutions.
3. the unsuccessful tenderers be informed.

**3. CULCAIRN HENTY & HOLBROOK FLOODPLAIN RISK MANAGEMENT STUDIES & PLANS – ADOPTION**

**4670 RESOLVED** [Osborne/Hicks]

That Council adopt the final report on the Culcairn Henty & Holbrook Floodplain Risk Management Studies and Plans, with strong support and initiation of action in the management of weeds within Ten Mile Creek at Holbrook.

**4. JINDERA FLOODPLAIN RISK MANAGEMENT STUDY & PLAN – ADOPTION**

**4671 RESOLVED** [Osborne/Hicks]

That Council adopt the final report on the Jindera Floodplain Risk Management Study and Plan with strong support and initiation of action in the management of weeds within Four Mile Creek at Jindera.

**5. BILLABONG CREEK RESTSTOP PROPOSAL WALBUNDRIE**

**4672 RESOLVED** [Quinn/Schilg]

That the matter of the Billabong Creek Rest Stop at Walbundrie remain on the forward works list.

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**ITEM TO BE REFERRED TO CLOSED COUNCIL (COMMITTEE OF THE WHOLE)**

**1. REQUEST TO AMEND WATER CONSUMPTION FOR DECEMBER 2016 TO MARCH 2017 (10130102)**

**4673 RESOLVED** [Osborne/Quinn]

That consideration of the large water account for Assessment No.10130102 be referred to Closed Council in accordance with section 10A (2) (b) the personal hardship of any resident or ratepayer.

**REASON**

On balance the public interest in preserving the confidentiality a resident or ratepayer potentially suffering financial hardship outweighs the public interest in maintaining openness and transparency in Council decision making at this time.

**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**
- 5. DIGITAL FORUM GREATER HUME SHIRE – 11 MAY 2017**

Cr Osborne requested that community forums and community committees across the shire be notified of the Digital Forum event.

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## **CORPORATE AND COMMUNITY SERVICES**

1. **CUSTOMER REQUEST MODULE – SUMMARIES OF MONTHLY REQUESTS**
2. **STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 MARCH**
3. **HUMAN RESOURCES REPORT FOR MARCH 2017**

## **ENGINEERING**

1. **MARCH 2017 REPORT OF WORKS**
2. **WATER & SEWER REPORT – MARCH 2017**

## **ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF MARCH 2017**
2. **SENIOR WEEDS OFFICER'S REPORT – MARCH 2017**
3. **RANGER'S REPORT – MARCH 2017**

**4674 RESOLVED** [Osborne/Quinn]

That Part B of the Agenda be received and noted.

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

**4675 RESOLVED** [Osborne/Quinn]

That Part C of the Agenda be received and noted.

## **MATTERS OF URGENCY**

Nil.

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## **QUESTIONS ON NOTICE**

1. CONSTRUCTION OF CULVERT AT SWEETWATER RD

Cr Stewart indicated that the Sweetwater Road community are concerned about the negotiations and community engagement with regard to the construction of a culvert on that road. Director Engineering agreed to take the matter on notice and report to the next meeting.

2. RECYCLING TRAILER FOR USE ACROSS GREATER HUME SHIRE

Cr Stewart asked that the idea of a waste trailer for community use at events be incorporated into the review of the waste strategy.

3. MURRAY ARTS GOVERNANCE EVENT

Cr Schilg provided a verbal update of a Murray Arts meeting attended by her on 23 March 2017. The meeting focused on Governance for Murray Arts, indicating a desire of that organisation to move towards a skills based board, which will in turn require amendments to the constitution for that organisation.

4. SHEEP IMPOUNDING MATTER

Cr Weston asked for a report on the matter of sheep impounding by Council's staff, and in response the General Manager indicated that a report will be presented at the next meeting.

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## **CLOSING THE MEETING**

At this juncture the members of the public gallery were kindly asked to depart the chamber as Council was moving to the closed (confidential) section of the meeting. Members in the public gallery departed.

**4676 RESOLVED** [7.46pm] [Quinn/O'Neill]

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

## **COMMITTEE OF WHOLE SECTION**

**4677 RESOLVED** [Osborne/Hicks]

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. REQUEST TO AMEND WATER CONSUMPTION FOR DECEMBER 2016 TO MARCH 2017 (10130102)**

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

- 1. REQUEST TO AMEND WATER CONSUMPTION FOR DECEMBER 2016 TO MARCH 2017 (10130102)**

**RECOMMENDATION** [Quinn/O'Neill]

That the landowner be advised:

1. that Council cannot accede to their request to review the water consumption usage and
2. that a payment plan can be negotiated

Further that Council provide the landowner with a copy of Council's Hardship Policy.

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## **ORDINARY MEETING RECONVENED**

**4678 RESOLVED** [7.48pm] [Osborne/Quinn]

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

## **COMMITTEE REPORT**

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

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

**4679 RESOLVED** [Osborne/Quinn]

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

There being no further business, the meeting concluded at 7.48pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 3 May 2017 at which time the signature hereon was subscribed.

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Cr Heather Wilton,  
Mayor - Greater Hume Shire Council