

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
HELD AT THE JINDERA SCHOOL OF ARTS, URANA STREET, JINDERA
AT 4.30PM ON WEDNESDAY, 18 NOVEMBER 2015**

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

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

Pastor Christain Fredrick offered a prayer to open the meeting.

ACKNOWLEDGEMENT OF COUNTRY

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

APOLOGY

4216 RESOLVED [McInerney/O'Neill]

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

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

Nil.

CONFIRMATION OF MINUTES

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 21 OCTOBER 2015

4217 RESOLVED [Meyer/Heriot]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Holbrook on Wednesday, 21 October 2015 as printed and circulated, be confirmed as a true and correct record of the proceedings of the meeting.

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ACTION REPORT FROM THE MINUTES

1. REGIONAL HEALTH AND WELLBEING SURVEY

Cr Heriot indicated that he was having difficulties completing the survey online. Other councillors indicated that they had completed the survey.

OFFICERS' REPORTS – PART A – FOR DETERMINATION

1. DEVELOPMENT APPLICATION 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 & 58A COMER STREET HENTY

4218 RESOLVED [Meyer/Schilg]

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 10.2015.83 for a proposed 8 bay storage shed at 58 (Lot 6 & 7 DP36035) Comer Street Henty.

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 Compliance with Development Consent No 161-06/07

All conditions that form part of Development Consent No161-06/07 issued 18 April 2007 for the construction of 3 storage sheds on the subject land are still current and must be complied with in concurrence with all conditions that form part of this Development Application.

3 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 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 & 58A COMER STREET HENTY [CONT'D]

4 Compliance with Construction Certificate

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.

5 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.

6 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 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 & 58A COMER STREET HENTY [CONT'D]

7 Submission of a Final Fire Certificate

Prior to the occupation of the building, the owner of the building shall submit to Council, a final fire certificate in relation to each essential fire safety measure specified in the fire safety schedule, attached to the construction certificate.

Such certificate shall state that each essential fire safety measure specified:

- a. has been assessed by a properly qualified person, and
- b. was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.

NOTES:

1. *As soon as practicable after a final fire safety certificate is issued the owner of the building to which it relates:*
 - (i) *must cause a copy of the certificate (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and*
 - (ii) *must cause a further copy of the certificate (and current copy of the current fire safety schedule) to be prominently displayed in the building.*
2. *A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of the fire.*

8 Fire Safety Schedule

The fire safety measures attached shall be implemented in the building premises in accordance with the requirements of Clause 168 of the Environmental Planning and Assessment Regulation, 2000.

The fire safety measures shall be designed by an accredited person in accordance with the minimum requirements of the relevant Australian Standards, BCA, and Codes of Practise.

9 Portable Fire Extinguishers

Portable fire extinguishers shall be installed in the building or portions of the building, compatible to the hazard/s posed by equipment or functions associated with the use of the building.

Installation and maintenance of fire extinguishers shall comply with sections 1, 2, 3, and 4 of Australian Standard 2444 and BCA Clause E1.6

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10 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.

11 Storage of Goods

- a. All works, storage and display of goods shall be contained wholly within the building.
- b. All works and storage shall be contained wholly within the building.
- c. All works shall be contained wholly within the building.

12 Unreasonable Noise and Vibration

The use of the site, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

13 Dust Suppression

During construction, work must be conducted in a manner so as not to create dust that will have an adverse effect on employees and the adjoining properties.

14 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.

15 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.

16 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.

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DEVELOPMENT APPLICATION 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 & 58A COMER STREET HENTY [CONT'D]

17 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.

18 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.

19 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.

20 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.

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- 21 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).
- 22 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.
- 23 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:
- 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,
 - 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.
- 24 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:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - 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
 - 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.

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- 25 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:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.

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.

26 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.

27 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 3500-2003 and New South Wales Code of Practice, Plumbing and Drainage.

DEVELOPMENT APPLICATION 10.2015.83 – CONSTRUCT A NEW STORAGE SHED – LOT 6 & 7 DP36035 – 58 & 58A COMER STREET HENTY

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

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**2. INTENSIVE ANIMAL AGRICULTURE - LOT 1 DP209056 CUMMINGS ROAD
CULCAIRN**

MOTION [McInerney/O'Neill]

That Council receive and note the contents of this report.

At this juncture, the motion was withdrawn.

Following Cr Heriot indicated that he felt it was appropriate to request that standing orders be suspended to enable further discussion on the matter, to which the Chair agreed.

4219 RESOLVED [Heriot/Meyer]

That standing orders be suspended at 4.39pm.

At this juncture, Cr McInerney foreshadowed a further motion.

4220 RESOLVED [McInerney/Quinn]

That standing orders resume at 5.06pm.

4221 RESOLVED [McInerney/O'Neill]

That:

1. Council receive and note the contents of this report.
2. Council officers work with relevant authorities to determine definitive definitions of the legislation and seek possible changes to the legislation.

Cr Quinn requested that his negative vote be recorded.

**INTENSIVE ANIMAL AGRICULTURE - LOT 1 DP209056 CUMMINGS ROAD
CULCAIRN**

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

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3. PROCEDURES IN RESPONSE TO DOG ATTACKS WITHIN RESIDENTIAL AREAS OF GREATER HUME SHIRE COUNCIL

4222 MOTION [O'Neill/McInerney]

That:

1. Council note that a review of Council's procedures regarding surrender of dogs involved in a dog attack has been undertaken. The review has explored the possibility of allowing a cooling off period to dog owners who have surrendered their dogs whereby they may be able to take repossession of their animals.
2. Council elect to not implement the cooling off period at this time.

AMENDMENT [Quinn/Schoff]

That:

1. Council note that a review of Council's procedures regarding surrender of dogs involved in a dog attack has been undertaken. The review has explored the possibility of allowing a cooling off period to dog owners who have surrendered their dogs whereby they may be able to take repossession of their animals.
2. Council elect to implement the cooling off period of two days.

Upon further briefing and discussion by the Director Environment and Planning, with the permission of the mover and seconder, THE AMENDMENT WAS WITHDRAWN.

On being put to the vote the MOTION WAS CARRIED.

4. PROPOSED IMPROVEMENT WORKS TO HOLBROOK HALL

4223 RESOLVED [McInerney/Heriot]

That Council resolve to undertake the improvement works described in this report and fund the \$150,000 costs from the Holbrook Hostel reserve.

5. LOCAL HERITAGE PLACES ESTABLISHMENT GRANTS (FORMERLY LOCAL HERITAGE FUND) 2015-2016

4224 RESOLVED [Schilg/Heriot]

That Council approve Heritage Fund Application numbered 02-15/16 being for restoration works to the Brocklesby War Memorial and the associated recommended grant amount of \$1,000.00.

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6. APPOINTMENT OF COUNCIL REPRESENTATIVE TO THE MURRAY REGIONAL WEEDS COMMITTEE

Cr McInerney left the hall at 5.26pm and returned at 5.29pm.

4225 RESOLVED [O'Neill/McInerney]

That Council nominate the Director of Corporate & Community Services, David Smith as its committee member for the Murray Regional Weeds Committee.

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

GOVERNANCE

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

4226 RESOLVED [Schilg/Meyer]

That the report be received and noted.

2. FIT FOR THE FUTURE – RELEASE OF IPART ASSESSMENTS

4227 RESOLVED [McInerney/Meyer]

That Council make the following submission to the Department of Premier and Cabinet in relation to the IPART assessment of Greater Hume Shire Council (GHSC):

1. Council agrees with IPART recommendation in relation to GHSC.
2. GHSC is committed to implementing its Improvement Action Plan in full.
3. As noted in the report GHSC is participating in the pilot Riverina Joint Organisation and Council's agrees with the comment that participation in the Riverina JO will supplement the Council's scale and capacity and therefore seeks to remain a member Council of the Riverina Joint Organisation.
4. It was also noted that Council demonstrates effective regional collaboration. Council is committed to continuing to collaborate with all neighbouring councils.

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CORPORATE AND COMMUNITY SERVICES

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

4228 RESOLVED [Meyer/McInerney]

That:

1. Council note and approve the Interim Budget Review Statement as at 30 September 2015.
2. correspondence be forwarded to the NSW Grants Commission expressing Council's dissatisfaction with the continual reduction with the financial assistance grants.

2. SERVICE NSW PROPOSAL

4229 RESOLVED [Meyer/Schoff]

That:

1. the Mayor and General Manager be authorised to execute the Digital Agency Licence under the Common Seal of Council.
2. regular driver testing services at Holbrook and Culcairn be retained indefinitely.
3. Council lobby the Member for Albury, Greg Aplin, MP to retain the regular driver testing services.

3. JINDERA PONY CLUB – LEASE OF LAND

4230 RESOLVED [Heriot/O'Neill]

That:

1. Council resolve to enter into a new Licence of Jindera Reserve 94491 to the Jindera Pony Club for a further 5 year term commencing 1 January 2016
2. Correspondence be forwarded to the Crown Lands Division of NSW Trade and Investment seeking approval from the Minister to enter into a new Licence of Jindera Reserve 94491 to the Jindera Pony Club for a further 5 year term commencing 1 January 2016
3. The Mayor and General Manager be authorised to sign the Licence to the Jindera Pony Club for the Jindera Reserve 94491 under the Common Seal of Council.

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4. WALLA WALLA HERITAGE CONSERVATION (GERMAN WAGON) COMMITTEE

4231 RESOLVED [Schoff/McInerney]

That:

1. The Walla Walla Heritage Conservation (German Wagon) Committee be delegated as a Section 355 Committee of Council in accordance with Section 355 of the Local Government Act 1993
2. The Draft Terms of Reference for the Walla Walla Heritage Conservation (German Wagon) Committee be adopted by Council.

5. CLOSURE AND SALE OF UNUSED ROAD RESERVE – BUNGOWANNAH ROAD

4232 RESOLVED [Quinn/Heriot]

That:

1. Council endorse the closure of part of the road reserve adjoining Lot 225 DP 753727 and Lot 159 DP 1133263 Bungowannah Road.
2. The Mayor and General Manager be authorised to execute associated documents under the Common Seal of Council.

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6. UNUSED ROAD LEASES RENEWAL

4233 RESOLVED [Quinn/Schoff]

That:

1. Council give public notice if its intention to renew the leases of unused roads as follows:

DESCRIPTION OF LAND	PARISH/LOCALITY
▪ Lot B DP 445520 from Lot 188 DP 753760	Sherwyn
▪ Lot 175 DP 753760 from Lot 176 DP 753760	Sherwyn
▪ Lots 69 & 70 DP 753737 from Lot 22 DP 629767	Goombargana
▪ Lots 18 DP 753733, Lot 7003 DP 1024198 from Pt Lot 9 DP 753733, Lots 34 & 54 DP 753733	Henty
▪ Partially through Lot 1 DP 591677	Carabobola
▪ Lot 2 DP 858134 and Lot 111 DP 569491	Culcairn
▪ Part Lot 146, part Lot 71 DP 753724 from part Lot 57 DP 753724 & Lot 140, Lot 93, Lot 30 DP 753724 from Lot 144 DP 753724 & separating Lot 112 DP 753724 from Lot 145 & Lot 157 DP 753724	Brocklesby
▪ Lot 7 DP 753724 from Lot 49 DP 753724 & Lot 114 DP 753730	Brocklesby
▪ Lot 32 DP 753756, Lots 134, 48, 133 & 13 DP 753724 from Lot 90 DP 753756, Lots 58, 60, part Lot 59, 25 & 27 DP 753724	Richmond/Brocklesby
▪ Lots 282 & 283 DP 753727 and Lot 8 DP 2540 from Lots 10 & 11 DP 2540	Bungowannah
▪ Lots 134 & 135 DP 753730 from Lots 107 & 183 DP 753730	Burrumbuttock
▪ Lot 1 DP 169830 from Lot 7 DP 560472	
▪ Adjoining Lot 1 DP 1047052 situated between Dunwandren Lane & Colonial Drive	Jindera
▪ Section of roadside along Bungowannah Road, Jindera adjoining Part Lot 179 DP 753727	Jindera
▪ Lot 166 DP 753345 from Lot 12 DP 585251 from a point adjacent to the entrance to the adjoining property "Wimmereau" and extending to the eastern boundary of Lot 12 DP 585251	Jindera
▪ Lots 54 & 93 from Lots 94 & 95 DP 753745	Kentucky
▪ Lot 1 DP 1011953 from Lot 41 DP 753342	Huon
▪ Between Lot 166 DP 753339 and Lot 219 DP 753339	Gerogery

2. subject to no objections being received following public notice of the proposal, the leases of unused roads listed in this report be renewed for a further term terminating 31 December 2020.
3. any proposal to renew a road lease for which an objection(s) is received be referred to Council for determination.
4. the Mayor and General Manager be authorised to sign the Unused Road Lease as itemised in this report under the Common Seal of Council.

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7. COMMUNITY DEVELOPMENT GRANT PROGRAM - 2015

4234 RESOLVED [McInerney/Meyer]

That:

- The following projects be allocated funding under the Greater Hume Shire Council Community Development Grant Program with two of the applications being conditional on the organisations receiving other external funds applied for.

Community Group		Project Title	Amount Requested	Amount Recommended	Project Value
Brocklesby Committee	Hall	Air Conditioning for Brocklesby Hall	\$4,000	\$4,000 *	\$16,484
Brocklesby Committee	Hall	Tar Cart Project	\$3,000	\$0	
Culcairn Early Childhood Centre		Building Extension	\$4,000	\$4,000 *	\$152,000
Culcairn Station House Museum		Fencing Project	\$4,000	\$4,000	\$11,105
Henty Community Club		Blue Room Kitchen Upgrade	\$6,000	\$4,000	\$14,885
Holbrook Gym Club	Community	Air Conditioning for Gym Club	\$1,818	\$1,818	\$3,716
Holbrook Early Learning Centre		New Kitchen Installation	\$4,000	\$4,000	\$10,803
Holbrook Network	Landcare	Upgrade of Self Drive Eco Signage & Brochure	\$2,553	\$2,553	\$5,122
St John's School	Lutheran	Community Garden & Learnscapes	\$4,000	\$4,000	\$6,500
St Patrick's Council	School	Community Garden Shade Structure	\$4,000	\$4,000	\$23,699
Walla Walla Committee	Hall	Kitchen Cupboards and Lighting Upgrade	\$4,000	\$4,000	\$14,330
Walla Walla Lions Club		Sunshades Over BBQ Settings in Park	\$3,000	\$3,000	\$6,300
Wymah Recreation Ground Committee		Paving Between Buildings	\$4,000	\$4,000	\$10,725
Totals:			\$48,371	\$43,371	\$275,669

**Grant conditional on organisations receiving other grant funding applied for.*

- The \$1,028 surplus from this year's round be carried forward to the 2016-17 annual Community Development Grant Program budget.

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ENGINEERING

1. ADOPTION OF JINDERA FLOOD STUDY

4235 RESOLVED [Meyer/Schilg]

That Council adopt the final report on the Jindera Flood Study.

2. TENDER TL 27-2015/16 – WALLA WALLA FLOOD STUDY, FLOODPLAIN RISK MANAGEMENT STUDY & PLAN AND ADVERTISEMENT FOR WALLA WALLA FLOODPLAIN RISK MANAGEMENT COMMITTEE COMMUNITY MEMBERS

MOTION [Quinn/Schoff]

That:

1. the tender from WMAwater for the undertaking of the Walla Walla Flood Study Floodplain Risk Management Study and Plan - Tender No. TL 27–2015/16 for \$79,985.00 (excl. GST) be accepted.
2. the Mayor and General Manager be authorised to execute the tender documents under the Common Seal of Council.
3. all tenderers be advised of the decision.
4. advertisements be placed to encourage members of the Walla Walla community to join the Walla Walla Floodplain Risk Management Committee.

AMENDMENT [McInerney/ONeill]

That:

1. the tender from GHD for the undertaking of the Walla Walla Flood Study Floodplain Risk Management Study and Plan - Tender No. TL 27–2015/16 for \$99,812.00 (excl. GST) be accepted.
2. the Mayor and General Manager be authorised to execute the tender documents under the Common Seal of Council.
3. all tenderers be advised of the decision.
4. advertisements be placed to encourage members of the Walla Walla community to join the Walla Walla Floodplain Risk Management Committee.

At this juncture THE AMENDMENT WAS WITHDRAWN with the permission of the mover and seconder.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
HELD AT THE JINDERA SCHOOL OF ARTS, URANA STREET, JINDERA
AT 4.30PM ON WEDNESDAY, 18 NOVEMBER 2015**

TENDER TL 27-2015/16 – WALLA WALLA FLOOD STUDY, FLOODPLAIN RISK MANAGEMENT STUDY & PLAN AND ADVERTISEMENT FOR WALLA WALLA FLOODPLAIN RISK MANAGEMENT COMMITTEE COMMUNITY MEMBERS [CONT'D]

MOTION [Quinn/Schoff]

That:

1. the tender from WMAwater for the undertaking of the Walla Walla Flood Study Floodplain Risk Management Study and Plan - Tender No. TL 27–2015/16 for \$79,985.00 (excl. GST) be accepted.
2. the Mayor and General Manager be authorised to execute the tender documents under the Common Seal of Council.
3. all tenderers be advised of the decision.
4. advertisements be placed to encourage members of the Walla Walla community to join the Walla Walla Floodplain Risk Management Committee.

Cr Schilg left the hall at 6.14pm.

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

4236 MOTION [McInerney/ONeill]

That:

1. the tender from GHD for the undertaking of the Walla Walla Flood Study Floodplain Risk Management Study and Plan - Tender No. TL 27–2015/16 for \$99,812.00 (excl. GST) be accepted.
2. the Mayor and General Manager be authorised to execute the tender documents under the Common Seal of Council.
3. all tenderers be advised of the decision.
4. advertisements be placed to encourage members of the Walla Walla community to join the Walla Walla Floodplain Risk Management Committee.

On being put to the vote, the MOTION WAS CARRIED.

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

ITEM TO BE REFERRED TO CLOSED COUNCIL

1. **SALE OF LAND FOR UNPAID RATES UNDER SECTION 713 OF THE LOCAL GOVERNMENT ACT 1993**

4237 RESOLVED [Meyer/Quinn]

That consideration of the sale of properties for unpaid rates and charges be referred to Closed Council for discussion , in accordance with the relevant section of the *Local Government Act 1993* section 10A (2) (b) the personal hardship of any resident or ratepayer.

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REASON

On balance the public interest in preserving the confidentiality of individuals subject to debt recovery proceedings outweighs the public interest in maintaining openness and transparency in Council decision making because it concerns the personal financial information of individuals.

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
3. ANNUAL LEAVE – GENERAL MANAGER AND SENIOR STAFF AND EMERGENCY AFTER HOURS CONTACT DETAILS
4. NSW LOCAL GOVERNMENT CONFERENCE – 12 -13 OCTOBER 2015
5. 2014/2015 ANNUAL REPORT

CORPORATE AND COMMUNITY SERVICES

1. CUSTOMER REQUEST MODULE – SUMMARIES OF MONTHLY REQUESTS
2. STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 OCTOBER 2015
3. HUMAN RESOURCES REPORT FOR OCTOBER 2015
4. CHRISTMAS / NEW YEAR OFFICE CLOSURE

ENGINEERING

1. REPORT OF WORKS – OCTOBER 2015
5. WATER AND SEWER REPORT – OCTOBER 2015

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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF OCTOBER 2015**
2. **SENIOR WEEDS OFFICER'S REPORT – OCTOBER 2015**
3. **RANGER'S REPORT – OCTOBER 2015**

Cr Schilg returned to the hall at 6.16pm.

4238 RESOLVED [McInerney/Meyer]

That Part B of the Agenda be received and noted.

PART C – COMMITTEE AND DELEGATE REPORTS

4239 RESOLVED [McInerney/Meyer]

That Part C of the Agenda be received and noted.

MATTER OF URGENCY

4240 RESOLVED [Quinn/Meyer]

And ruled by the Chair that the MURRAY DARLING ASSOCIATION PROPOSED CHANGE TO REGION 1 CONSTITUTION be considered at this time.

1. MURRAY DARLING ASSOCIATION

Cr Quinn raised the issue of a proposal to be put to the next meeting of Region 1 to make changes to the rights of voting rights of delegates to the organisation. General Manager agreed to investigate and provide clarification regarding voting rights.

4241 RESOLVED [Quinn/Heriot]

That all members of the Murray Darling Association retain their current voting entitlements.

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At this juncture, General Manager referred the Council to an item in the Action Report to invite the Murray Darling Association Executive Officer to address Council at a future meeting. In lieu of the discussion contained in the matter of urgency, it was agreed that Executive Officer be invited to the February or March Council meeting.

Cr McInerney left the hall at 6.30pm, returning at 6.33pm.

QUESTIONS ON NOTICE

1. PALM TREES, BALFOUR STREET, LIGHTING NOT WORKING

Cr Heriot said that he had attended a Culcairn Community Development Committee and that some of the median strip lights surrounding the palm trees were not working. Director Engineering to investigate.

2. METER ON WATERING SYSTEM, PARK OPPOSITE THE CULCAIRN HOTEL

Cr Heriot queried the capacity of the existing sprinkler system following the installation of meters last year. Director Engineering said that when the meters were installed the irrigation was modified for the loss of pressure due to the meters. Director Engineering will confirm that the system is operating appropriately and the grass will be kept green.

3. RELOCATION OF BUY LOCAL SIGN AT CULCAIRN

The Culcairn Community Development Committee views that the buy local sign is poorly located and should be relocated to a more highly visible site.

4. TRUCK PARKING IN CULCAIRN

Cr Heriot raised the matter of truck parking in Culcairn. Director Engineering in response said that he would provide a report on the matter to a future meeting of Council regarding the status of truck parking including the rules and regulations for heavy vehicle parking in urban areas.

General Manager advised that trucks are prohibited from parking adjacent to Biti Motors between 9pm to 7am, as displayed on signage at the site.

5. LEAVE OF ABSENCE FOR DECEMBER MEETING

Cr Heriot advised that he may be absent for the December meeting.

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6. JINDERA HALL – FUNDING TO RESTORE

Cr O'Neill queried whether there would be a funding pool or grant available for the restoration of the hall. Director Environment & Planning said he was unsure if the Hall was on the heritage register and the matter could be considered as part of future budget deliberations.

Cr O'Neill left the meeting room at 6.40pm.

7. BURRUMBUTTOCK TO WALLA WALLA ROAD

Cr Schoff asked that an assessment or condition report be undertaken on the road, as it is a school bus route and there are potholes. Director Engineering advised that he would investigate and ensure that any potholes are repaired promptly.

8. TOUR OF SHIRE ROADS - FEBRUARY 2016

General Manager recommended the annual shire tour focus on roads that may receive funding under Roads to Recovery funding to be received in 2016/2017.

9. BUSH FIRE BREAK ON THE WESTERN SIDE OF SMITH STREET, HENTY

Cr Meyer advised that fire breaks had not been installed as in previous years. In response, Director Engineering advised that spraying had been undertaken and that grading of the reserve will be completed shortly.

10. YARARA GAP RECONSTRUCTION

Cr Heriot queried progress with the project and whether councillors should soon visit the site. Director Engineering indicated that the major earthworks will be completed within the month, and there has been good progress so far, and that it is possible that an inspection be undertaken the shire road tour if required.

CLOSING THE MEETING

At this juncture there were two people in the public gallery which then departed the hall.

4242 RESOLVED [6.45pm] [Quinn/Schoff]

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

Cr O'Neill returned to the hall at 6.48pm.

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COMMITTEE OF WHOLE SECTION

4243 RESOLVED [Quinn/Schoff]

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 item of business:

1. **SALE OF LAND FOR UNPAID RATES UNDER SECTION 713 OF THE LOCAL GOVERNMENT ACT 1993**

CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

ITEM FOR DETERMINATION

1. **SALE OF LAND FOR UNPAID RATES UNDER SECTION 713 OF THE LOCAL GOVERNMENT ACT 1993**

RECOMMENDATION [Meyer

That the motion be put.

RECOMMENDATION [Quinn/McInerney]

That the General Manager prepare the necessary certificates under Section 713 of the Local Government Act 1993, in preparation for forthcoming sale of land for unpaid rates.

ORDINARY MEETING RECONVENED

4244 RESOLVED [7.12pm] [McInerney/O'Neill]

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

COMMITTEE REPORT

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

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
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RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4245 RESOLVED [Quinn/Schoff]

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

There being no further business, the meeting concluded at 7.13pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 16 December 2015 at which time the signature hereon was subscribed.

Cr Heather Wilton
Mayor, Greater Hume Shire Council