



**Greater
Hume
Council**

Ordinary Meeting of Greater Hume Council

Wednesday, 09 October 2024

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Council will be held at Culcairn Council Chambers, Balfour st Culcairn, commencing at 6.00pm. The meeting commences with a Public Forum.

Persons wishing to address Council in the forum must register by 5pm Monday, 07 October 2024. The conduct of the forum is governed by the Council's Code of Meeting Practice.

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

A handwritten signature in blue ink, appearing to read 'E Arnold', with a horizontal line extending to the right.

Evelyn Arnold
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

Ordinary Meeting of Greater Hume Council

Wednesday, 09 October 2024

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

BUSINESS:

1. OPENING THE MEETING

2. PRAYER

3. ACKNOWLEDGEMENT OF COUNTRY

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

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

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 11 September 2024

6. DISCLOSURES OF INTERESTS

7. MAYORAL MINUTE(S)

8. NOTICES OF MOTIONS

9. REPORTS FROM OFFICERS

PART A For Determination

- Governance
- Environment and Planning

PART C Items for Information

- Governance

10. CONCLUSION OF THE MEETING

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

OPENING OF THE MEETING BY THE GENERAL MANAGER.....	3
INTRODUCTION OF OATH OR AFFIRMATION BY COUNCILLORS.....	3
2. <u>INTRODUCTION OF OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS</u>.....	3
MAYORAL ELECTION	5
1. <u>MAYORAL ELECTION</u>.....	5
3. <u>DEPUTY MAYORAL ELECTION</u>.....	7
PRAYER	8
ACKNOWLEDGEMENT TO COUNTRY	8
MAYORAL MINUTE.....	8
NOTICE OF MOTIONS	8
OFFICERS' REPORTS – PART A - FOR DETERMINATION	9
GOVERNANCE.....	9
1. COUNCIL MEETING VENUES AND MEETING TIMES	9
2. APPOINTMENT OF DELEGATES	11
3. CASUAL COUNCILLOR VACANCIES – CONSIDERATION OF THE COUNTBACK METHOD	14
4. LOCAL GOVERNMENT NSW (LGNSW) CONFERENCE – SUNDAY 16 NOVEMBER TO TUESDAY 18 NOVEMBER 2024	16
ENGINEERING	17
1. REPORT ON ENVIRONMENTAL PROTECTION AGENCY CLEAN UP NOTICE.....	17
PART C - ITEMS FOR INFORMATION.....	21
1. CHRISTMAS/NEW YEAR OFFICE CLOSURE PERIOD.....	21

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

OPENING OF THE MEETING BY THE GENERAL MANAGER

INTRODUCTION OF OATH OR AFFIRMATION BY COUNCILLORS

2. INTRODUCTION OF OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

In 2016, amendments to the Local Government Act, 1993 introduced the requirement for new councillors (including mayors) to take an oath or affirmation of office prior to the commencement of a new term or a vacancy created by the resignation of Councillor during the term.

REFERENCE TO DELIVERY PLAN ACTIONS

Statutory matter.

DISCUSSION

The Local Government Act, 1993 requires councillors (including Mayors) to take an oath or affirmation.

The General Manager will preside over the meeting until such time as a Mayor has been elected; therefore the first two items of business will be as follows:

1. Oath or affirmation by Councillors and the
2. Mayoral Election

The oath or affirmation must be taken or made before the General Manager of the Council, an Australian Legal Practitioner or a Justice of the Peace and is to be in the following form:

Oath

I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Or

Affirmation

I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

At this juncture, the oath or affirmation must now be taken by all Councillors elected at the NSW Local Government Elections held on Saturday 14 September in the following order:

Ben Hooper
Matthew Hicks
Ashley Lindner
Jenny O'Neill
Lea Parker
Tony Quinn
Kerry Morton
Annette Schilg
Brian Liston

Ken Scheuner, a Justice of the Peace to conduct the taking of the oath or affirmation by councillors, on behalf of Council.

A councillor who fails, without reasonable excuse, to take the oath affirmation of office, will not be entitled to attend council meetings until they do so and will be taken to be absent without leave.

If a councillor is absent without leave for three consecutive ordinary council meetings their office is automatically declared vacant and a by-election must be held.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That the report be received and noted and that the minutes record that following councillors have taken oathand the following councillors have taken the affirmation before Ken Scheuner, Justice of the Peace.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

MAYORAL ELECTION

1. MAYORAL ELECTION

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

To detail the procedures for the conduct of the election of the Mayor in accordance with section 290 (1) (a) of the Local Government Act, 1993 (the Act) and guidance provided by the NSW Office of Local Government.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil.

DISCUSSION

Section 290 of the Act, as reproduced below, outlines an election of a Mayor by Councillors should be held.

290 When is an election of a mayor by the councillors to be held?

- (1) The election of the mayor by the councillors is to be held—
- (a) if it is the first election after an ordinary election of councillors—within 3 weeks after the ordinary election, or
 - (b) if it is not that first election or an election to fill a casual vacancy—during the month of September, or
 - (c) if it is the first election after the constitution of an area—within 14 days after the appointment of a provisional council or the first election of the council if a provisional council is not appointed, or
 - (d) if the relevant council is a non-functioning council, or a council of which all civic offices have been declared vacant, and the election is the first to be held after the appointment or election of the councillors—within 14 days after the appointment or election of the councillors.

Normally the Mayor would be elected for a period of two years in accordance with section 230 of the Act.

Clause 394 of the Local Government (General) Regulation 2021 requires that the election of mayor by the councillors be conducted in accordance with the provisions of Schedule 7 as follows:

“Returning Officer

The General Manager, or a person appointed by the General Manager, is to be the returning officer.

Nomination

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

MAYORAL ELECTION [CONT'D]

The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered or sent to the Returning Officer.

The Returning Officer is to announce the names of the nominees at the council meeting at which the election is to be held.

Election

If only one Councillor is nominated, that Councillor is elected.

If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, ordinary ballot or open voting. (Preferential ballot and ordinary ballot are both conducted as “secret” ballots. Open voting means voting by show of hands.)

Result

The result of the election is to be declared by the returning officer at the meeting at which the election is held.”

Voting by ordinary or preferential ballot is also detailed in Schedule 7 and a copy has been attached as **ANNEXURE 1** for councillors’ information.

Nomination papers are enclosed with this agenda.

BUDGET IMPLICATIONS

A mayoral allowance of \$29,981 per annum has been approved with adoption of 2024/2025 Delivery Plan and Estimates of Income and Expenditure. This includes a payment of \$4,787 to the Deputy Mayor from the mayoral allowance.

RECOMMENDATION

That:

1. in the event of more than one nomination being received, Council determine, by resolution, the method by which the election of the mayor is to be conducted.
2. Council elect a mayor for the period October 2024 to September 2026.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

3. DEPUTY MAYORAL ELECTION

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

To detail the procedures for the conduct of election of the Deputy Mayor.

REFEREFENCE TO DELIVERY PLAN ACTIONS

Nil.

DISCUSSION

Section 231 of the Local Government Act 1993 provides that councillors may elect a person from among their number to be the deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

It is proposed that Councillors elect a Deputy Mayor for the same term as the Mayor.

Nominations for the position of deputy mayor are to be made on the same basis as for mayor.

Nomination papers are enclosed with this agenda.

BUDGET IMPLICATIONS

A mayoral allowance of \$29,981 per annum has been approved with adoption of 2024/2025 Delivery Plan and Estimates of Income and Expenditure. This includes a payment of \$4,787 to the Deputy Mayor from the mayoral allowance.

RECOMMENDATION

That:

1. in the event of more than one nomination being received, Council determine, by resolution, the method by which the election of the deputy mayor is to be conducted.
2. Council elect a Deputy Mayor for the period October 2024 to September 2026

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

PRAYER

ACKNOWLEDGEMENT TO COUNTRY

MAYORAL MINUTE

NOTICE OF MOTIONS

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

OFFICERS' REPORTS – PART A - FOR DETERMINATION

GOVERNANCE

1. COUNCIL MEETING VENUES AND MEETING TIMES

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

For Councillors to consider Council meeting venues and meeting times.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective We lead a vibrant, connected and inclusive community

Outcome 1.1 Leadership and advocacy is demonstrated and encouraged in our community

DISCUSSION

It is proposed that the November to September 2025 meetings be held at Holbrook.

Month	Proposed meeting date	Venue
November	Wednesday 20	Council Chambers, Culcairn
December	Wednesday 18	Community Meeting Room, Holbrook
January	None	
February	Wednesday 19	Council Chambers, Culcairn
March	Wednesday 19	Community Meeting Room, Jindera
April	Wednesday 16	Council Chambers, Culcairn
May	Wednesday 21	Council Chambers, Culcairn
June	Wednesday 18	Council Chambers, Culcairn
July	Wednesday 16	Council Chambers, Culcairn
August	Wednesday 20	Council Chambers, Culcairn
September	September 10	Council Chambers, Culcairn

The meeting date for September is proposed to be a week early to avoid clashing with Henty Field Days.

It is also recommended that meetings continue to commence at 6pm with a public forum to proceed each ordinary meeting, excluding extraordinary meetings.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

COUNCIL MEETING VENUES AND MEETING TIMES [CONT'D]

BUDGET IMPLICATIONS

Adequate allocations have been made within the 2024/2025 Estimates of Income and Expenditure for the conduct of Council meetings, extraordinary meetings and workshops.

RECOMMENDATION

That:
Council adopt the following meeting schedule with meetings to commence at commence at 6pm.

Month	Proposed meeting date	Venue
November	Wednesday 20	Council Chambers, Culcairn
December	Wednesday 18	Community Meeting Room, Holbrook
January	None	
February	Wednesday 19	Council Chambers, Culcairn
March	Wednesday 19	Community Meeting Room, Jindera
April	Wednesday 16	Council Chambers, Culcairn
May	Wednesday 21	Council Chambers, Culcairn
June	Wednesday 18	Council Chambers, Culcairn
July	Wednesday 16	Council Chambers, Culcairn
August	Wednesday 20	Council Chambers, Culcairn
September	September 10	Council Chambers, Culcairn

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

2. APPOINTMENT OF DELEGATES

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

Appointment of delegates, in accordance with section 377 of the Local Government Act 1993.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil.

DISCUSSION

Delegates were appointed by resolution to represent the Council to a range of organisations and Council Committees at the first meeting of the new Council and then reviewed annually at the September meeting (with the exception of Riverina Water County Council which is appointed for a four year term).

Table 1 outlines the respective organisations and Council Committees.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

APPOINTMENT OF DELEGATES [CONT'D]

ORGANISATION/COMMITTEE	DELEGATE(S)
Australia Day Committee	Cr Cr Cr Cr
General Manager's Performance Review Committee	Mayor, Deputy Mayor and Cr (Note General Manager has the opportunity to nominate a Councillor in addition to the Council nominated Councillors)
Holbrook Submarine Museum Committee	Replaced with s355 Committee
Audit Risk and Improvement Committee	Cr (as an observer only)
Local Emergency Management Committee	Director Engineering, with Manager Traffic & Infrastructure as observer.
Local Traffic Committee	Director Engineering All councillors are to be advised when meetings are held
Murray Arts Advisory Committee	Cr
Riverina Eastern Regional Organisation of Councils	Mayor and General Manager
Riverina Regional Library	Cr General Manager
Riverina Joint Organisation	Mayor (alternate Deputy Mayor) Observer General Manager
Riverina Water County Council <i>Appointed for a 4 year term</i>	Cr Cr
Rural Fire Service Bushfire Management Committee	Cr
Softwoods Working Group	Cr

In relation to Riverina Water County Council, the election of Councillors to the Board of a County Council must be done in accordance Schedule 9 of the Local Government (General) Regulation 2021.

This requires Councillors to nominate in writing and is not valid unless the nominee consents to the nomination. The self nomination form must be returned to the Returning Officer (General Manager) prior to consideration of the matter by Council.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

APPOINTMENT OF DELEGATES [CONT'D]

Where more than one Councillor is to be elected to the County Council Board by an individual Council and there are more nominations than the number of Councillors to be elected then Council must hold a separate election for each position.

Attached as **ANNEXURE 2** is an information brochure provided by Riverina Water County Council to provide background on its operations.

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

That Council elects delegates to external organisations and Council Committees as outlined in Table 1.

ORGANISATION/COMMITTEE	DELEGATE(S)
Australia Day Committee	Cr Cr Cr Cr
General Manager's Performance Review Committee	Mayor, Deputy Mayor and Cr (Note General Manager has the opportunity to nominate a Councillor in addition to the Council nominated Councillors)
Audit Risk and Improvement Committee	Cr (as an observer only)
Local Emergency Management Committee	Director Engineering, with Manager Traffic & Infrastructure as observer.
Local Traffic Committee	Director Engineering All councillors are to be advised when meetings are held
Murray Arts Advisory Committee	Cr
Riverina Eastern Regional Organisation of Councils	Mayor and General Manager
Riverina Regional Library	Cr General Manager
Riverina Joint Organisation	Mayor (alternate Deputy Mayor) Observer General Manager
Riverina Water County Council <i>Appointed for a 4 year term</i>	Cr Cr
Rural Fire Service Bushfire Management Committee	Cr
Softwoods Working Group	Cr

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

3. CASUAL COUNCILLOR VACANCIES – CONSIDERATION OF THE COUNTBACK METHOD

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

For Councillors to consider filling any causal Councillor vacancy that may arise over the next 18 months by a countback rather than holding a by-election in accordance with section 291A of the Local Government Act, 1993 (the Act).

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

In accordance with section 291A Council has the option of filling any causal councillor vacancies that arise over the next 18 months via a countback method rather than having a by-election to fill the vacancy. This would only apply to Wards contested at the recent local government elections; being North and West Wards.

To exercise the option of using a countback to fill casual vacancies occurring in the first 18 months following the election, councils must resolve, at their first meeting after the election, to use a countback to fill casual vacancies. If councils do not resolve this at the first meeting after the election, they will be required to fill casual vacancies through a by-election.

Where councils resolve to fill casual vacancies using a countback in the first 18 months of their terms, the General Manager is required under the Local Government (General) Regulation 2005 (the Regulation) to notify the NSW Electoral Commissioner of the council's resolution within 7 days of the resolution.

Section 291A of the Act is reproduced below for Councillors information.

291A Countback to be held instead of by-election in certain circumstances

(1) This section applies to a casual vacancy in the office of a councillor if—

(a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and

(b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.

(2) This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected;

(a) in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or

Note : See section 285 (Voting system for election of councillors).

(b) in an election without a poll being required to be held. Note : See section 311 (Uncontested elections).

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

CASUAL COUNCILLOR VACANCIES – CONSIDERATION OF THE COUNTBACK METHOD
[CONT'D]

3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.

(4) A countback election to fill a casual vacancy to which this section applies must be conducted—
(a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner--by a returning officer appointed by the Electoral Commissioner, or

(b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council--by a returning officer appointed by the electoral services provider.

(5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election—

(a) the returning officer must notify the general manager of the council concerned, and
(b) a by-election in accordance with this Part must be held to fill the casual vacancy.

(5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.

(6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purpose of this section by the regulation

BUDGET IMPLICATIONS

Nil.

RECOMMENDATION

Pursuant to Section 291A(1) of the Local Government Act 1993 (the Act), Greater Hume Council declares that casual vacancies occurring in the office of Councillor within 18 months after the last ordinary election of councillors for the Council on 14th September 2024, are to be filled by a countback of votes cast at the election for the office, in accordance with section 291A of the Act and directs the General Manager to notify Mr Steve Robb, Director Customer Service and Relationship Management NSW Electoral Commission of the Council's decision within 7 days of the decision

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

4. LOCAL GOVERNMENT NSW (LGNSW) CONFERENCE – SUNDAY 16 NOVEMBER TO TUESDAY 18 NOVEMBER 2024

Report prepared by General Manager – Evelyn Arnold

REASON FOR REPORT

For Councillors to select two voting delegates to attend the LGNSW Annual Conference.

REFERENCE TO DELIVERY PLAN ACTIONS

Objective We lead a vibrant, connected and inclusive community

Outcome 1.1 Leadership and advocacy is demonstrated and encouraged in our communities.

DISCUSSION

The Local Government NSW organises an annual conference to allow for key topics to be considered and emerging local government industry issues to be discussed. Council is required to select voting delegates to represent Greater Hume Council at this conference. This report commends those voting delegates be the Mayor and the Deputy Mayor and the General Manager attend as an Observer

BUDGET IMPLICATIONS

Adequate allocations exist in the 2024/2025 Budget for attendance at the Conference.

RECOMMENDATION

That the Mayor and Deputy Mayor attend the Local Government NSW Annual Conference as voting delegates and that Cr _____ and the General Manager (or her delegate) attend as Observers.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

ENGINEERING

1. REPORT ON ENVIRONMENTAL PROTECTION AGENCY CLEAN UP NOTICE

Report prepared by Director Engineering – Greg Blackie

REASON FOR REPORT

To further update Council on a clean-up notice (“Notice”) issued to Council relating to the rehabilitation of a gravel pit “Funks pit” on Red Hill Road Tabletop

REFERENCE TO DELIVERY PLAN ACTION

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

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

DISCUSSION

At the Ordinary meeting of Council Meeting held on the 11 September 2024, Council resolved:

1. *Council receive and note the updated report on the Funks Pit rehabilitation matter.*
2. *A further report providing full details on the project cost and associated timelines be prepared and presented to Council at the next scheduled council meeting*
3. *Council note that no expenditure on the Funks Pit rehabilitation has been included in the adopted 2024/25 operational plan budget and that no work is to commence on this project until such time as the report referenced in part 2 of this resolution has been presented to Council for consideration and approval.*
4. *That urgent approval be sought from the Minister for Local Government for the expenditure of funds.*

In response this report provides updated costs and estimated timeframes, and requests Council to allocate funding to undertake the required works as detailed under the notice. A copy of Councils previous report including the clean-up notice is attached in **ANNEXURE 3**.

Following the last meeting, Council contacted the EPA to request an extension of time for the required work under the notice to be completed as the notice had required that the removal of the waste be completed by the 11 October 2024.

As Council was in caretaker period due to Council elections being held on the 14 September at the time of the last meeting, Council could not allocate additional funding to undertake the requirements of the notice, (except if it was approved by the Minister for Local Government as an extenuating circumstance). Also the requirement of the notice required the waste to be taken to a facility that could legally take the waste.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

REPORT ON ENVIRONMENTAL PROTECTION AGENCY CLEAN UP NOTICE [CONT]

Within Greater Hume only Council landfills can legally take waste materials, however they are limited to how much waste they can take which is currently 5000 Tonne per annum per landfill. Due to these limitations Council had further discussions with the EPA and a proposal has been put forward by Council to the EPA for the waste material to be taken from Funks Pit to the currently closed Walla Walla Landfill (The closest landfill to Funks Pit). The Walla Walla Landfill has been closed since 2009 following a fire at the landfill, but requires final remediation requiring cover material to be placed and vegetation planting / mulching of the site to be undertaken.

The planting of the vegetation and placement of mulch over the site will ensure the fleabane that was an issue at Funks Pit will not become an issue at the landfill with appropriate inspections and maintenance to be undertaken until fully the vegetation is fully established

Although the material from Funks pit will come as waste material, testing has proven that screening of the material will make the material compliant "clean material", and suitable as cover material for the landfill.

The quantum of 12,000 tonnes that is estimated to be relocated, less the small amount of contaminants that will be removed (less than 500 tonne when screened) will provide the amount of material required to complete the covering of the landfill.

The final remediation of the Walla Walla Landfill has been proposed for completion for a number of years, however the available material has not been readily available. However with the need to remove the material from Funks Pit, provides Council with an opportunity to undertake the required remediation as part of this process.

Following discussions with the EPA as the Walla Walla Landfill has been closed for a period of time a Development Application is required to allow it be reopened to accept the material and undertake the required remediation work.

In preparation staff have completed and lodged a Development Approval "DA" to reopen the landfill so it can accept the waste material, allow it be screened onsite and the clean material be used remediate the landfill. The contaminants that are screened out of the waste material will be disposed of at the Culcairn Landfill.

The landfill will only be reopened for the disposal of this material and then closed permanently as the remediation will be able to be completed to the required standard.

Due to the statutory time frames required for a DA to be advertised including adjoining landowner notifications and allowing for submissions/objections and then for report preparation of the DA, if required, the DA report will come to Council to the Ordinary Meeting of Council for determination proposed for the 20 November 2024. If no objections are raised Council staff can approve the DA.

Subject to the DA being approved Council, staff have determined and sourced the required equipment to undertake the removal and transportation, and the time required to remove the waste material from Funks Pit to the Walla Walla Landfill.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

REPORT ON ENVIRONMENTAL PROTECTION AGENCY CLEAN UP NOTICE [CONT]

Following the Council meeting on the 20th November and subject to the DA being approved (if required) the removal and transporting of the waste material will be able to be commenced the following week after the proposed Council Meeting on Monday 25th November and expected to be completed within 4 weeks subject to weather by Friday 20th December.

Due to the additional requirement to gain the DA and have Council approve the required funding for the works Council staff contacted the EPA and requested an extension of time for the completion of the notice until the 20th December. The EPA has subsequently advised that Council has been granted the extension as requested

Budget

As stated in the Council Minutes from the last meeting Council had not allocated any significant funding in the 2024/25 budget to complete the either the remainder of the rehabilitation at Funks Pit or the remediation of the Walla Walla Landfill, as it was expected only minor works were required to finish the rehabilitation at Funks Pit and no works had been planned for the Walla Walla Tip remediation, as it was to be programmed at a future date once appropriate material was located.

Estimates have been undertaken by staff and it has been determined that the cost to remove the waste material from Funks Pit and relocate it to the Walla Walla Landfill then screen and spread the material is approximately \$200,000.

Final vegetation planting, mulching and maintenance at The Walla Walla Landfill is estimated to cost a further \$20,000 - \$30,000.

Cost to then complete the rehabilitation of Funks Pit is estimated to be between \$200,000 to \$300,000 dependent on the location and acquisition of appropriate material to rehabilitate the pit, and dependent on the amount of work to remediate the access to the property and Funks Road following the completion of the rehabilitation.

Council retains approximately \$1.5Million in the Gravel Pit and Landfill remediation reserves combined. As shown the cost to undertake the required removal and placement of material at the Walla Walla Landfill, and also the rehabilitation of Funks Pit after the waste is removed can be completed from funds held in the reserves.

RECOMMENDATION

Council is compelled to undertake the requirements of the Clean-up Notice. Although the material used at Funks Pit rehabilitation has been classified as waste, by screening the material makes the material compliant for use in the remediation at the Walla Walla Landfill.

Council is required to complete the final remediation of the Walla Walla Landfill and this opportunity allows the material that is required to be removed from Funks Pit to be used in a productive manner to allow the remediation to be completed.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

REPORT ON ENVIRONMENTAL PROTECTION AGENCY CLEAN UP NOTICE [CONT]

BUDGET IMPLICATION

As advised Council currently retains \$1.5Million in the Gravel Pit and Landfill remediation reserves combined. The cost to undertake the required removal, screening and placement of material at the Walla Walla Landfill, and also the rehabilitation of Funks Pit after the waste is removed can be completed from funds held in the reserves.

CONCLUSION

Council is compelled to undertake the requirements of the Clean-up Notice issued on Council. Although the material used at Funks Pit rehabilitation has been classified as waste, by screening the material makes the material compliant for use in the remediation of the Walla Walla Landfill.

Council is required to complete the final remediation of the Walla Walla Landfill and this opportunity allows the material that is required to be removed from Funks Pit to be used in a productive manner to allow the remediation to be completed.

RECOMMENDATION

That Council:

1. Endorse the proposal to remove and relocate the waste material from Funks Pit to the Walla Walla Landfill to meet the requirements of the Clean-up Notice issued on Council.
2. Endorse the screening of transported material at the Walla Walla Landfill and use the material to complete the remediation of the landfill, along with final vegetation planting / mulching of the site.
3. Allocate funding of \$530,000 from Councils gravel pit and landfill remediation reserves to complete the Funks Pit rehabilitation and Walla Walla Landfill remediation projects.

ORDINARY MEETING OF GREATER HUME COUNCIL
TO BE HELD AT
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN
ON WEDNESDAY, 09 OCTOBER 2024

PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. CHRISTMAS/NEW YEAR OFFICE CLOSURE PERIOD

Report prepared by General Manager Evelyn Arnold

REASON FOR REPORT

To provide Councillors with information on the dates for the 2024/2025 Christmas/New Year office closure.

REFERENCE TO DELIVERY PLAN ACTION

Nil.

DISCUSSION

As Councillors would be aware, Council's offices and customer relations centres have traditionally closed for the period between Christmas and New Year.

The 2024/2025 closure period will see Council's offices close from 5pm Tuesday 24 December 2024 and reopen at 8.30am Thursday 2 January 2025.

Closure dates will be advertised in Council's regular Public Notice advertisement and notices will be displayed at all customer relations centres so as to fully inform residents and ratepayers of the office closure period.

BUDGET IMPLICATION

Nil.

CONCLUSION

For Councillors' Information