

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT COMMUNITY MEETING ROOM, HOLBROOK LIBRARY, HOLBROOK  
ON WEDNESDAY, 18 DECEMBER 2024**

The meeting opened at 6.08pm after the public forum.

**IN ATTENDANCE**

Cr Hooper, Hicks, Lindner, Morton, O'Neill, Parker, Quinn, Schilg, General Manager, Acting Director Engineering, Director Corporate and Community Services, Director Environment and Planning, and Executive Assistant. (CFO via video link joined 6.15)

**PRAYER**

Councillor Morton read a prayer to commence the meeting.

**ACKNOWLEDGEMENT OF COUNTRY**

The Mayor offered an Acknowledgement of Country at the commencement of the meeting.

**APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS**

Apology – Brian Liston

**6769**                      **Resolved** [Cr.Morton / Cr.Schilg]

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 20 NOVEMBER 2024**

**6770      RESOLVED      [Cr.Hicks / Cr.Lindner]**

That the Minutes of the Ordinary Meeting of Greater Hume Council held at Culcairn on Wednesday 20 November 2024 as printed and circulated to be confirmed as a true and correct record of the proceedings of such meeting.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**ACTION REPORT FROM THE MINUTES**

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

Cr O'Neill gave notice of her intention to declare a Non-Pecuniary Interest in Environment and Planning Report, Item 1, development application 10.2024.42.1 – Torrens title subdivision: twenty (20) lot Torrens title subdivision, including a residual allotment, along with the construction of a road, vegetation removal, and associated earthworks - lot: 66 DP: at 152 pioneer drive Jindera NSW 2642 and 154-212 Pioneer Drive Jindera NSW 2642.

Cr Hicks gave notice of his intention to declare a Non-Pecuniary Interest in Engineering, Item 2, Jelbart road construction project update – Tree Management

**MAYORAL MINUTE**

Nil.

**NOTICE OF MOTIONS**

**. 1. RESCISSION MOTION**

**MOTION**

Suspend standing orders (6.15pm) [Cr Quinn / Cr Hicks]

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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Resume standing orders (6.22pm) [Cr Quinn / Cr. Morton]

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

**6771 RESOLUTION** [ Cr O'Neill / Cr Hooper]

The Director is to provide both the current adopted policy- and the corrected draft policy, highlighting changes for Councillors to ensure which changes have been made prior to resubmission

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Morton O'Neill Parker Quinn	Schilg Lindner Hicks	Liston	

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

**CORPORATE AND COMMUNITY SERVICES**

1. **PRESENTATION OF 2023/2024 FINANCIAL STATEMENTS**

**6772**                    **RESOLVED**        [ Cr. Schilg / Cr. Lindner ]

That:

1. In accordance with Section 419 (1) of the Local Government Act 1993, the audited Financial Statements and the Auditor's Reports for the year ended 30 June 2024 are hereby received and noted.
2. If applicable, a further report be presented to the February 2025 Council Meeting detailing any submissions received in respect of Council's audited Financial Statements.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**2. INTERIM 2023/2024 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2024  
(REVISED AS AT 28 NOVEMBER, 2024)**

**6773            RESOLVED            [ Cr. Quinn / Cr.O'Neill ]**

That Council note and approve the Interim Budget Review Statement as at 30 September 2024.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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## **ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATION 10.2024.42.1 – TORRENS TITLE SUBDIVISION: TWENTY (20) LOT TORRENS TITLE SUBDIVISION, INCLUDING A RESIDUAL ALLOTMENT, ALONG WITH THE CONSTRUCTION OF A ROAD, VEGETATION REMOVAL, AND ASSOCIATED EARTHWORKS - LOT: 66 DP: 1195450 AT 152 PIONEER DRIVE JINDERA NSW 2642 AND 154-212 PIONEER DRIVE JINDERA NSW 2642.**

(Cr O'Neill leaves the room 6.40)

**6774**        **RESOLVED**                    [ Cr.Quinn / Cr. Lindner ]

That Council resolves to:

1. approve Development Application No. 10.2024.42.1 at 154-212 Pioneer Drive, Jindera NSW 2642 on Lot: 66 DP: 1195450 for Twenty (20) lot Torrens Title Subdivision, including a residue allotment, along with the construction of a road, vegetation removal, and associated earthworks, subject to the conditions attached to this report pursuant to Sections 4.16 and Section 4.17 of the *Environmental Planning and Assessment Act 1979*.

### **Part A – GENERAL CONDITIONS**

#### **1. Compliance With Plans and Conditions**

Development must be carried out in accordance with the attached approved plans and the particulars and statements submitted with the development application receipted. The development must be carried out in accordance with Greater Hume Council's Engineering Guidelines for Subdivisions and Developments Standards and applicable conditions of this consent. All conditions of consent must be fulfilled at the expense of the applicant in conjunction with advice from Council.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

**Reason: To ensure the development is carried out as assessed.**

#### **2. Integrated Development - General Terms of Approval**

The applicant must comply with any correspondence including conditions and requirements received from the NSW Rural Fire Service.

**Reason: To ensure compliance with 'NSW RFS' conditions of consent.**

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**PART B – BEFORE ISSUE OF A SUBDIVISION WORK CERTIFICATE**

**3. Subdivision Works Plans**

Full Engineering Plans (Subdivision Works Plans) in respect to the provision of the following services must be submitted with the Subdivision Works Certificate Application:

- a) Road Design including intersections at Jindera Street and proposed Road
- b) Sewer;
- c) Reticulated water;
- d) Stormwater Management;
- e) Environmental and sedimentation details;
- f) Details of any fill material to be brought on site;
- g) Concrete footpaths (1.5m wide);
- h) Certified Essential Energy (electricity) plans;
- i) Street lighting;
- j) Engineering plans showing the proposed natural ground height for each allotment;
- k) Indicative details of utilities (telecommunications);
- l) A Construction Environmental Management Plan (CEMP) must be prepared and it must include measures to be implemented to reduce impact on vegetation as well as pre-clearance protocol, habitat augmentation in accordance with the guidelines outlined in the approved BDAR.
- m) Cost summary report.

**NOTE: - The Subdivision Works Plans must conform and comply with the following requirements:**

- NSW RFS correspondence dated 20 July 2023.

These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

**Reason: To ensure the development is appropriately serviced.**

**4. Street Naming**

A written application for street naming must be submitted to Greater Hume Council for approval. The road names proposed must comply with requirements of the NSW Geographical Names Board and Council.

The application must nominate three suggested names per street, in order of preference, and the source of the names proposed.

Fees are payable for this service as specified in Council's Fees and Charges Policy.

**Reason: To comply with the Roads Act 1993.**

**5. Biodiversity - Species Credit Retirement**

Prior to the release of the Subdivision Works Certificate the class and number of species credits in



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the following Table (**Table 1**) must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits outlined in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM Credit Calculator (BAM-C).

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of **Table 1** requirements must be provided to the consent authority (Greater Hume Council).

**Table 1- Ecosystem credits required to be retired**

<b>Impacted plant community type</b>	<b>Number of ecosystem credits</b>	<b>IBRA sub region</b>
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	15	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	33	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site
Blakely's Red Gum - Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion (PCT 277)	7	Any IBRA sub region that is within 100 kilometres of the outer edge of the impacted site

**Reason: To comply with the Biodiversity Conservation Act 2016.**

**6. Payment of Long Service Levy**

A Subdivision Works Certificate will not be issued with respect to the plans and specifications for any subdivision work unless any long service levy payable under the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid in accordance with the submitted cost summary report.

**Reason: To comply with the Building and Construction Industry Long Service Payments Act 1986.**

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**PART C – BEFORE SUBDIVISION WORK COMMENCE**

**7. Subdivision Works Certificate**

An application for a Subdivision Works Certificate must be **submitted to and approved by Council** prior to any subdivision works taking place. The Subdivision Works Certificate must be lodged via the NSW Planning Portal.

**Reason: To comply with the Environmental Planning and Assessment Act 1979.**

**8. Notification and Appointment of a Principal Certifier**

Prior to the commencement of any works, the person having benefit of the development consent must:

- a) appoint a Principal Certifier;
- b) the Principal Certifier has provided notification to Council of its appointment no later than two days before the subdivision work is proposed to commence; and
- c) the person having the benefit of the consent has given at least two days' notice to Council of the person's intention to commence the subdivision work.

**Reason: To comply with Division 6.4 of the Environmental Planning and Assessment Act 1979.**

**9. Planning Agreement**

Prior to the Commencement of Construction, unless otherwise agreed to by Council, enter into a Voluntary Planning Agreement in accordance with

- a) Division 7.1 of Part 7 of the Environmental Planning and Assessment Act 1979
- b) The terms of letter of offer

**Reason: To ensure the development is carried out as assessed**

**10. No Subdivision Construction Work to Commence**

Subdivision construction works cannot commence until such time as Council commences work on the primary flow channel depicted in the Jindera Flood Mitigation Channel Design Report.

**Reason: To ensure the development is carried out as assessed**

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**11. Erosion and Sedimentation Controls**

The approved erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with: "Erosion and Sediment Control – A Resource Guide for Local Councils".

**Reason: To prevent water pollution and protect the amenity of the adjoining area and to comply with the Protection of the Environment Operations Act 1997.**

**12. Temporary Water Closet Accommodation**

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

**Reason: To ensure suitable facilities are provided for workers during construction and to comply with requirements for Work Health and Safety on worksites.**

**PART D – DURING SUBDIVISION WORK**

**13. Construction - Hours of Work**

All construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- a. Mondays to Fridays, 7.00am to 6.00pm
- b. Saturdays, 8.00am to 1.00pm
- c. No work is permitted on Sundays and Public Holidays.

**Reason: To protect the amenity of the area and to comply with the Environmental Protection and Operation Act 1997.**

**14. Aboriginal Objects Discovered During Work**

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au). Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the National Parks and Wildlife Act 1974.

**Reason: To protect Aboriginal heritage and to ensure compliance with the National Parks and Wildlife Act 1974.**

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**15. Site Management – Flora and Fauna**

The following measures are to be undertaken to minimise flora and fauna impacts during construction:

- a) Mitigation measures are to be implemented in accordance with the submitted Biodiversity Development Assessment Report prepared by Red-Gum Environmental Consulting; BAAS18081 and dated 15 February 2024. In particular Section 8.4 page 74.

**Reason: To ensure the development is carried out as assessed.**

**16. Imported Fill Material**

Any imported fill must comprise either uncontaminated Virgin Excavated Natural Material (VENM)(as defined within the *Protection of the Environment Operations Act 1997*) or Excavated Natural Material (ENM)(as defined within the NSW EPA Resource Recovery Order '*The excavated natural material order 2014*').

Certification supporting any source fill material must be provided to Council.

**Reason: To ensure fill which is placed on the site is not contaminated and to comply with relevant EPA requirements.**

**17. Soil Contamination - Unexpected Finds**

A suitable soil chemical analysis and investigation report is required **IF ANY EVIDENCE OF CONTAMINATION** on the subject site is found during works. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

**Reason: To ensure the subject site is not contaminated.**

**18. Compaction – Landfill**

All fill including existing fill must be compacted in accordance with a compaction ratio of 98% as specified in Table 5.1 of Australian Standard AS3798 'Guidelines on Earthworks for Commercial and Residential Developments'.

**Reason: To ensure the lots are filled and compacted.**

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**19. Vehicles During Construction**

Vehicles must be clean and free of debris prior to leaving the site during construction. Deposited material may be ordered to be removed at the applicant/operator's expense.

**Reason: To ensure sediment is not trafficked onto Council's road network.**

**20. No Pollution of Waterways**

The Applicant must take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.

**Reason: To comply with the requirements of NSW Environmental Protection Authority.**

**21. Disposal of Waste**

Designated waste containment areas must be provided on site and must be maintained to prevent any windblown litter escaping from the site. The applicant must also ensure all waste generated from construction of the development is disposed of at a site which can lawfully accept the waste.

**Reason: To comply with the requirements of the [Protection of the Environment Operations Act 1997](#).**

**22. Minimise Noise**

The operating noise level of plant and equipment during subdivision works must not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the [Protection of the Environment Operations Act 1997](#) apply to the development, in terms of regulating offensive noise.

**Reason: To preserve the environmental health and amenity of the adjoining area.**

**23. Dust Control Measures**

Adequate measures must be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted;

- a) All materials must be stored or stockpiled at the best locations;
- b) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent runoff occurs;
- c) All vehicles carrying spoil or rubble to or from the site must at all times be covered to prevent the escape of dust or other materials;
- d) Cleaning of footpaths and roadways must be carried out regularly; and
- e) Rumble grids must be installed at access points to the site.

**Reason: To preserve the environmental health and amenity of the adjoining area.**

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**24. No Obstruction of Road Reserve Permitted**

The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

**Reason: To protect the amenity of the area.**

**PART E – BEFORE ISSUE OF A SUBDIVISION CERTIFICATE**

**25. Subdivision Certificate**

An application for a Subdivision Certificate must be submitted to and approved by Council. The Subdivision Certificate Application must be lodged via the NSW Planning Portal.

The application must include formal subdivision plans, an Administration Sheet and relevant Instrument Sheet (if applicable). Easements must be shown over all services and covenants as required by the conditions of consent must be incorporated into the appropriate instruments.

The Subdivision Certificate is not released prior to all applicable conditions of consent for this development being complied with to the satisfaction of Council.

**Reason: To comply with *the Environmental Planning and Assessment Act 1979*.**

**26. Completion of Primary Flow Channel**

No subdivision certificate will be issued until such time as Council has completed construction of the Flow Channel depicted in the Jindera Flood Mitigation Channel Design Report.

**Reason: To ensure that the development carried out is assessed.**

**27. Completion of Subdivision Works**

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by Condition 3 of this consent and a satisfactory final inspection of the works by Council's Engineering Department.

**Reason: To ensure the development is appropriately serviced.**

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**28. Development Contribution**

**Section 64 and Landscape Contribution**

The payment of Section 64 sewerage, water headwork charges and landscape contribution fees are (is) applicable and must be paid to Council prior to the release of the Subdivision Certificate. Contributions are calculated per allotment created. **The fees will be charged and calculated in accordance with Council's adopted Fees and Charges Policy at the time the application for Subdivision Certificate is lodged with Council.**

<b>DEVELOPMENT</b>	<b>STANDARD RESIDENTIAL LOT</b>
<b>SEWER</b>	Rate at time of SC lodgment per lot X 19
<b>WATER</b>	Rate at time of SC lodgment per lot X 19
<b>Landscape Contributions Fee -</b> per block for supply, planting and maintenance of a street tree.	\$200 X 19 = <b>\$ 3800.00</b>

**Reason: To comply with Council's Development Contribution policies.**

**29. Correspondence From Agencies**

Prior to the issue of the Subdivision Certificate, the following documents must be submitted to Council to demonstrate that the requirements of the public utility services and recommended conditions outlined in the Government Department respective referral responses have been met;

**I. Integrated Development - General Terms of Approval**

Prior to the release of the Subdivision Certificate, the applicant must provide documentary evidence to Council outlining how conditions and requirements outlined in the General Terms of Approval from NSW Rural Fire Service have been complied with. The evidence must be to the satisfaction of Council and the relevant Government authority;

**II. Electricity**

A Notification of Arrangements from the electricity supply authority (i.e. Essential Energy) must be supplied to Council confirming that electrical infrastructure has been installed and that satisfactory arrangements have been made for the supply of low voltage reticulated electricity to each proposed Lot;

**III. Telecommunications and Fiber-ready Facilities**

Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for the installation of fibre-ready facilities to proposed Lot 1 -19 in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

**Reason: To ensure the development is carried out as assessed and the development site is appropriately serviced.**

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**30. Engineering Certification**

Prior to the release of the Subdivision Certificate, the applicant must supply Council with an appropriate survey detailing and an engineering certificate verifying that all lots have been constructed in accordance with the approved plans.

**Reason: To ensure the development is carried out as assessed.**

**31. Compaction of Lots**

Prior to the release of the Subdivision Certificate, the applicant must provide Council with the appropriate evidence outlining the entirety of the lots has been filled and compacted to the relevant Australian Standards. This evidence must be to the satisfaction of Council.

**Reason: To ensure the lots are filled and compacted.**

**32. Conveyancing Act 1919 Instruments**

A copy of an instrument prepared in accordance with the Conveyancing Act 1919, must be submitted with the application for a Subdivision Certificate for Council's endorsement.

The instrument must contain the following:

- (i) A 3-meter wide easement for sewer benefiting Greater Hume Council for sewerage drainage shall be created over all sewer assets that will be vested in Council's ownership, where that asset is located within private property. This must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of the Subdivision Certificate. The instrument is to be registered at the same time as registration of the plan of subdivision.

**Reason: To ensure the development is carried out as assessed.**

**33. Private Infrastructure**

Any private services/assets or alike (i.e. water, stormwater, sewer etc.) which are located within the new allotments and benefit other allotments must be removed **OR** be shown within an appropriate easement to be registered. Any such easements must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

**Reason: To comply with the Environmental Planning and Assessment Act 1979.**



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**34. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services (including all pipes and drainage structures are contained within the proposed drainage easements) must be provided to Council in electronic format (i.e. PDF and AutoCAD dwg. formats). The submitted WaE plans must be to the satisfaction of Council and must contain the true and correct locations and details of all installed infrastructure. The applicant must also provide Council with an asset value for all installed infrastructure which will be transferred to and/or managed by Council, along with street numbering shown on submitted plans.

**Reason: To ensure Council receives true and correct details/location for all installed infrastructure and services in the form of Works as Executed plans.**

**35. Defects Liability Period**

The defects liability period for subdivision works shall be a minimum of twelve (12) months from the date of registration of the plan of subdivision at the Land Registry Services, upon which the subdivision road and associated infrastructure is dedicated to Council.

**Reason: To comply with the requirements of Council's Engineering Department.**

**36. Defects Liability Bond (Security)**

A defects liability bond to the value of 5% of the total cost of the subdivision works must be submitted to Greater Hume Council prior to issue of the Subdivision Certificate.

The bond will be held for the duration of the defect liability period.

During this period the developer shall be responsible to remedy any construction defects or omissions in the subdivision works. Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents.

The bond is refundable on application to Council and upon satisfactory final inspection by Council.

**Reason: To comply with the requirements of Council's Engineering Department.**

**37. Repair of Public Infrastructure**

Any damage or deterioration to any portion of the footpath and/or kerb and guttering or other Council property including road reserves, during construction must be reinstated to its original condition at the owner's expense to the satisfaction of Council.

**Reason: To maintain safe access for pedestrians and to protect the amenity of the adjoining area.**

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**ADVICE TO APPLICANT**

- a. It is the Applicant's responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). Note: Compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.
- b. The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the Applicant and owner/builder to ensure private covenants are adhered to. Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of building design with such covenants.
- c. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

(Cr O' Neill re-enters the room 6.50pm )

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**2. DEVELOPMENT APPLICATION 10.2024.140.1 – SHED LOT 184 DP753339 - 93 MARGARET STREET, GEROGERY WEST**

**6775 RESOLVED**

[ Cr. Hicks / Cr. Lindner]

That Council approve the development application with the 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 commenced prior to the date on which the consent would otherwise lapse.

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

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

**3 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 6036 0100.

**4 Appointment of a Principal Certifier**

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

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

**5 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.

**6 Erosion and Sedimentation Control**

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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.

**7 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 Council.

**8 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 \$1500 on the spot fine may be issued for non-compliance with this condition.

**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.**

**9 Occupation Certificate Required**

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either a part Occupation Certificate or whole 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 or Construction Certificate.

**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 Council or an accredited certifier.**

**10 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.

**11 Compliance with the National Construction Code (NCC)**

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All building work must be carried out in accordance with the provisions of the NCC. 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).

**12 Use of Building**

The building shall not be used for industrial or commercial purposes, any prohibited uses outlined in the Local Environmental Plan 2012 or human habitation without further consideration by Council.

**13 Critical Stage Inspections**

In accordance with Section 6.5 of the Environmental Planning and Assessment Act 1979 the Principal Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 109E(3)(d) Environmental Planning and Assessment Regulation 2000.

**Note: A \$1500 on the spot fine may be issued for failing to request the Principal Certifying Authority to undertake the above inspections.**

**14 Stormwater Disposal**

All stormwater shall be directed to the existing stormwater disposal system or alternatively to the stormwater connection point at the front north/western corner of the lot.

**15 Construction - Hours of Work**

All construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- a. Mondays to Fridays, 7.00am to 6.00pm
- b. Saturdays, 8.00am to 1.00pm
- c. No work is permitted on Sundays and Public Holidays.

Construction works that are carried out in the open that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties is to be restricted to the above hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines.

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

**16 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 3500-2015 and the Local Government Act 1993 and Local Government (General) Regulations, 2005, the Plumbing & Drainage Act 2011 and Plumbing & Drainage Regulations 2017.

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**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.

- 17 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).
- 18 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.
- 19 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.
- 20 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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- 21** 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.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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3. **PLANNING PROPOSAL TO AMEND GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 – REZONING OF PART LOT 2 DP 801591, FROM RU4 TO RU5 VILLAGE, WITH A REDUCTION OF THE MINIMUM LOT SIZE FROM 8 HA TO 600 M<sup>2</sup> AT 197 URANA ROAD NSW 2642.**

**6776                    RESOLVED** [ Cr. Quinn / Cr. O'Neill ]

**That Council:**

1. In accordance with Section 3.34(1) of the Environmental Planning and Assessment Act 1979 Council request a Gateway Determination from the Department of Planning and Environment.
2. Request the applicant to amend the flood impact assessment in line with the advice received from Council's Engineering Department prior to seeking the Gateway Determination.
3. Upon receipt of a Gateway Determination, Council place the Planning Proposal on public exhibition pursuant to any requirements of the determination and Section 3.34(2) of the Environmental Planning and Assessment Act 1979.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	



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**4. AMENDMENT TO GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING & MINIMUM LOT SIZE CHANGES FOR 2028 CULCAIRN-HOLBROOK ROAD AND MORVEN-COOKADINIA ROAD MORVEN**

**6777      RESOLVED      [ Cr. Schilg / Cr. Morton ]**

That:

1. In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 Council resolve to submit to the Department of Planning Housing Infrastructure the planning proposal for changes to the zoning and minimum lot size at 2028 Culcairn-Holbrook Road and Morven-Cookardinia Road, Morven and seek a conditional Gateway Determination.
2. Council resolve to exhibit the planning proposal in accordance with the Gateway Determination.
3. Concurrently with Council advertising a Gateway Determination the proponent is to undertake the Detailed Site Investigation for Council consideration.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**5. REQUEST BY GRANSOLAR GROUP FOR COUNCIL TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FOR THE PROPOSED JINDERA BATTERY ENERGY STORAGE SYSTEM**

**MOTION** [ Cr. Hicks / Cr. Lindner]

In response to the Gransolar Group request for Council to enter in a VPA Council resolves the following:

1. Subject to negotiation of a suitable VPA with Gransolar Group, Council agrees to receive at a rate of \$150 per MWh paid annually increasing with CPI for the operational life of the project.
2. The payment of the contribution to Council under the VPA is made in lieu of a contribution under the Greater Hume Council S7.12 Development Contributions Plan 2023.
3. Gransolar Group be requested to mention the existence of the in principle VPA as a commitment in a statement of commitments.

**6778 RESOLVED** Cr. Quinn / Hooper

1. Seek clarification from the Minister for Planning Housing and Infrastructure.
2. Seek support from REROC to advocate on this matter.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**GOVERNANCE**

**1. RETAIL ENERGY TENDER SMALL SITES**

**6779 RESOLVED** [Cr. Lindner / Cr. Hooper]

That Council

1. participates in the joint REROC small sites' electricity tender,

2. acknowledge that there are extenuating circumstances surrounding the procurement of electricity due to the short validity period of offers (approx. 2-3 days) from electricity retailers where anything longer than this is likely to include a price risk component and as such Council should be excused from the tendering requirements under S55(3)(i) of the LG Act for the procurement of electricity for small tariff sites,

3. delegates the authority to accept or reject the recommended retailer to the General Manager.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**2. GENERAL MANAGER'S LEAVE**

**6780 RESOLVED**

[ Cr. Hick / Cr. Lindner]

That Council, delegate authority under section 377 of the Act to the Mayor to exercise and/or perform on behalf of the Council the following powers.

- 1.To approve the application of leave by the General Manager.
- 2.To Appoint a Director as an Acting General Manager from time to time as might be required by the absence of the General Manager.
- 3.In accordance with the delegations that leave for the General Manager be approved and the Director of Engineering, Greg Blackie, is appointed to act in the position of General Manager

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**ENGINEERING**

**1. ACTIVE TRANSPORT FUND – AUSTRALIAN GOVERNMENT**

**6781      RESOLVED**                      [ Cr. Hicks / Cr. Schilg ]

That Council approve the lodging of the following applications for funding under the Federal Government Active Transport Program:

1. Burrumbuttock Walking Path – Completing the Loop. Total Cost \$757,295
2. Culcairn Golf Course Walking Path Total Cost \$430,366
3. Henty CBD to Recreation Reserve Shared Path Total Cost \$695,179

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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(7.14pm Cr. Hicks left the room)

**2. JELBART ROAD CONSTRUCTION PROJECT UPDATE – TREE MANAGEMENT**

**6782 RESOLVED**

[Cr. O'Neill / Cr. Morton ]

That:

1. Council proceeds with the project with inclusion of \$128 K of additional guard rail and retain 18 additional trees from the originally proposed design
2. Arrange for tree removal to occur and tendering of project as soon as possible

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Morton O'Neill Parker Quinn	Schilg Lindner	Liston	Hicks

( 7.16pm Cr Hicks Re-entered the room)

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**3. LRCIP ROUND 4 – PROPOSED PROJECT SUBSTITUTION**

**6783 RESOLVED** [ Cr. Hicks / Cr. Lindner]

That Council reallocate funding of \$230,000 currently allocated to the construction of the Burrumbuttock Recreation Ground Community Facility under the LRCIP program Round 4 to the sealing of the roads in the Brocklesby Recreational Ground around the football / community rooms, playground and tennis netball courts.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

**4. SUPPORT FOR HENTY HERITAGE MUSEUM**

**6784 RESOLVED** [ Cr. Schilg / Cr. Hooper]

That Council provide a letter of support including in principle support for the construction of a Header Museum at Bicentennial Park at Henty

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**5. PROVISION OF FOOTPATH, BALFOUR STREET CULCAIRN**

**6785 RESOLVED**

[ Cr. O'Neill / Cr. Lindner]

That Council approve the proposed construction of Footpath on Balfour Street Culcairn (McBean St to Stock Route):

1. Adopt the scheme as detailed and arrange for construction to proceed for proposed footpath construction on Balfour St Culcairn.
2. The landowner to be notified of the intention to proceed with the scheme as previously advised.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	



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**OFFICERS' REPORTS – PART B – TO BE RECEIVED AND NOTED  
CORPORATE AND COMMUNITY SERVICES**

**1. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 30 NOVEMBER 2024**

**6786 RESOLVED**

[Cr Hicks / Cr Lindner]

That Council receives and notes the Investment Balances Report for the month of November 2024.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**ENGINEERING**

**1. UPDATE ON FUNKS PIT REHABILITATION**

**6787 RESOLVED**

[Cr Hicks / Cr Lindner]

That Council receives and note the report.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**PART C - ITEMS FOR INFORMATION**

**GOVERNANCE**

1. REROC SUBMISSION – COUNCILLOR CONDUCT AND MEETING PRACTICES
2. TOURISM AND PROMOTIONS REPORT – 30 NOVEMBER 2024

**CORPORATE AND COMMUNITY SERVICES**

1. GREATER HUME LIBRARY SERVICES
2. STATEMENT OF BANK BALANCES AS AT 30<sup>TH</sup> NOVEMBER 2024

**ENGINEERING**

1. NOVEMBER REPORT OF WORKS

**ENVIRONMENT AND PLANNING**

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF NOVEMBER 2024

**6788 RESOLVED**

[Cr Hicks/ Cr Lindner]

That Part C of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**PART D**

**COMMUNITY MEETING- MINUTES**

**1. CULCAIRN CDC MINUTES 19 NOVEMBER 2024**

**6789 RESOLVED**

[Cr Hicks / Cr Lindner]

That Part D of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hooper Hicks Lindner Morton O'Neill Parker Quinn Schilg		Liston	

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**MATTERS OF URGENCY**

Nil

There being no further business, the meeting concluded at 7.26pm

THESE MINUTES WERE CONFIRMED at the Council meeting held on 19<sup>TH</sup> February 2025 at which time the signature hereon was subscribed.

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Cr Lea Parker  
**Mayor**, Greater Hume Council