

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

The meeting opened at 6.00pm.

**IN ATTENDANCE**

Cr Hicks, Hooper, Lindner, Liston, Morton, O’Neill, Parker, Quinn,  
General Manager, Director Engineering, Director Corporate and Community  
Services, Director Environment and Planning, and Executive Assistant.

**PRAYER**

Councillor Liston read a prayer to commence the meeting.

**ACKNOWLEDGEMENT OF COUNTRY**

The Mayor (Chairperson) 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**

Annette Schilg

**6735 RESOLVED**

[Cr.Liston/ Cr Linder]

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 9 OCTOBER 2024**

**6736 RESOLVED** [Cr Hicks / Cr Quinn ]

That the Minutes of the Ordinary Meeting of Greater Hume Council held at Culcairn on Wednesday 9 October 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
Hicks Hooper Lindner Liston Morton O'Neill Parker Quinn		Schilg	

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**MINUTES OF EXTRAORDINARY MEETING OF COUNCIL HELD ON 22 OCTOBER 2024**

**6737 RESOLVED**

[Cr Hicks / Cr Quinn ]

That the Minutes of the Extraordinary Meeting of Greater Hume Council held at Culcairn on Wednesday 22 October 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
Hicks Hooper Lindner Liston Morton O'Neill Parker Quinn		Schilg	

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**ACTION REPORT FROM THE MINUTES**

Nil

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

Cr Liston gave notice of his intention to declare a Non-Pecuniary Interest in Environment and Planning Report, Item 4, development application 10.2022.205.1 – Torrens title Subdivision - resubdivision of three (3) lots into three (3) Lots on lot 73 & 210 DP 753344 and lot 2 DP 1177279 at 181 Trebleys road Cookardinia NSW 2650

**MAYORAL MINUTE**

Nil.

**NOTICE OF MOTIONS**

Nil.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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

**CORPORATE AND COMMUNITY SERVICES**

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

Auditors join via Zoom, 6.12pm to present the Audit.

**MOTION** [ Cr Hooper,/Cr Morton ]

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 December 2024 Council Meeting detailing any submissions received in respect of Council's audited Financial Statements.

Due to Technical issues the audio was not satisfactory, so an alternate Motion was to defer the item to the December meeting.

**6738 RESOLVED**

To defer the motion December to allow time to resolve the technical issues.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**2. INTERIM 2023/2024 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2024**

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

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

**6739 RESOLVED** Cr Lindner / Cr Morton ]

That the Interim 2023/2024 Quarterly Budget Review be defer to the December meeting for further review.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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ORDINARY MEETING OF GREATER HUME COUNCIL  
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COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**3. POLICY DEVELOPMENT**

**6740 RESOLVED** [ Cr Hicks / Cr Quinn]

That the Greater Hume Council adopt the action with regard to the Policy as detailed in the table below.

Policy Name	Re-adoption/Rescission
Child Safe Policy	Introduction of New Policy
Suspension and Termination of Enrolment Policy	Introduction of new policy
WHS Policy	Re-adoption

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ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**ENVIRONMENT AND PLANNING**

1. **1. PLANNING PROPOSAL TO AMEND GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - REZONING OF PART LOT 2 & 3 OF DP: 1287711 AND LOT 1 DP 1287711 FROM R5 TO RU5 WITH REDUCTION OF MINIMUM LOT SIZE FROM 2HA TO 600M2 AND CHANGES TO THE MINIMUM LOT SIZE OF PARTS OF THE LAND (LOT 2 & 3 DP 12897711) ZONED RU5 FROM 0 M2 TO 600 M2 AT WALLA WALLA ROAD WALLA WALLA NSW 2659.**

**6741 RESOLVED** [ Cr.Quinn / Cr.Hicks]

That Council:

1. receive the report from the Director of Planning and Environment on the Planning Proposal regarding changes to the minimum lot size and rezoning of land on the above site to amend the GHLEP 2012;
2. finalise the Planning Proposal in accordance with Section 3.36(2)(a) of the Environmental Planning and Assessment Act 1979;
3. undertake the necessary tasks to obtain the NSW Parliamentary Counsel's Opinion (PCO) with a request to draft the amendment to the GHLEP 2012;
4. advise submission makers of Council's decision once the GHLEP 2012 amendment has been notified.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**2. PLANNING PROPOSAL TO AMEND THE GREATER HUME LOCAL ENVIRONMENTAL PLAN 2012 - ZONING AND MINIMUM LOT SIZE CHANGES FOR 344, 375 AND 387 MOLKENTIN ROAD AND 111 AND 167 FUNK ROAD JINDERA NSW 2642.**

**6742 RESOLVED** [ Cr. Hicks/ Cr. O'Neill.]

That Council:

1. receive the report from the Director of Planning and Environment on the amended Planning Proposal regarding changes to the minimum lot size and rezoning of land on the above sites to amend the GHLEP 2012;
2. request the Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the GHLEP 2012;
3. advise submission makers of Council's decision once the GHLEP 2012 amendment has been notified;
4. request the proponent of the Planning Proposal to develop a detailed site-specific Development Control Plan (DCP) to be inserted into the Greater Hume Development Control Plan 2013 for the sites subject to the Planning Proposal before the land can be 'released' for subdivision, at their cost and in conjunction with the advice received from Council.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
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ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

3. **DEVELOPMENT APPLICATION 10.2024.83.1-DWELLING HOUSECONSTRUCTION OF A SINGLE STOREY DWELLING INCLUDING ATTACHED GARAGE – LOT 13 DP 753764 AT WALLA WALLA WEST ROAD, WALLA WALLA NSW 2659.**

**6743 RESOLVED** [ Cr.O'Neill / Cr.Morton]

That Council:

1. Approve Development Application No. 10.2024.83.1 on Lot 13 DP 753764 at Walla Walla West Road, Walla Walla NSW 2659 for "Dwelling House - construction of a single storey dwelling including attached garage" 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.

**PRESCRIBED CONDITIONS OF CONSENT**

Section 69: Compliance with *Building Code of Australia* and insurance requirements under the Home Building Act 1989

Section 70: Erection of signs

Section 71: Notification of *Home Building Act* 1989 requirements

Section 75: Fulfilment of BASIX commitments

Please refer to the NSW State legislation for full text of the above Sections under Part 4

Division 2 of the *Environmental Planning and Assessment Regulation 2021*.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**Part A – GENERAL CONDITIONS**

**1. Residential- 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 received and subject to the following conditions.

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

**Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.**

**PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**2. Residential - Section 7.12 Contribution**

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and the Greater Hume Shire Council Section 7.12 Development Contributions Plan, a contribution of **\$ 4000.00** must be paid to Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the Greater Hume Shire Council Section 7.12 Development Contributions Plan.

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

**3. ALL - Payment of Long Service Levy**

Prior to the issue of a Construction Certificate any Long Service Levy payable under Section 34 of 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) must be paid and a receipt of the payment submitted to Council).

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**4. ALL - Section 68 Application**

An application under Section 68 of the Local Government Act 1993 must be lodged with Council via the NSW Planning Portal (**application fees apply**) and approved prior to the following works commencing on the site:

- 1 To carry out sewerage work in accordance with **Part B** of Section 68 of the Local Government Act 1993.
- 2 Operate a system of sewage management (within the meaning of section 68A) in accordance with **Part C** of Section 68 of the Local Government Act 1993.

Once the Section 68 approval has been granted, before any sanitary plumbing and drainage work or water supply work (up to the point of connection) is commenced, a Notice of Work (NoW) must be submitted to Council 48 hours **prior to works commencing**.

**Reason: To comply with the Local Government Act 1993 and to ensure the installation of plumbing and drainage work is in accordance with Australian Standards and the Plumbing Code of Australia.**

**PART C – BEFORE BUILDING WORK COMMENCES**

**5. ALL - Construction Certificate**

An application for a Construction Certificate must be **submitted to and approved by a nominated Certifier** prior to any building works taking place on the subject site. The application for Construction Certificate must be lodged via the NSW Planning Portal.

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

**6. ALL - Appointment of a Principal Certifier**

In accordance with Section 6.6 (1) and (2) (a) of the Environmental Planning and Assessment Act 1979, prior to the commencement of any works the person having benefit of the development consent must:

- a. appoint a Principal Certifier,
- b. notify Council of the appointment; and
- c. a notice of commencement is to be provided to Council not less than two (2) days from the date on which it is proposed to commence work associated with this Development Consent.

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

**7. Residential Vehicular Crossover/ Road Opening Permit**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

New 'rural type driveway crossover' (onto Walla Walla West Road) to be constructed to Council specifications. All works associated with the vehicle crossover shall be inspected by Council's Engineering Department prior to any pouring of concrete. A Road Opening Permit will only be issued upon completion of "Road Opening Permit Application" and payment of the fee applicable.

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

**8. ALL - Erosion and Sedimentation Controls**

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 the NSW Department of Environment and Conservation "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.**

**9. ALL - Temporary Water Closet**

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 BUILDING WORK**

**10. ALL - 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.

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

**11. ALL - Noise, Vibration and Dust Management Requirements**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

The Applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq 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 protect the amenity of the neighbourhood during construction**

**12. ALL - Vehicles During Construction**

Vehicles must be clean and free of debris prior to leaving the site. 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.**

**13. ALL - 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.**

**13. Residential - Construction Site Management**

While works are being carried out:

- a) A garbage receptacle must be provided at the work site and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of waste.
- b) Building materials and equipment must be stored wholly within the site. No building materials, sand, waste materials, construction equipment, bulk bins, waste skips, containers, or other items which may cause a hazard to pedestrians are to be placed on the footpath, roadway or nature strip while building works are being carried out.

**Reason: To comply with the Protection of the Environment Operations Act 1997 and to preserve the environmental health and amenity of the adjoining area.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**14. ALL - 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, 2021*, the *Plumbing & Drainage Act 2011* and *Plumbing & Drainage Regulations 2017*.

**Reason: To comply with the relevant provisions outlined in the Local Government Act 1993 and the Plumbing & Drainage Act 2011.**

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ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**4. DEVELOPMENT APPLICATION 10.2024.76.1 – TORRENS TITLE SUBDIVISION - RESUBDIVISION OF THREE (3) LOTS INTO THREE (3) LOTS ON LOT 73 & 210 DP 753344 AND LOT 2 DP 1177279 AT 181 TREBLEYS ROAD COOKARDINIA NSW 2650.**

Cr Liston left the room declaring an interest 6.24

**6744 RESOLVED** [ Cr. Hicks/ Cr.Lindner]

That Council;

Approve Development Application No. 10.2024.76.1 at 181 Trebleys Road Cookardinia NSW 2650 on Lot 73 & 210 DP 753344 and Lot 2 DP 1177279 for resubdivision of three (3) lots into three (3) lots 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.

**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 all conditions and requirements outlined in the General Terms of Approval from NSW Rural Fire Service and dated Friday 26 July 2024, that are attached and form part of this consent.

**Reason: To ensure compliance with NSW Rural Fire Service conditions of consent.**

**3. 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



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

**4. 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.**

**5. Vegetation Removal**

There must be no clearing of any vegetation (including within Council's road reserve) within the development site other than the vegetation that has been assessed under the Test of Significance (ToS); Version 2: Dated 29 September 2024 and prepared by Steve Hamilton. Temporary fencing must be placed around any other trees where any subdivision works are proposed within the drip line of the tree. The fencing must be in accordance with Australian Standard AS 4970-2009 '*Protection of Trees on Development Sites*' to ensure no interference occurs, with this fencing extending to the extent necessary to ensure there is no damage to the roots of the tree. Tree protection fencing must remain in place until the end of construction.

**Reason: To comply with the Biodiversity Conservation Act 2016 and to protect the natural environment.**

**6. Minimise Dust and Noise**

The Applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq 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.**

**7. 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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

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

**8. 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.**

**9. Vehicular Crossover/ Road Opening Permit**

The typical rural driveway crossover to Council specifications must be provided to all proposed allotments. All works associated with the vehicle crossover shall be inspected by Council's Engineering Department prior to any pouring of concrete. A Road Opening Permit will only be issued upon completion of "Road Opening Permit Application" and payment of the fee applicable.

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**10. 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 completed;

**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 and Friday 26 July 2024 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 all individual allotments 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.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**11. 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) No buildings are permitted outside the boundaries of the building envelopes for proposed new "LOT 103" as shown on the "Proposed Subdivision-Holbrook Wagga Road, Cookardinia", Dated 19 March 2023 and drawn by Spiire. The building envelopes must be shown on the final plan of subdivision. Council is to be nominated as the only authority permitted to modify, vary, or rescind the building envelope.
- (ii) Restrict dwelling development and class 10 buildings within 6m of a dwelling, to the building envelope depicted on the plan titled "Subdivision Plan, Drawn by Spiire, Drawing No: 320573\_P03,Version: 03, Sheet 2 of 2, Dated: 19/03/2023"
- (iii) Minimum APZ's applicable to the building envelope are maintained in accordance with Table 4 of the bush fire assessment prepared by "Ember Bushfire Consulting, Ref: Cookardinia JD2.205.23, Dated: 27/5/2024
- (iv) Construction of any dwelling(s) shall comply with a minimum section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019
- (v) Ensure Static Water Supply for firefighting purposes is a minimum of 40,000L

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.**

**12. 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.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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

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

Cr Liston returned to the meeting 6.26pm

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**5. DEVELOPMENT APPLICATION 10.2024.69-1- LARGE DOMESTIC SHED – LOT 4 DP 1035173 WENKE STREET WALLA WALLA**

**6745 RESOLVED** [ Cr.O'Neill / Cr.Quinn]

That Council;

Approve the development application noting the variations to the Greater Hume Development Control Plan 2013.

**APPROVED PLANS**

**1 Compliance with Plans and Conditions**

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

**2 Time Period of Consent**

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

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

**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:

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

- 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**

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.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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)**

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**



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.

**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 contact of insurance in force in accordance with Part 6 of the

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

- 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
Hicks Hooper Lindner Liston Morton O’Neill Parker Quinn		Schilg	

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**6. DEVELOPMENT APPLICATION 10.2024.100.1 – TWENTY-EIGHT (28) LOT TORRENS TITLE SUBDIVISION, EARTHWORKS, ROAD CONSTRUCTION, AND ASSOCIATED CIVIL WORKS IN TWO (2) STAGES – LOT: 31 DP: 1062153 & PART LOT: 30 DP: 1062153 AT URANA ROAD JINDERA AND 1065 URANA ROAD, JINDERA NSW 2642.**

**6746 RESOLVED** [ Cr.Hicks / Cr.Lindner]

That Council;  
Approve Development Application No. 10.2024.100.1 on Lot: 31 DP: 1062153 and PART Lot: 224 DP: 1280394 at Urana Road Jindera and 1065 Urana Road, Jindera NSW 2642 for “for twenty-eight (28) lot Torrens Title Subdivision, earthworks, road construction, and associated civil works in two (2) stages” 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.

The layout must be amended as shown in red on the attached plan (marked as amended by Greater Hume Council), i.e., to provide for the creation of the desired road reserves along the northern boundary of existing Lot 30 DP 1062153, linking to the southern boundary of Lot 4 DP 240938, and their dedication to the Council, as well as the relocation of the retention basin from the road reserve to private property.

Additionally, as part of **Stage 5.2**’ works the applicant must create road reserve to be dedicated to Council from the northern boundary of proposed Lot 5301 along the northern boundary of Lot 5302 and its eastern boundary as shown on the above plan to the southern boundary of existing Lot 31 DP 1062153 linking the northern boundary of existing Lot 2 DP240938.

Commencement of works associated with **‘Stage 5.3**’ is to be deferred until such time as Council completes a flood impact and risk assessment (FIRA). Once the FIRA is completed, the applicant must make the necessary arrangements to comply with the

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

recommendations outlined in the FIRA and with the approved development consent design, to the satisfaction of Council, at no cost to 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.**

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

**2. 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 for each stage:

- a) Internal road resign layout
- b) As part of '**Stage 5.3**' subdivision works the intersection of the proposed new internal access road with Albury-Urana Road shall be designed and constructed as a roundabout intersection treatment in accordance with the Austroads Guide to Road Design for a posted speed limit of 80km/h and designed to cater for an approved B-Double Route.

A strategic design be submitted showing a compliant design with Austroads Guide to Road Design (AGRD) for a B-Double route to TfNSW and Council for approval. TfNSW requirements for strategic designs can be found [Strategic design requirements for DAs - February 2022 \(nsw.gov.au\)](#).

As a minimum the proposed intersection of the new access road with Albury-Urana Road shall be located and maintained so as to comply with the required Sight Distance Criteria for an intersection in accordance with the Austroads Publications for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the works.

The intersection of the new access road with Albury-Urana Road shall be designed and constructed to prevent water from proceeding onto, or ponding within, the carriageway of Albury-Urana Road. Any culvert located within the clear zone of Albury-Urana Road for the posted speed limit shall be constructed with a traversable type headwall.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

The proposed subdivision and internal road network shall be designed to cater for bus access to service the proposed subdivision.

- c) Sewer;
- d) Reticulated water;
- e) Stormwater Management;
- f) Environmental and sedimentation details;
- g) Details of any fill material to be brought on site;
- h) Concrete footpaths (2m wide);
- i) Certified Essential Energy (electricity) plans;
- j) Speed zone;
- k) Street names;
- l) Street lighting;
- m) Indicative details of utilities (telecommunications);
- n) Cost summary report.

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

- The approved **amended layout** (marked as amended by Greater Hume Council).
- Flood Impact and Risk Assessment (FIRA) completed by Council

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

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

**3. 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.**

**4. 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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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 for each stage.

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

**PART C – BEFORE SUBDIVISION WORK COMMENCE**

**5. Subdivision Works Certificate**

An application for a Subdivision Works Certificate must be **submitted to and approved by Council** for each stage 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.**

**6. 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.**

**7. Proposed intersection of the new access road with Albury-Urana Road**

As a minimum the proposed intersection of the new access road with Albury-Urana Road shall be located and maintained so as to comply with the required Sight Distance Criteria for an intersection in accordance with the Austroads Publications for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the works.

**Reason: To ensure compliance with TfNSW conditions of consent.**

**8. Erosion and Sedimentation Controls**

The approved erosion and sedimentation controls must be installed and maintained on

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

**9. 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**

**10. 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.**

**11. 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.**

**12. 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".



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**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.**

**13. 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**

**14. 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.**

**15. 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.**

**16. 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”.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**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.**

**17. 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.**

**18. 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 for each stage.

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

**19. 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.**

**20. 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.**

**21. 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.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**22. 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](#).**

**23. 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.**

**24. 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.**

**25. 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**

**26. Subdivision Certificate**

An application for a Subdivision Certificate must be submitted to and approved by

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

Council for each stage. 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 for each stage 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*.**

**27. Completion of Subdivision Works**

A Subdivision Certificate for each stage cannot be issued prior to the completion of all subdivision works covered by Condition 2 and 3 of this consent and a satisfactory final inspection of the works by Council's Engineering Department for each stage.

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

**28. Development Contribution**

**Section 7.11 Contribution under EP&A Act, Section 64 Contribution under Local Government Act and Landscape Contribution.**

The payment of Section 7.11 Development Contributions in accordance with South Jindera Low Density Residential Precinct Plan, Section 64 sewerage, water headwork charges and landscape contribution fees are applicable and must be paid to Council prior to the release of the Subdivision Certificate for each stage. 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 for each stage is lodged with Council.**

<b>SECTION 7.11 Contribution under EP&amp;A Act</b>		
<b>DEVELOPMENT</b>	<b>STAGE 1 '(5.2)'</b>	<b>STAGE 2 '(5.3)'</b>
<b>ROAD UPGRADE, ADMINISTRATION AND OPEN SPACE</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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

**29. Subdivision Certificate**

An application for a Subdivision Certificate must be submitted to and approved by Council for each stage. 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 for each stage 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*.**

**30. Completion of Subdivision Works**

A Subdivision Certificate for each stage cannot be issued prior to the completion of all subdivision works covered by Condition 2 and 3 of this consent and a satisfactory final inspection of the works by Council's Engineering Department for each stage.

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

**31. Development Contribution**

**Section 7.11 Contribution under EP&A Act, Section 64 Contribution under Local Government Act and Landscape Contribution.**

The payment of Section 7.11 Development Contributions in accordance with South Jindera Low Density Residential Precinct Plan, Section 64 sewerage, water headwork charges and landscape contribution fees are applicable and must be paid to Council prior to the release of the Subdivision Certificate for each stage. 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 for each stage is lodged with Council.**

<b>SECTION 7.11 Contribution under EP&amp;A Act</b>		
<b>DEVELOPMENT</b>	<b>STAGE 1 '(5.2)'</b>	<b>STAGE 2 '(5.3)'</b>
<b>ROAD UPGRADE, ADMINISTRATION AND OPEN SPACE</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

<b>TRUNK SEWER</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>
<b>STORMWATER &amp; DRAINAGE</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>
<b>LANDSCAPE CONTRIBUTIONS</b> (Per block for supply, planting and maintenance of a street tree).	\$200 X <b>16</b> = \$ <b>3,200</b>	\$200 X <b>11</b> = \$ <b>2,200</b>

<b>SECTION 64 Contribution under Local Government Act</b>		
<b>DEVELOPMENT</b>	<b>STAGE 1 '(5.2)'</b>	<b>STAGE 2 '(5.3)'</b>
<b>SEWER (S64)</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>
<b>WATER (S64)</b>	Rate at time of SC lodgement per lot x <b>16</b>	Rate at time of SC lodgement per lot x <b>11</b>

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

**32. Correspondence From Agencies**

Prior to the issue of the Subdivision Certificate for each stage, 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;

**IV. Transport for NSW (Roads)**

- Prior to the release of the Subdivision Certificate for 'Stage 5.3, the applicant must provide evidence to Council outlining the intersection of the proposed new internal access road with Albury-Urana Road has been designed and constructed as a roundabout intersection treatment in accordance with the Austroads Guide to Road Design for a posted speed limit of 80km/h and designed to cater for an approved B-Double Route
- A revised speed zone along Albury-Urana Road has been implemented upon the completion of the roundabout works.
- Prior to the release of the Subdivision Certificate for 'Stage 5.3 any existing vehicular access points or gates to the subject site from Albury-Urana Road with the exception of the proposed new access road shall be removed and the road reserve reinstated to match surrounding roadside landform in accordance with Council requirements.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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

**V. 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;

**VI. 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 all individual allotments 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.**

**33. Street Address Number**

An individual Rural Address Numbers must be assigned to the subject sites. Please contact Council's Engineering Department for more detail.

**Reason: To ensure the allotments are appropriately identified.**

**34. Compaction of Lots**

Prior to the release of the Subdivision Certificate for each stage, the applicant must provide Council with the appropriate evidence outlining the entirety of each allotment 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.**

**35. 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 for '**Stage 5.3**'.

The instrument must contain the following:

- (i) A restrictive covenant over proposed **Lots 5303–5307** inclusive, denying direct vehicular access to the road reserve of Albury-Urana Road
- (ii) Any driveway to proposed **Lot 5307** from the new internal road must be located a minimum of 25 metres from the road reserve of Albury-Urana Road.

The wording of the covenants/restrictions must be to the satisfaction of Council prior

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

**36. 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.**

**37. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services (including all pipes and drainage structures) 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.**

**38. 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 for each stage.

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

**39. 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 for each stage.

- (i) Any driveway to proposed **Lot 5307** from the new internal road must be located a minimum of 25 metres from the road reserve of Albury-Urana Road.



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

**40. 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.**

**41. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services (including all pipes and drainage structures) 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.**

**42. 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 for each stage.

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

**43. 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 for each stage.

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

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.**

**44. 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.**

**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

ORDINARY MEETING OF GREATER HUME COUNCIL  
 TO BE HELD AT  
 COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
 ON WEDNESDAY, 20 NOVEMBER 2024

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**7. DEVELOPMENT APPLICATION 10.2024.36.1- CARAVAN PARK - DEMOLITION OF THE EXISTING SHED AND USE PART OF THE EXISTING SITE AS A CARAVAN PARK - LOT: 3 DP: 716164 AT 131-133, ALBURY STREET HOLBROOK NSW 2644.**

**6647 RESOLVED** [ Cr. Hicks / Cr. Quinn]

That Council resolves to:

1. That the Section 82 objections (subject to receiving concurrence from the NSW Department of Planning & Environment) to contravene the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 be supported by Council.
2. That Council forward the application to the NSW Department of Planning and Environment for concurrence, as required by Section 82(3) of the Local Government Act 1993.
3. That, subject to receiving concurrence, Development Application 10.2024.36.1 – Caravan Park – Demolition of the existing shed and use of part of the existing site as a caravan park on Lot 3, DP 716164, at 131-133 Albury Street, Holbrook NSW, be approved, subject to the conditions contained within the report.

**Part A – GENERAL CONDITIONS**

**1. Industrial/Commercial - 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 and subject to the following conditions. All conditions of consent must be fulfilled at the expense of the applicant.

**Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.**

**2. Occupancy**

**The** owner of a holiday van that occupies a short-term site or camp site must not be permitted to stay in the holiday van for a total of more than 180 days in any 12-month period.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**3. Installation of caravans on dwelling sites**

No more than one caravan should be installed on a single dwelling site

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**4. No Manufactured home(s)**

No manufactured home(s) or relocatable home(s) are to be installed / placed on the subject site at any time.

**Reason: To ensure that the development is carried out as assessed and approved by Council.**

**5. Entrance to the Caravan Park from Library Lane**

The road that forms the entrance to and exit from the caravan park(off Library Lane) must have a carriageway minimum width of 7 metres, and shoulders on each side, allowing traffic to pass in opposite directions. In the case of a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**6. Community Map**

The applicant must create a community map for the camping ground. This community map must include:

- a) notice that the approval is for the operation of a caravan park only
- b) the number of camp sites approved within the caravan park is 12
- c) Site plan of the approved caravan park
- d) the location of flood liable land in the caravan park (Please see attachment regarding location of flood liable land on subject site).

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**7. Visitor Car Parking**

Each visitor car parking space must have at minimum, dimensions of:

- a) 5.4 metres by 2.5 metres, in the case of angle parking, and
- b) 6.1 metres by 2.5 metres, in any other case.

Each visitor parking space must be clearly identified as such.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**8. Internal Road and Access Arrangements**

All access roads, including all passing and parking bays, must have an all-weather sealed or other surface finish specified in the approval for the caravan park, and must be adapted to the topography to allow for adequate drainage and to eliminate excessive grades.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**9. Common Trench(es)**

A common trench may be used for the installation of services in accordance with guidelines set out in AMCORD.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**10. Amenities**

The caravan park must be serviced by water closets, urinals, showers and hand basins at the following rates:

[Dwelling] Sites	Water closets		Urinals	Showers		Hand basins	
	Female	Male		Female	Male	Female	Male
1-25	3	2	1	2	2	2	2

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**11. Facilities for people with disabilities**

The caravan park must be provided with shower, toilet and associated facilities, designed in accordance with AS 1428.1:2021, Design for access and mobility, Part 1: General requirements for access—New building work.

The caravan park must be provided with:

- a. one of each facility for each sex, or
- b. one of each facility for use by both sexes.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

Facilities provided in accordance with this condition may be counted for the purposes of **Condition 10**.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**12. Other Facilities**

All showers and hand basins required by the above conditions must be supplied with hot and cold running water.

A mirror must be provided:

- a. for each hand basin provided, or
- b. if 2 or more hand basins are provided together, for each pair of hand basins.
- c. at least 1 sanitary napkin disposal unit

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**13. Showers and Toilet Facilities**

The shower and toilet facilities provided for the caravan park must be housed in a shower block or toilet block:

- a) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and
- b) that has smooth, hard, durable and water-resistant interior finishes, and
- c) that has shower recesses with tile or other impervious finishes to a height of at least 1.8 metres, and
- d) that has tile or other impervious skirtings around water closet cubicle walls, and
- e) that has tile or other impervious finish around wash basins, and
- f) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and
- g) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**14. Provision of Laundry Tubs**

At least two (2) laundry tubs must be installed in the camping ground. Laundry tubs must be supplied with both hot and cold water.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**15. Provision of Cloth Dryers**

At least one (1) mechanical clothes dryers are required for the camping ground.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**16. Provision of Clothes Line Space**

The caravan park must be provided with clothes line space at the rate of 2 metres of line for each dwelling site, therefore the minimum length of clothes line space to be provided in the caravan park is 24 metres.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**17. Provision of Other Utilities**

The caravan park must be provided with at least one (1) ironing board, electric iron and power point available for connection to electric irons.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**18. Requirements related to the Laundry Facilities**

The laundry facilities provided for the caravan park must be housed in a laundry block:

- a) that has a non-slip floor of tile or other impervious material adequately drained to outlets, and
- b) that has smooth, hard, durable and water-resistant interior finishes, and
- c) that has adequate lighting (both inside and outside) and adequate ventilation at all times, and
- d) that has all its walls, ceilings and floors, fixtures, fittings and appliances maintained in a clean and sanitary condition at all times.
- e) The laundry facilities that are housed in a laundry block must be maintained in a serviceable and safe condition.



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**19. A Register of Occupiers**

A register of occupiers must be kept for the camping ground. Each person who alone occupies a camp site must be registered under this condition. However, if more than one person occupies the same camp site only one such person must be registered (although the other persons may be registered). The register must be available for inspection by any authorised person without cost during normal working hours.

The register must include the following particulars in relation to a person whose occupation of a site is registered under this clause:

- a. the person's name and address,
- b. the dates of arrival and departure of the person,
- c. the site identification of the site occupied by the person,
- d. the registration number (if any) of the moveable dwelling (not including caravan(s), manufactured home(s) or relocatable home(s) which are prohibited to be installed / placed on the subject site at any time), in the case of a campervan.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**20. Agreement with Potential Occupier**

Before the holder of the approval for a caravan park enters into an agreement with a person relating to the person's occupation of a camp site, the holder of the approval must ensure that the person is given written notice of the conditions of occupation. The notice must include the following particulars:

- a. the site identification of the camp site allocated to the person,
- b. the date (if any) on which it is agreed that the person's occupation of the camp site will cease,
- c. in the case of an agreement relating to occupation of a camp site, advice as to the maximum number of days that the person may stay in a moveable dwelling (not including manufactured home(s) or relocatable home(s) which are prohibited to be installed / placed on the subject site at any time) on the site in any 12 month period (being the maximum number provided for by Condition 29 or a smaller number determined by the holder of the approval to operate the caravan park or camping ground),
- d. the rules (if any) of the camping ground,
- e. a telephone number on which the holder of the approval for the camping ground, or his or her agent, may be contacted in the event of an emergency,

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

- f. whether or not pets may be kept in the caravan park and, if so, on what conditions,
- g. the nature and location of the amenities available for use by the person as an occupier of the camp site and the charges, if any, for use of those amenities,
- h. the location of each fire extinguisher, fire hose reel and fire hydrant that is installed within the ground,
- i. if the holder of the approval to operate the caravan park has been notified in writing by the council that any of the land in the caravan park is flood liable land or bush fire prone land, the location of that flood liable land or bush fire prone land within the camping ground,
- j. any other matters affecting the person's occupation of the camp site or use of the caravan park and its amenities.

**Note.** The Residential Parks Act 1998 and the regulations under the Act apply to certain residential tenancy agreements under which the residential premises consist of a moveable dwelling, or a site on which a moveable dwelling is situated, or both.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**21. Use of the Caravan Park**

The caravan park must not be used:

- a. for any commercial purpose other than a caravan park or an associated purpose, or
- b. for the manufacture, construction or reconstruction of moveable dwellings.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**22. Community Map:**

Council must be given a copy of the current community map:

- a. as soon as practicable after any amendment is made to the map, and
- b. at such other times as the Council may reasonably require.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**23. A Copy of the Approval to Operate the Caravan Park**

The holder of an approval to operate a caravan park must ensure that copies of the following documents are readily available for inspection without cost within the camping ground:

- a. the approval for the camping ground,

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

- b. the current community map,
- c. the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.
- b) A copy of the current community map must also be displayed in a prominent position in the camping ground.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

#### **24. Installation of Fire Hose**

Fire hose reels must be installed in the caravan park so that each camp site can be reached by a fire hose. The fire hose reels must be constructed in accordance with AS/NZS 1221:1997, *Fire hose reels* and installed in accordance with AS 2441—2005, *Installation of fire hose reels*.

**The holder of the approval for the caravan park must cause the Council to be given a certificate (a fire hose reel certificate) in relation to the fire hose reels once every calendar year. If a fire hose reel is newly installed, the certificate must be provided within 7 days of the completion of its installation.**

A fire hose reel certificate must state, in relation to each fire hose reel installed in the camping ground:

- a. that the fire hose reel has been inspected and tested by a person (chosen by the holder of the approval) who is properly qualified to carry out such an inspection and test, and
- b. that, as at the date on which the fire hose reel was inspected and tested, the fire hose reel was found to have been capable of performing to a standard not less than that required by the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

#### **25. Other Approvals**

A building must not be erected in the caravan park unless development approval has been granted. No community building is permitted to be erected on a camp site within the camping ground.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**26. Industrial/Commercial - Section 64 Contributions**

Section 64 sewerage headwork charges are applicable and must be paid to Council prior to the release of the Construction Certificate. The fees are charged and calculated in accordance with Council's Adopted Fees and Charges Policy at the time the payment is made with Council. See below:

<b>Contribution Type</b>	<b>\$ value</b>
Section 64 Contributions charges for sewer	\$86,448.00
	<b><u>(As per 2022/2023 Fees &amp; Charges Schedule)</u></b>

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

**27. ALL - Riverina Water Approval**

Riverina water must be contacted regarding potable water approval, meter connection and inspection requirements. The applicant is advised to make an early Application, as there may be water pipes to be built that can take some time.

**To comply with the relevant provisions outlined in the Local Government Act 1993.**

**28. ALL - Section 68 Application**

An application under Section 68 of the [Local Government Act 1993](#) must be lodged with Council via the [NSW Planning Portal](#) (**application fees apply**) and approved prior to the following works commencing on the site:

- a. To carry out sewerage work and stormwater drainage work in accordance with **Part B** of Section 68 of the [Local Government Act 1993](#).
- b. To operate a caravan park in accordance with **Part F** of Section 68 of the [Local Government Act 1993](#).

Once the Section 68 approval has been granted, before any sanitary plumbing and drainage work or water supply work (up to the point of connection) is commenced, a Notice of Work (NoW) must be submitted to Council 48 hours **prior to works commencing**.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**Reason:** To comply with the [Local Government Act 1993](#) and to ensure the installation of plumbing and drainage work is in accordance with Australian Standards and the [Plumbing Code of Australia](#).

**29. Industrial/Commercial - Liquid Trade Waste Agreement**

Liquid Trade Waste Agreement must be concluded with Council prior to the issue of a Construction Certificate for development.

**Note:** a fee on application submission will apply.

**Reason:** To ensure compliance with Greater Hume Council Liquid Trade Waste Regulation Policy.

**30. Full Engineering Plans**

Full Engineering plans in respect to the provision of the following services must be submitted to and approved by Council prior to the commencement of any works on the site and surrounding road reserve;

- Full engineering plans to the width of 7.5 m to widening of Library Lane from Bowler Road intersection to the proposed entrance off Library Lane to the proposed caravan park (Riverina Hotel Parking Area).
- Sewer.
- Fire hose reels (as per Clause 128 of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021).
- Stormwater Management.
- Internal access via Library lane

These plans must be generally in accordance with the approved plan and considered as part of the development application except where amendments are required to be made in accordance with conditions of consent.

These plans must be prepared in accordance with Council's 'Engineering Guidelines for Subdivisions and Development Standards'. The submitted plans must comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021. The above work must be carried out by the applicant no cost to Council

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

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**PART C – BEFORE BUILDING WORK COMMENCES**

**31. ALL - Construction Certificate**

An application for a Construction Certificate must be **submitted to and approved by a nominated Certifier for the installation of the ablution block** prior to any building works taking place on the subject site. The application for Construction Certificate must be lodged via the [NSW Planning Portal](#).

**Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).**

**32. ALL - Appointment of a Principal Certifier**

In accordance with Section 6.6 (1) and (2) (a) of the Environmental Planning and Assessment Act 1979, prior to the commencement of any works the person having benefit of the development consent must:

- a. appoint a Principal Certifier,
- b. notify Council of the appointment; and
- c. a notice of commencement is to be provided to Council not less than two (2) days from the date on which it is proposed to commence work associated with this Development Consent.

**Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).**

**33. ALL - Erosion and Sedimentation Controls**

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 the NSW Department of Environment and Conservation "[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](#).**

**34. ALL - Temporary Water Closet**

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.**

**35. Demolition - Notice of Commencement for Demolition**

At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries**

**PART D – DURING WORK**

**36. ALL - 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.

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

**37. ALL - Noise, Vibration and Dust Management Requirements**

The applicant must undertake measures to minimise dust and noise. The operating noise level of plant and equipment during works must not exceed 5LAeq 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 protect the amenity of the neighbourhood during construction.**

**38. ALL - Vehicles During Construction**

Vehicles must be clean and free of debris prior to leaving the site. 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.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**39. ALL - 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](#).**

**40. Industrial/Commercial - Construction Site Management**

- a) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of waste.
- b) Building materials and equipment must be stored wholly within the site. No building materials, sand, waste materials, construction equipment, bulk bins, waste skips, containers, or other items which may cause a hazard to pedestrians are to be placed on roadway or the nature strip while building works are being carried out.

**Reason: To comply with the [Protection of the Environment Operations Act 1997](#) and to preserve the environmental health and amenity of the adjoining area.**

**41. Demolition**

- a) Any essential service (e.g. water supply, sewer, gas, electricity, stormwater) must be appropriately disconnected/capped from the structure being demolished or removed in accordance with the requirements of the relevant authority.
- b) Demolition must be carried out in accordance with the provisions of AS 2601-2001 – *Demolition of Structures*.
- c) All works removing more than 10 square metres of non-friable asbestos or asbestos containing materials (ACM) must be carried out by a suitably licensed *asbestos* removalist duly licensed with SafeWork NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies. All work must comply with the [Work Health and Safety Regulation 2017](#).

A copy of the relevant licence shall be made available to any authorised Council officer on request within 24 hours.



ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

Clearance Certificate: Upon completion of the demolition/asbestos removal works a duly qualified person is to confirm the site as being free from contamination and determined suitable for future use. This must be to the satisfaction of Council.

Note: Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from NSW EPA.

- d) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
- e) No material is to be burnt onsite.

**Reason: To ensure demolition is carried out in a safe manner and complies with the relevant Australian Standard as well as the requirements of SafeWork NSW and NSW EPA.**

**42. ALL - 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, 2021*, the *Plumbing & Drainage Act 2011* and *Plumbing & Drainage Regulations 2017*.

**Reason: To comply with the relevant provisions outlined in the Local Government Act 1993 and the Plumbing & Drainage Act 2011.**

**43. 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.**

**PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE OR USE OF THE SITE AS A CARAVAN PARK**

**44. ALL - Occupation Certificate**

The applicant must not allow or permit the Ablution block to be occupied or used, until:

- a) All conditions of this consent have been completed in full;

Where a partial Occupation Certificate has been issued, only that part of the building to which the Certificate applies may be occupied or used.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**45. Completion of Work prior to the issue of the Occupation Certificate**

The applicant must completed all works outlined within the consent to use the site as a caravan park prior to applying for the Occupation Certificate for the Ablution block.

- a) An application for an Occupation Certificate has been completed and lodged with the Principal Certifier via the [NSW Planning Portal](#); and
- b) The Principal Certifier has issued an Occupation Certificate.

**Reason: To comply with the Environmental Planning and Assessment Act 1979 and to ensure that the development is carried out as assessed and approved by Council.**

**46. Underground Electricity**

The developer must provide the caravan park with underground electricity, at their own cost. The developer must consult with the relevant electricity provider and must obtain suitable written correspondence/evidence from this provider stating that underground electricity has been provided to the camping ground, or alternatively that final agreement has been made between the underground electricity provider and the developer to provide underground electricity to the camping ground. This written correspondence must be to the satisfaction of Council.

**Reason: To satisfactorily service the camping ground.**

**47. Removal of Garbage from the Caravan Park**

Arrangements must be instituted (a formal agreement with a licenced private waste contractor to service the development) and maintained for the removal of garbage from the caravan park and for the maintenance of garbage receptacles in a clean and sanitary condition at all times.

**Reason: To comply with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.**

**48. Works As Executed (WAE) plans**

Works As Executed (WAE) plans of all infrastructure and services must be provided to Council in both hard and 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 & details of all installed infrastructure.

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

**49. ALL - Plumbing Works Final**

The building shall not be occupied or used until such time Council have issued a Plumbing Final letter confirming that all works have been completed to the satisfaction of Council.

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

NB. This letter is in addition to the final inspection report.

**Reason: To comply with the relevant provisions outlined in the [Local Government Act 1993](#).**

**50. ALL - Certificate of Compliance from Riverina Water**

Prior to the issue of a final plumbing letter, a certificate of compliance from Riverina water for all plumbing works regarding potable water is to be submitted to Council.

**Reason: To comply with the relevant provisions outlined in the [Local Government Act 1993](#).**

**51. ALL - Repair Of Public Infrastructure**

Any damage or deterioration to any Council property including road reserves, or removal of any existing street trees, must be reinstated to its original condition to the satisfaction of Council and at no cost to Council.

**Reason: To ensure any damage to Council infrastructure is rectified.**

**PART F – OCCUPATION AND ONGOING USE**

**52. ALL - Works Adjacent To Boundaries**

- a) The Applicant must ensure the structure (s) form part of this consent does not encroach on the adjoining properties..
- b) No advertising structure(s) of any standard will be permitted to be displayed within (or overhang onto) the road reserve area(s). Note: This area also includes the footpath reserve area.

***NOTE: Rectification work may be necessary if the building is found to encroach on the adjoining property.***

**Reason: To ensure that the development does not encroach.**

**53. Industrial/Commercial - Noise Control**

The emission of noise or vibration associated with the use of the premises including the operation of any mechanical plant and equipment must comply with all standards outlined in the [Noise Policy for Industry 2017](#) (NSW EPA) & [A Guide to the Noise Policy for Industry](#) (NSW EPA).

In the event the use exceeds permitted levels, the person in control of the premises must arrange for an acoustic investigation to be carried out by an accredited acoustic engineer

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

and implement those measures to reduce noise to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

**Reason: To ensure the safe operation of the premises and to protect the amenity of adjoining premises and the surrounding area.**

**54. Structures - Advertising**

No advertising sign(s) shall be erected or displayed on the approved advertising structures without the prior submission of a development application to and approval by Council, unless the proposed signage is consistent with the terms and conditions of exempt development in [Chapter- 3 within the State Environmental Planning Policy \(Industry and Employment\) 2021, Advertising and Signage Exempt Development Codes under the State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) or other relevant legislation at the time.

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

**55. Industrial/Commercial - Vehicle Manoeuvrability, Loading and Unloading**

- a) All loading and unloading associated with the development must be carried out within the site and must not obstruct other properties or adjacent roadways.
- b) All vehicles must enter and exit the site in a forward direction.

**Reason: To ensure such operations do not interfere with use of the adjoining roadway and/or footpath.**

**56. Industrial/Commercial - External Lighting**

All external lighting shall be LED type with shielding and louvers which generally direct light in a downward direction to minimise light spill from the site. Any lighting installed shall comply with Australian Standard AS4282-1997 "*Control of the obtrusive effects of outdoor lighting*".

**Reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area**

**57. Industrial/Commercial - Stormwater – Management of Overland Flow**

The works associated with the development shall ensure that:

- a) water flowing from the property must not be redirected or concentrated to adjoining properties;
- b) all natural water flow from adjoining properties is not impeded or diverted; and
- c) surface and subsurface water flows are not redirected or concentrated onto adjoining properties.

**Reason: To ensure stormwater is adequately and appropriately disposed of from the building.**

ORDINARY MEETING OF GREATER HUME COUNCIL  
TO BE HELD AT  
COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024

**ALL - 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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**8. LICENCE – LOTS 192 & 205 DP 753342, CORNER OF GLENELLEN ROAD AND ORTLIPP ROAD, GLENELLEN (FORMER GLENELLEN SCHOOL SITE) – CROWN LAND**

**6748 RESOLVED** [ Cr.Hicks / Cr.Lindner]

That Council.

Accept the Expression of Interest from Susan Murray to enter into a licence for Lot 192 & 205 DP 753342, corner Glenellen Road and Ortlipp Road, Glenellen for a period of twelve months, commencing 1 November 2024 and terminating 31 October 2025.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**9. DEVELOPMENT APPLICATION 10.2024.137.1 - WASTE/RESOURCE MANAGEMENT FACILITY, INCLUDING SITE REHABILITATION WORKS ON LOT 251 DP 753731 AT WALLA WALLA NSW 2659**

**6749 RESOLVED** [ Cr.Hicks / Cr.O'Neill]

That Council:

1. Receive and note the progress of Council related Development Application - 10.2024.137.1 for the waste/resource management facility, including site rehabilitation works, on Lot 251 DP 753731 at Walla Walla, NSW 2659;
2. Receive a subsequent report once the works related to the application are completed

**PART A - GENERAL CONDITIONS**

1. The Applicant shall carry out the development in accordance with the plans and supporting documentation recommendations and specifications submitted in support of the application including the Statement of Environmental Effect (dated November 2019) and prepared by Greater Hume Council. No structures defined in the Building Code of Australia (BCA) form part of this consent.
2. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, and decommissioning of the development and must implement suitable measures to manage pests, vermin and declared noxious weeds on site.
3. The development shall comply with Section 120 of the POEO Act, which prohibits the pollution of waters.
4. The local community, and in particular the owners of nearby residences, may be kept informed of the progress of the Project. This may include notifications of traffic disruptions and controls, disruption to access to the site and private property, and work required outside of the nominated work hours if required.
5. The Applicant shall ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.
6. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.



**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**7. Limits of Consent**

- a) Waste disposal at the premises must cease three (3) weeks from the date the first load of waste is received at the premises, unless otherwise approved in writing by the Greater Hume Council.
- b) The volume of waste received at the premises must not exceed more than 12,000 tonnes per annum.
- c) Blasting at the premises is prohibited.

**8. Hours of Operation**

Activities at the premises, may only be carried on between Monday to Friday 7.00am to 6.00pm, Saturdays 8.00am to 1.00pm and no operational activities are to occur on Sundays or Public Holidays. The hours of operation may be varied with written consent from the Greater Hume Council.

**PART B - BEFORE WORK COMMENCES**

**9. Required Management Plans**

The following plans shall be prepared and submitted to Council for approval:

- a) Sediment Control Plan;
- b) Bushfire Emergency Management Plan.

Once Council has approved the plan it will form a part of this Development Consent.

The bushfire management plan is to include information on and procedures for:

- a) Vegetation management;
- b) Removal of natural fire hazards, including storm debris and fallen tree limbs from the site;
- c) Appropriate storage of flammable materials;
- d) On-site firefighting resources such as fire extinguishers, fire blankets, hydrants and/or boosters, static water sources, portable pumps, hoses and nozzles;
- e) Providing adequate access for firefighting appliances (e.g. RFS Category 1 Tanker) to and within the facility, including the boundary of the facility for property protection;
- f) Staff training in extinguishing small fires, where safe to do so;

**10. Section 7.12 Contributions Charges**

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and the Greater Hume Shire Council Section 7.12 Development Contributions Plan, a contribution of **\$2204.00** must be paid to Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the Greater Hume Shire Council Section 7.12 Development Contributions Plan.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**11. Security Fence**

The proponent must install and maintain security fencing at a height of 1.8 meters to prevent unauthorised access and stock access to the active landfill site before the works begin and must be kept in place until after the completion of the works

**PART C - DURING BUILDING WORK**

**12. Amenity Impacts**

**a) Noise, Vibration Requirements**

The operating noise level of plant and equipment during works must not exceed 5LAeq 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.

**b) Bunding**

The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the Environment Protection Manual for '*Storing and Handling Liquids: Environmental Protection training manual.*'

**c) Dust Management Requirements**

The Applicant shall:

- implement best management practice, including all reasonable and feasible dust and odour mitigation measures to prevent and minimise dust emissions from operations;
- prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;
- regularly assess air quality monitoring data and relocate, modify, and/or stop operations to ensure compliance with the relevant conditions of this consent
- minimise surface disturbance of the site, other than as permitted under this consent.

**13. Mode of work**

Work during construction being conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.

**14. Traffic & Access**

- a) The Applicant shall keep accurate records of the amount of material imported to and exported from the site and associated traffic movement numbers to and from of the subject site.
- b) The Applicant shall ensure that:
- all vehicles are wholly contained on site before being required to stop;
  - all loading and unloading of materials is carried out on site;
  - all trucks entering or leaving the site with loads have their loads covered; and
  - all vehicles leaving the site are cleaned of dirt, sand, and other materials before

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

they leave the site.

**15. 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](#).

**16. Tree Protection During Work**

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with the relevant requirements of AS 4970 Protection of trees on development sites.

**17. Monitoring and Recording**

The Applicant must keep a legible record of all complaints made and the record must include details of the following:

- the date and time of the complaint.
- the method by which the complaint was made.
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect.
- the nature of the complaint.
- the action taken by the applicant in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the applicant, the reasons why.

The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the Greater Hume Council who asks to see them.

**Telephone complaints line**

The applicant must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in this consent.

The applicant must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**PART D - OCCUPATION AND ONGOING USE**

**18. Signage**

The Applicant shall install all necessary signs in consultation with Council.

*Note: This condition does not apply to any signage identified as exempt or complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

**19. Rehabilitation of the site**

The Applicant shall submit to Council approval a Rehabilitation Plan which includes:

- final landform including contours;
  - depth and source of topsoil layer;
  - test results for topsoil demonstrating that it is free from contaminants;
  - seeding and proposed vegetation planting schedule nominating suitable plant species, maintenance and weed prevention strategies;
- a) soil and sedimentation controls during rehabilitation.

**20. Clean Fill**

Prior to using screened material for the purposes of site rehabilitation of the subject land, the Applicant must ensure that the screened material is deemed suitable for reuse consistent with the provisions of the NSW EPA Excavated Natural Material Order 2014.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**A. REASONS FOR CONDITIONS**

The above conditions have been imposed: -

- i. To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979
- ii. Having regard to Council's duties of consideration under Section 4.15 and 4.17 of the Act
- iii. To improve the amenity, safety and environmental quality of the locality
- iv. Having regard to environmental quality, the circumstances of the case and the public interest
- v. Ensure compatibility with adjoining and neighbouring land uses and built form
- vi. To protect public interest, the environment and existing amenity of the locality.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**GOVERNANCE**

**1. DELEGATION OF AUTHORITY**

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

That Council approve delegation to the General Manager, pursuant to section 377 of the Local Government Act 1993, the functions listed in the respective instrument of delegation attached as (ANNEXURE 10)

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

The Motion having been put was lost and an alternative Motion was moved.

**6750 RESOLVED,** [ Cr O'Neill/ Cr Morton]

To defer to December Council Meeting to;

1. Confirm/Clarify Delegations to the Mayor and
2. Sub Delegations to Officers
3. Confirm that the Legislations are current.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**2. DELEGATION OF AUTHORITY – GENERAL MANAGERS PERFORMANCE REVIEW COMMITTEE**

**6751 RESOLVED** [ Cr.Quinn / Cr.Lindner]

That Council approves 1. The in accordance with Section 23A of the Local Government Act 1993 and the Guidelines on the Appointment and Oversight (as issued by the Office of Local Government) delegations to the General Managers Performance Review Committee the following responsibilities.

- Conduct the Performance Reviews
- Report the findings & recommendations of Reviews of the Council, and
- Development of the Performance Agreement, and
- 2. Confirms that Councillor Matthew Hicks be appointed to the General Managers Performance Review Committee as the General Managers Representative.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**ENGINEERING**

**1. LICENCE – PART LOT 1 DP 571901 29 NIOKA RD JINDERA**

**6752 RESOLVED** [ Cr. Hicks/ Cr.Quinn]

That Council:

1. Accept the Expression of Interest from Kirsty Taylor in the amount of \$16,754.10 per annum, with a CPI increase in years 2 and 3 and to enter in to a Licence over Lot 1 DP 571901 29 Nioka Road Jindera commencing on 21 November 2024 and terminating on 20 November 2027.

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



**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**2. LICENCE – LOT 2 DP 864231 CULCAIRN COMMON, CEMETERY ROAD CULCAIRN**

**6753 RESOLVED** [ Cr.Morton / Cr.O’Neill]

That Council:

Accept the Expression of Interest from La-Mar Ag in the amount of \$1,800.00 per annum, with a CPI increase in years 2 and 3 and to enter in to a Licence over Lot 2 DP 864231 Culcairn Common Cemetery Road Culcairn commencing on 21 November 2024 and terminating on 20 November 2027.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**3. LICENCE – PART LOT 200 DP 1285198 47 HAWTHORN ROAD JINDERA**

**6754 RESOLVED** [ Cr.Lindner / Cr.Morton]

That Council:

Accept the Expression of Interest from Henry and Gayle Lee in the amount of \$3,920.00 per annum, with a CPI increase in years 2 and 3 and to enter in to a Licence over Lot 200 DP 1285198 47 Hawthorn Road Jindera commencing on 21 November 2024 and terminating on 20 November 2027.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**4. LICENCE – PART LOT 5 DP 1281814 HOLBROOK WAGGA ROAD, HOLBROOK**

**6755 RESOLVED** [ Cr. Quinn/ Cr.Hicks]

That Council:

Accept the Expression of Interest from Brett Strong in the amount of \$700.00 per annum to enter in to a Licence over Part Lot 5 DP 1281847 Holbrook Wagga Road, Holbrook commencing on 21 November 2024 and terminating on 20 November 2025.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**5. DEVELOPER PROPOSED ROAD NAMES, JINDERA**

**6756 RESOLVED** [ Cr.Hicks/ Cr.Hooper]

That:

Council rejects "Mickan" for use in this subdivision and accept the previously approved names for gazettal.

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

**6. TENDER TL 02 – 2024/25 DIGHT STREET DRAINAGE AND RECONSTRUCTION (STAGE 1)**

**6757 RESOLVED** [ Cr.Hicks / Cr.O'Neill]

That:

1. The tender submitted by Blueys Plumbin' and Diggin' P/L for tender TL01 2024/2025 for the Dight Street Drainage and Reconstruction (Stage 1) for \$592,172.35 (excl. GST) be accepted.
2. The unsuccessful tenderers be notified.
3. The General Manager and the Mayor be authorised to execute contract documentation with Blueys Plumbin' and Diggin' P/L under the Common Seal of Council.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**7. TENDER TL 01 – 2024/25 SWIFT STREET DRAINAGE AND RECONSTRUCTION  
(STAGES 1 +2)**

**6758 RESOLVED** [ Cr. Morton / Cr.Hooper]

That:

1. the tender submitted by Hutchinson Civil P/L for tender TL01 2024/2025 for the Swift Street Drainage and Reconstruction (Stages 1 and 2) for \$635,709.80 (excl. GST) be accepted.
2. That \$150,000 be re-allocated comprising \$100,000 Dight Street R2R and \$50,000 Jelbart Road R2R.
3. That any project savings be re-allocated back to the Jelbart Road R2R project.
4. the unsuccessful tenderers be notified.
5. the General Manager and the Mayor be authorised to execute contract documentation with Hutchinson Civil P/L under the Common Seal of Council.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**8. ALLOCATION OF PROJECTS TO ACTIVE TRANSPORT PROGRAM**

**MOTION**

Suspend Standing Orders (6.56 pm) [ Cr.O'Neill / Cr, Hooper]

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

**MOTION**

To Resume Standing Orders (7.11pm) [ Cr. Hooper / Cr. Morton ]

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**6759 RESOLVED** [ Cr.O'Neill / Cr.Hicks]

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

1. Jindera – Drumwood Road Only Project \$388k
2. Jindera – Drumwood Road Loop Project \$1.091 Million
3. Holbrook – Young St / Pool Project \$153k
4. Holbrook – Young St / Halford Drive (Low Level Path) \$744k
5. Holbrook - Young St / Halford Drive Project \$1.138 Million
6. Priority be given to alternate towns in the next Round of Funding

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**9. CONSTRUCTION OF SHARED PATH AND CARPARK AT JINDERA ADVENTURE PLAYGROUND.**

**MOTION**

Suspend Standing Orders (7.14pm) [Cr. Lindner / Cr. Hicks ]

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

**MOTION**

Resume Standing Orders (7.24pm) [Cr. Lindner / Cr. Liston ]

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



**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**6760 RESOLVED** [ Cr.Lindner / Cr.O'Neill]

That Council:

1. Reallocate (Carried forward PAMP – Council funds (Footpath funding) of \$193,194, \$45,000 of Sec 7.11 (Old Sec 94 Funding for Jindera Township) for drainage, and urban street and open space, and \$35,000 from savings in Councils Road resealing program for 24/25 (Total of \$273,194) to undertake Stage 1 of the Carpark Works at the Jindera Adventure Playground
2. Carry out a review of the current projects in Councils Section 7.12 Plan and following consideration by Council readvertise a revised 7.12 Plan project program that allocate funds for Stage 2 of the carpark project as a priority project instead of the dog park at a Jindera
3. Tender Stage 1 of the carpark project as soon as practical.
4. If Stage 2 of the carpark works is deemed a priority project, and included in the Sect 7.12 Plan following public advertising and that if enough funds are available that it be considered for inclusion in the 2025/26 Operational Plan as project to be completed

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**ITEM TO BE REFERRED TO CLOSED COUNCIL**

**CORPORATE AND COMMUNITY**

**1. REQUEST TO AMEND WATER CONSUMPTION FOR FEBRUARY 2024 TO JUNE 2024**

**6761 RESOLVED** [Cr. Hicks/ Cr Quinn]

That the consideration of the large water account for assessment 10018752 be referred to Closed Council in accordance with section 10A(2) (b) the personal hardship of any resident or ratepayer.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

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

**GOVERNANCE**

**1. 2023/2024 ANNUAL REPORT AND STATE OF THE SHIRE REPORT**

**6761 RESOLVED** [ Cr.Hicks / Cr.Quinn]

That the Greater Hume Council 2023/2024 Annual Report and State of the Shire Report be received and noted.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**CORPORATE AND COMMUNITY SERVICES**

**1. AUDIT RISK AND IMPROVEMENT COMMITTEE**

**6762 RESOLVED** [ Cr. Hicks / Cr. Quinn]

**RECOMMENDATION**

That Council receive and note the following items:

- a) 12 August 2024 ARIC Meeting Minutes
- b) 12 August 2024 ARIC Chairperson Report
- c) 10 September 2024 ARIC Meeting Minutes
- d) 10 September 2024 ARIC Chairperson Report
- e) 29 October 2024 ARIC Meeting Minutes
- f) 29 October 2024 ARIC Chairperson Report

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**2. 2022/2026 DELIVERY PLAN AND 2024-2025 OPERATIONAL PLAN – REPORT AS AT 30 SEPTEMBER 2024**

**6763 RESOLVED** [ Cr. Hicks / Cr.Quinn]

That Council receive and note the 2022/2026 Delivery Program and 2024/2025 Operational Plan review report to 30 September 2024.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**PART C - ITEMS FOR INFORMATION**

**GOVERNANCE**

1. TOURISM AND PROMOTIONS REPORT – SEPTEMBER 2024

**CORPORATE AND COMMUNITY SERVICES**

1. GREATER HUME LIBRARY SERVICES
2. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 OCTOBER 2024
3. STATEMENT OF BANK BALANCES AS AT 31<sup>ST</sup> OCTOBER 2024

**ENGINEERING**

1. SEPTEMBER AND OCTOBER REPORT OF WORKS

**ENVIRONMENT AND PLANNING**

1. DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF OCTOBER 2024

**6764 RESOLVED**

[Cr Hicks / Cr Quinn]

That Part C of the Agenda be received and noted.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT CULCAIRN COUNCIL CHAMBERS, BALFOUR ST, CULCAIRN  
ON WEDNESDAY, 20 NOVEMBER 2024**

**PART D**

**COMMUNITY MEETING- MINUTES**

1. **AGM MINUTES MULLENGANDRA HALL COMMITTEE 20<sup>TH</sup> FEBRUARY 2024**
2. **GEROGERY HALL COMMITTEE MEETING 26<sup>TH</sup> MAY 20**
3. **GEROGERY HALL COMMITTEE MEETING 30<sup>TH</sup> AUGUST 2024**
4. **WALLA WALLA COMMUNITY HALL MEETING 2 SEPTEMBER 2024**

**6765 RESOLVED**

[Cr Hicks / Cr Quinn ]

That Part D of the Agenda be received and noted.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**CLOSING THE MEETING**

At this Juncture the live stream of the meeting was paused so that the confidential section of the meeting was held in camera at 7.28pm.

**6766 RESOLVED** [Cr Quinn / Cr Hooper]

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. **REQUEST TO AMEND WATER CONSUMPTION FOR FEBRUARY 2024 TO JUNE 2024**

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



**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**ORDINARY MEETING RECONVENED**

**6767 RESOLVED** [Cr Quinn / Cr Hooper]

That the Ordinary meeting be reconvened at 7.30pm for the purpose of determining the reports of the matters dealt with in Committee.

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

- REQUEST TO AMEND WATER CONSUMPTION FOR FEBRUARY 2024 TO JUNE 2024**

**6768 RESOLVED** [ Cr.Quinn / Cr.Hooper ]

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

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY, 20 NOVEMBER 2024**

**MATTERS OF URGENCY**

Nil

There being no further business, the meeting concluded at 7.34pm

THESE MINUTES WERE CONFIRMED at the Council meeting held on 18 December 2024 at which time the signature hereon was subscribed.

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