

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

The meeting opened at 6.00pm

**IN ATTENDANCE**

Cr Quinn (Chairperson), Forrest, Lindner, Meyer, O'Neill, Parker, Schilg and Wilton, General Manager, Director Corporate and Community Services, Acting Director Engineering, Director Environment and Planning, Chief Financial Officer and Executive Assistant.

Councillor Cr Schilg 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**

Nil

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 16 NOVEMBER 2022**

**6358      RESOLVED      [Cr Hicks / Cr Wilton]**

That the Minutes of the Ordinary Meeting of Greater Hume Council held at Culcairn on Wednesday 16 November 2022 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
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

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**ACTION REPORT FROM THE MINUTES**

1. NOTICE OF MOTION – SUPPORT FOR COUNCIL TO ASSIST RELEVANT AUTHORITIES IN TOWNS AND VILLAGES AS A PRECAUTION OF SUMMER WEATHER AND FIRE HAZARDS – MINUTE NUMBER 6019 – Cr Parker requested that the Holbrook Pony Club Crown Reserve land be added to the list in which Council will undertake precautionary action to reduce the risk of summer weather and fire hazards.

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

Nil

**MAYORAL MINUTE**

Nil.

**NOTICE OF MOTIONS**

**6359      WITHDRAWN**

That Councillors be provided with the full list of grant applications and their purpose, name of the grant category, amount and purpose, to which it was applied, and the amount approved for the calendar year 2022

Cr Wilton advised that this motion be withdrawn.

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

### **ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATION 10.2022.193.1 – FORTY-SIX (46) LOT TORRENS TITLE SUBDIVISION INCLUDING A PUBLIC RESERVE, VEGETATION REMOVAL, CONSTRUCTION OF ROADS AND ASSOCIATED CIVIL WORKS. – LOT: 2 DP: 610499 & CROWN PUBLIC ROAD TO THE WEST OF LOT: 2 DP: 610499 AT JINGELIC ROAD HOLBROOK NSW 2644**

**6360 RESOLVED** [Cr Hicks / Cr Schilg]

That Council resolves to:

1. Approve Development Application No. 10.2022.193.1 at Jingelic Road Holbrook NSW 2644 on Lot: 2 DP: 610499 & Crown Public Road to the west of Lot: 2 DP: 610499 for forty-six (46) lot Torrens Title Subdivision Including a public reserve, vegetation removal, construction of roads and associated civil works, 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 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

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*.

#### **GENERAL CONDITIONS WHICH MUST BE FULFILLED**

1. **Compliance with Plans and Conditions**  
The subdivision must be carried out in accordance with the approved development plans, except as modified in red by Council and/or any conditions of this consent. All conditions of consent must be fulfilled at the expense of the Applicant to comply with Council's Engineering Guidelines for Subdivisions and Development Standards in conjunction with advice from Council.

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2. **Protection of Vegetation**

There must be no clearing of any vegetation (including within Council's road reserve) other than the vegetation approved to be removed on the Vegetation Removal Plan; Reversion 1; Drawing No MKR00434-11-C0030; Dated 15/9/2022; Drawn by J.Newell and which have been assessed under the Flora and Fauna Assessment prepared by Biosis and dated 17 November 2022. 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.

3. **Aboriginal Cultural Heritage**

No Aboriginal objects may be harmed without an approval from Heritage NSW under the *National Parks and Wildlife Act 1974*.

If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:

- o Not further harm the object(s);
- o Immediately cease all work at the particular location;
- o Secure the area to avoid further harm to the Aboriginal object(s);
- o Notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au), providing any details of the Aboriginal object(s) and its location;
- o Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the *Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. All reasonable precautions must be taken to prevent damage to Aboriginal objects.

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4. **Contaminated Soil**

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.

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

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

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE SUBDIVISION WORKS CERTIFICATE**

6. **Subdivision Works Plans a Cost Summary Report**

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

- a) Road Design, including intersection at corner of Young Street and Jingellic Road;
- b) Sewer;
- c) Stormwater Management;
- d) Details of any fill material to be brought on site;
- e) Concrete footpaths (1.5m wide);
- f) Certified Essential Energy (electricity) plans;
- g) Street names and street numbering;
- h) Street lighting;
- i) Indicative details of utilities (gas, telecommunications);
- j) Cost summary report.
- k) New Flood Planning Area Map prepared by Cardino

**NOTE: 1- The existing intersection at corner of Young Street and Jingellic Road being upgraded to a Type T Austroads intersection with detail incorporated in the Subdivision Works Plans and upgrading must be undertaken at no cost to Council.**

**NOTE: 1- The Subdivision Works Plans must conform and comply with the requirements outlined in the NSW RFS correspondence.**

Details of where any excavated material is to be stored must be submitted to and approved by Council.

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These plans must be prepared to the satisfaction of Council. The plans must be prepared in accordance with Council's 'Guidelines for Subdivisions and Development Standards' and must be consistent with conditions of this consent. These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

7. **Erosion and Sediment Control Plan**

An Erosion and Sediment Control Plan must be prepared and submitted to Council with the application for a Subdivision Works Certificate. Exposed surface soil must be stabilised as soon as possible to avoid potential erosion and dust issue. Any stockpile of earth on the site must not be higher than 2m. This plan must be approved by Council prior to the release of the Subdivision Works Certificate.

8. **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 prior to the release of the Subdivision Works Certificate.

9. **Long Service Levy**

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

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE COMMENCEMENT OF ANY WORKS**

10. **Subdivision Works Certificate**

A Subdivision Works Certificate must be **submitted to and approved** by Council prior to any subdivision works taking place. The Subdivision Works Certificate must be lodged via the [NSW Planning Portal](#).

11. **Transfer of Crown Public Road**

Prior to the release of the Subdivision Works Certificate Crown Public Road to the west of Lot 2 DP 610499 must be transferred to Greater Hume Council.

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12. **Notification and Appointment of a Principal Certifier**  
Prior to the commencement of any works, the person having benefit of a 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.
13. **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: "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".

**CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS**

14. **Riverina Water - Notice of Requirements**  
A Notice of Requirements must be obtained from Riverina Water prior to the development commencement. The Applicant is advised to make an early Application for the certificate, as there may be water pipes to be built that can take some time.
15. **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.
16. **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.
17. **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.

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**18. 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.

**19. 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.

**20. 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.

**21. Disposal of Waste**

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

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE SUBDIVISION CERTIFICATE**

**22. Subdivision Certificate**

A Subdivision Certificate Application must be submitted to and approved by Council. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#). A fee is payable.

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.

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23. **Section 64 and Landscape Contributions Fees**

The payment of Section 64 sewer headwork charges and landscape contribution fees are applicable and must be paid to Council prior to the release of the Subdivision Certificate. Contributions are calculated per allotment created. The fees will be charged and calculated in accordance with Council's Adopted Fees and Charges.

DEVELOPMENT	STANDARD RESIDENTIAL LOT
<b>SEWER</b>	Rate of 1 ET for 2022 Financial Year= \$4,390.00 X 46 = <b>\$201,940.00</b>
<b>Landscape Contributions Fee -</b> per block for supply, planting and maintenance of a street tree.	\$200 X 46 = <b>\$ 9,200.00</b>

24. **Completion of Subdivision Works**

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by Condition 6 of this consent and a satisfactory final inspection of the works by Council's Engineering Department.

25. **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 have been met;

**(i) Riverina Water - Compliance Certificate**

A Compliance Certificate must be provided confirming satisfactory arrangements have been made for the provision of water prior to issue of the Subdivision Certificate. The certificate must refer to this development consent and all of the lots created.

**Note:** The certificate must clearly state that water service is connected;

**(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) Natural gas**

APA Gas: Certificate of Acceptance;

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**(iv) Telecommunications and Fiber-ready Facilities**

Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for:

- a) the installation of fibre-ready facilities to all individual lots 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.

**(v) Integrated Development - General Terms of Approval**

The Applicant must provide evidence to Council outlining how conditions and requirements outlined in the General Terms of Approval/correspondence from NSW Rural Fire Service have been complied with.

The submitted written correspondence/evidence must be to the satisfaction of Council.

**26. A Safety Fence**

Prior to the release of the Subdivision Certificate a minimum height of 2 m above natural ground level **safety fencing** must be erected. The erection of the fence must be started from the northern boundary of proposed Lot 33 and must run along the eastern boundary of the development site (Lot 2 DP 610499) abutting the Holbrook Golf Course (Lot 2 DP 1267821) to the furthestmost point of proposed Lot 42 as shown on the **Vegetation** Removal Plan; Drawing No MKR00434-11-C0030; Dated 15/09/2022 and drawn by J.Newell.

The "**2m safety fencing**" referred under this condition must be:

- a) constructed of non-combustible materials or hardwood, or if it is constructed of metal components-be of low reflective, factory pre-coloured materials to a height up to a 1.5m above ground level (existing), and the remaining 0.5m must be slatted.

**27. Conveyancing Act 1919 Instruments**

The proponent must submit a copy of an instrument prepared in accordance with the *Conveyancing Act* 1919, with the application for a Subdivision Certificate for Council's endorsement for each relevant stage.

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CONSTRUCTION OF ROADS AND ASSOCIATED CIVIL WORKS. – LOT: 2 DP: 610499 &  
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HOLBROOK NSW 2644 [CONT'D

The instrument must contain the following:

- (i) A restrictive covenant on proposed lots which abut the Holbrook Golf course (Lot 2 DP 1267821) outlining that lot owners and occupiers of the subject land, recognise that they live adjacent to the existing Holbrook Golf Course located on Lot 2 DP 1267821 and Council holds no responsibility for any wayward golf balls which may enter the property.
- (ii) The **safety fence** as required by Condition 27 must be maintained by the owners and occupiers of the respective allotments for the life of the development. Council holds no responsibility for the maintenance/replacement of such fencing.
- (iii) There shall be no removal or disturbance to trees, on proposed new Lots 41 and 40 without the prior written consent of the Council. The restriction must be in favour of Greater Hume Council.

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of the Subdivision Certificate.

**28. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services 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.

**29. Council Property**

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.

**30. 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.

**31. 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.

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

During this period, the developer shall be responsible to remedy any construction defects or omissions in the subdivision works.

Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents.

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

**CONDITIONS HAVE BEEN PLACED ON THE CONSENT FOR THE FOLLOWING REASONS:**

1. To ensure compliance comply with the Biodiversity Conservation Act 2016.
2. To protect Aboriginal heritage and to comply with the National Parks and Wildlife Act 1974.
3. To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979.
4. To protect public interest, the environment and existing amenity of the locality.
5. To improve the amenity, safety and environmental quality of the locality.

**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.

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- c. Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

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

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**2. DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN NSW 2660**

**6361 RESOLVED** [Cr Forrest / Cr Schilg]

That Council resolves to:

- approve Development Application No. 10.2022.205.1 at 24 Hamilton Street Culcairn NSW 2660 on Lot: A DP: 385255 for eight (8) Lot Torrens Title Subdivision in three (3) stages demolition of existing sheds, and associated civil works 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*.

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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**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 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

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*.

**GENERAL CONDITIONS WHICH MUST BE FULFILLED**

**1. Compliance with Plans and Conditions**

The subdivision must be carried out in accordance with the approved development plans, except as modified in red by Council and/or any conditions of this consent. All conditions of consent must be fulfilled at the expense of the Applicant to comply with Council's Engineering Guidelines for Subdivisions and Development Standards in conjunction with advice from Council.

**2. Aboriginal Cultural Heritage**

No Aboriginal objects may be harmed without an approval from Heritage NSW under the *National Parks and Wildlife Act 1974*.

If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:

- o Not further harm the object(s);
- o Immediately cease all work at the particular location;
- o Secure the area to avoid further harm to the Aboriginal object(s);
- o Notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au), providing any details of the Aboriginal object(s) and its location;
- o Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the *Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. All reasonable precautions must be taken to prevent damage to Aboriginal objects.

**3. Contaminated Soil**

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.

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE  
SUBDIVISION WORKS CERTIFICATE**

**4. Subdivision Works Plans and a Cost Summary Report**

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 relevant stage**:

- a) Road Design ("*Future Road*" as shown on the proposed Subdivision Layout) **for 3**;
- b) Road design for Stage 2 showing widening and reconstruction of Hamilton Street, provision of mountable kerb and gutter together with footpath formation are to be constructed along the northern side of Hamilton Street;
- c) Sewer;
- d) Reticulated water;
- e) Stormwater drainage design;
- f) Details of **any** fill material to be brought on site;
- g) Mountable kerb and gutter **for staged 2 and 3**;
- h) Environmental and sedimentation details.
- i) Concrete footpaths (1.5m wide) **for staged 2 and 3**;
- j) Certified Essential Energy (electricity) plans;
- k) Street names and street numbering;
- l) Indicative details of utilities (gas, telecommunications).
- m) Cost summary report.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**Note:1-** Details of the “*Future Road*” as shown on the proposed Subdivision Layout; Dated 19/05/2022, File No 17505 and Sheet 2 of 2 and full details of mountable kerb and gutter, together with footpath formation on one side of “*Future Road*” are to be submitted as part of Subdivision Works Certificate for **Stage 3**.

These plans must be prepared to the satisfaction of Council. The plans must be prepared in accordance with Council's 'Guidelines for Subdivisions and Development Standards' and must be consistent with conditions of this consent. These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

**5. 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 prior to the release of the Subdivision Works Certificate.

**6. Long Service Levy**

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

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE COMMENCEMENT OF ANY WORKS**

**7. Subdivision Works Certificate**

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.

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

Prior to the commencement of any works, the person having benefit of a 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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**9. 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: "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".

**CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS**

**10. 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.

**11. 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.

**12. 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.

**13. 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.

**14. 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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**15. 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.

**16. 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.

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE  
SUBDIVISION CERTIFICATE**

**17. Subdivision Certificate**

A Subdivision Certificate Application must be submitted to and approved by Council for each stage. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#). A fee is payable.

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.

**18. Section 64 and Landscape Contributions Fees**

The payment of Section 64 water and sewer headworks charges and landscape contribution fees are applicable and must be paid to Council prior to the release of the Subdivision Certificate. Contributions are calculated per allotment created. The fees will be charged and calculated in accordance with Council's Adopted Fees and Charges.

<b>Stage</b>	<b>Sewer</b>	<b>Reticulated Water</b>	<b>Landscape Contributions Fee (per block for supply, planting and maintenance of a street tree)</b>
Stage 1	\$4,390.00 X 1 = \$4,390.00	\$3,230.00 X 1 = \$3,230.00	\$200 X 1 = \$ 200.00
Stage 2	\$4,390.00 X 4 = \$17,560.00	\$3,230.00 X 4 = \$12,920.00	\$200 X 4 = \$ 800.00
Stage 3	\$4,390.00 X 3 = \$13,170.00	\$3,230.00 X 3 = \$9,690.00	\$200 X 3 = \$ 600.00

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**19. 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 have been met;

**(i) 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;;

**(ii) Natural gas**

APA Gas: Certificate of Acceptance;

**(iii) Telecommunications and Fiber-ready Facilities**

Certification from an approved telecommunications provider outlining satisfactory arrangements have been made for:

- a) the installation of fibre-ready facilities to all individual lots 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.

The submitted written correspondence/evidence must be to the satisfaction of Council.

**20. Works as Executed Plans**

Works as Executed (WaE) plans of all infrastructure and services 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.

**21. Council Property**

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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE  
SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND  
ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN  
NSW 2660 [CONT'D]

**22. 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.

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

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

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

During this period the developer shall be responsible to remedy any construction defects or omissions in the subdivision works.

Note that the defects exclude general wear and tear due to use, damage caused by inappropriate use, vandalism or traffic accidents.

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

**CONDITIONS HAVE BEEN PLACED ON THE CONSENT FOR THE FOLLOWING REASONS:**

1. To ensure compliance comply with the Biodiversity Conservation Act 2016.
2. To protect Aboriginal heritage and to comply with the National Parks and Wildlife Act 1974.
3. To ensure compliance with the terms of the Environmental Planning and Assessment Act 1979.
4. To protect public interest, the environment and existing amenity of the locality.
5. To improve the amenity, safety and environmental quality of the locality.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

DEVELOPMENT APPLICATION 10.2022.205.1 – EIGHT (8) LOT TORRENS TITLE SUBDIVISION IN THREE (3) STAGES, DEMOLITION OF EXISTING SHEDS, AND ASSOCIATED CIVIL WORKS. – LOT A DP 385255 AT 24 HAMILTON STREET CULCAIRN NSW 2660 [CONT'D]

**ADVICE TO APPLICANT**

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

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

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

3. **DEVELOPMENT APPLICATION 10.2022.225.1 – TWO (2) LOT TORRENS TITLE SUBDIVISION & ASSOCIATED CIVIL WORKS. – LOT 2 DP1179045 AT 116 HALFORD DRIVE HOLBROOK NSW 2644.**

**6362 RESOLVED** [Cr Parker / Cr Wilton]

That Council resolves to:

2. Approve Development Application No. 10.2022.225.1 at 116 Halford Drive HOLBROOK NSW 2644 on Lot 2 DP 1179045 for Two (2) Lot Torrens Title Subdivision & associated civil works 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 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

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](#).

**GENERAL CONDITIONS WHICH MUST BE FULFILLED**

**1. Compliance with Plans and Conditions**

The subdivision must be carried out in accordance with the approved development plans, except as modified in red by Council and/or any conditions of this consent. All conditions of consent must be fulfilled at the expense of the Applicant to comply with Council's Engineering Guidelines for Subdivisions and Development Standards in conjunction with advice from Council.

**2. Protection of Vegetation**

There must be no clearing of any vegetation (including within Council's road reserve).

**3. Aboriginal Cultural Heritage**

No Aboriginal objects may be harmed without an approval from Heritage NSW under the [National Parks and Wildlife Act 1974](#).

If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:

- o Not further harm the object(s);
- o Immediately cease all work at the particular location;
- o Secure the area to avoid further harm to the Aboriginal object(s);
- o Notify Heritage NSW as soon as practical by calling 131 555 or emailing: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au), providing any details of the Aboriginal object(s) and its location;
- o Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

DEVELOPMENT APPLICATION 10.2022.225.1 – TWO (2) LOT TORRENS TITLE  
SUBDIVISION & ASSOCIATED CIVIL WORKS. – LOT 2 DP1179045 AT 116 HALFORD  
DRIVE HOLBROOK NSW 2644 [CONT'D].

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the [Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales](#). All reasonable precautions must be taken to prevent damage to Aboriginal objects.

**CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS**

4. **Riverina Water - Notice of Requirements**  
A Notice of Requirements must be obtained from Riverina Water prior to the development commencement. The Applicant is advised to make an early Application for the certificate, as there may be water pipes to be built that can take some time.
5. **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: "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".
6. **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.
7. **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.
8. **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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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DEVELOPMENT APPLICATION 10.2022.225.1 – TWO (2) LOT TORRENS TITLE  
SUBDIVISION & ASSOCIATED CIVIL WORKS. – LOT 2 DP1179045 AT 116 HALFORD  
DRIVE HOLBROOK NSW 2644 [CONT'D].

9. **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.

**CONDITIONS WHICH MUST BE FULFILLED PRIOR TO THE RELEASE OF THE  
SUBDIVISION CERTIFICATE**

10. **Subdivision Certificate**

A Subdivision Certificate Application must be submitted to and approved by Council. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#). A fee is payable.

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.

11. **Completion of Civil Works and additional correspondence**

Prior to the issue of the Subdivision Certificate the following works must be undertaken and suitable correspondence must be provided to the satisfaction of Council;

- a) The typical rural driveway crossover(s) shall be in accordance with Council's Specifications Drawing. 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" (form attached) and payment of the fee applicable
- b) **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;
- c) **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 lots 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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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DEVELOPMENT APPLICATION 10.2022.225.1 – TWO (2) LOT TORRENS TITLE  
SUBDIVISION & ASSOCIATED CIVIL WORKS. – LOT 2 DP1179045 AT 116 HALFORD  
DRIVE HOLBROOK NSW 2644 [CONT'D].

d) **Riverina Water - Compliance Certificate**

A Compliance Certificate must be provided confirming satisfactory arrangements have been made for the provision of water prior to issue of the Subdivision Certificate. The certificate must refer to this development consent and all of the lots created.

The submitted written correspondence/evidence must be to the satisfaction of Council.

12. **Council Property**

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.

**CONDITIONS HAVE BEEN PLACED ON THE CONSENT FOR THE FOLLOWING REASONS:**

1. To ensure compliance comply with the [Biodiversity Conservation Act 2016](#).
2. To protect Aboriginal heritage and to comply with the [National Parks and Wildlife Act 1974](#).
3. To ensure compliance with the terms of the [Environmental Planning and Assessment Act 1979](#).
4. To protect public interest, the environment and existing amenity of the locality.
5. To improve the amenity, safety and environmental quality of the locality.

**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.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
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DEVELOPMENT APPLICATION 10.2022.225.1 – TWO (2) LOT TORRENS TITLE  
SUBDIVISION & ASSOCIATED CIVIL WORKS. – LOT 2 DP1179045 AT 116 HALFORD  
DRIVE HOLBROOK NSW 2644 [CONT'D].

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

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

## **CORPORATE AND COMMUNITY SERVICES**

### **1. CONFIRMATION OF ORGANISATION STRUCTURE**

**6363 RESOLVED** [Cr Wilton / Cr O'Neill]

That in accordance with Section 333 of the Local Government Act 1993, Council determine its present organisation structure as appropriate for the Council's purposes being:

- (a) General Manager (Senior Staff)
- (b) Director – Corporate & Community Services
- (c) Director – Engineering
- (d) Director – Environment & Planning

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

**ENGINEERING**

**1. 2022 – 2023 CHANGES TO RURAL ROADS PROGRAM OF WORKS**

**6364 RESOLVED** [Cr Schilg / Cr Hicks]

That Council approve the following changes to the Regional Roads budget as detailed.

1. Defer the following 2022/23 Resealing Projects to 2023/24:

Brocklesby Goombargana Road (Ch1720-Ch3758)	\$50,000
Henty Cookardinia Road (Ch9320-Ch12820)	\$105,000
Morven Cookardinia Road (Ch10000-Ch13000)	\$76,000
Burrumbuttock Walla Walla Road (Ch0-Ch3000)	\$73,000
Burrumbuttock Brocklesby Road (Ch10000-Ch12400)	\$66,000
Four Corners Road (Ch0-Ch3950)	\$105,000
Henty Walla Road (Ch8550-Ch12550)	\$115,000
Westby Road (Ch0-Ch11920)	\$270,000
Rodgers Road West (Ch0-Ch1200)	\$40,000
<b>Total</b>	<b>\$900,000</b>

2. And reallocate the funds of \$900,000 to heavy patching on Rural Roads.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

**2. TENDER TL 02 – 2022/23 FERNDALE ROAD RECONSTRUCTION-STAGE 1**

**6365 RESOLVED** [Cr Parker / Cr Wilton]

That:

1. the revised tender submitted by Longford Civil P/L for tender TL02 2022/2023 for the Reconstruction of Ferndale Road – Stage 1 for \$431,865.61 (excl. GST) be accepted.
2. the General Manager and the Mayor be authorised to execute contract documentation with Longford Civil P/L under the Common Seal of Council

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

**3. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM – ROUND 3 UPDATE**

**RECOMMENDATION** [Cr O'Neill / Cr Hicks]

That Council adopt the changes to LRCIP Program Round 3, with the revised projects being:

<b>Projects</b>	<b>Locality</b>	<b>Project Cost</b>
Installation of drainage in Balfour St	Culcairn	\$1,038,380
Public toilet facilities at Burrumbuttock Recreation reserve	Burrumbuttock	\$300,000
Upgrade/Repairs to Jindera Pool	Jindera	\$250,000
Construct Drainage Molkentin Road	Jindera	\$450,000
Gravel Road Resheeting	Various Rural Areas	\$550,000
<b>Total</b>		<b>\$2,588,380</b>

**AMENDMENT** [Cr Lindner / Cr Meyer]

That the Molkentin Road project be deferred and that expenditure be increased for gravel resheeting with the revised projects being

<b>Projects</b>	<b>Locality</b>	<b>Project Cost</b>
Installation of drainage in Balfour St	Culcairn	\$1,038,380
Public toilet facilities at Burrumbuttock Recreation reserve	Burrumbuttock	\$300,000
Upgrade/Repairs to Jindera Pool	Jindera	\$250,000
Construct Drainage Molkentin Road	Jindera	\$0
Gravel Road Resheeting	Various Rural Areas	\$1,000,000
<b>Total</b>		<b>\$2,588,380</b>

On being put to the vote the amendment was lost

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Lindner	Forrest Hicks Meyer O'Neill Parker Quinn Schilg Wilton		

**6366 RESOLVED** [Cr O'Neill / Cr Hicks]

That Council adopt the changes to LRCIP Program Round 3, with the revised projects being:

Projects	Locality	Project Cost
Installation of drainage in Balfour St	Culcairn	\$1,038,380
Public toilet facilities at Burrumbuttock Recreation reserve	Burrumbuttock	\$300,000
Upgrade/Repairs to Jindera Pool	Jindera	\$250,000
Construct Drainage Molkentin Road	Jindera	\$450,000
Gravel Road Resheeting	Various Rural Areas	\$550,000
<b>Total</b>		<b>\$2,588,380</b>

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Meyer O'Neill Parker Quinn Schilg Wilton	Lindner		

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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**4. TENDER TL 12 – 2020/21 MOLKENTIN FLOODWAY AND ASSOCIATED WORKS**

**6367 RESOLVED** [Cr Hicks / Cr Parker]

That:

1. the tender submitted by Hutchinson Civil P/L for tender TL12 2021/2022 for the Molkentin Floodway and Associated Works at \$403,017.40 (excl. GST) be accepted.
2. the unsuccessful tenderers be notified.
3. 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
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**5. ROAD STRATEGY UPDATE 2023 -2027**

**6368 RESOLVED** [Cr Hicks / Cr Wilton]

That

Council endorse the proposed draft Greater Hume Road Strategy 2023 -2027 and take to public consultation prior to referring to a future Council meeting for adoption

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

**ITEMS TO BE REFERRED TO CLOSED COUNCIL**

**ENVIRONMENT & PLANNING**

**1. NORTH MANILLA PETROLEUM PTY LTD V GREATER HUME COUNCIL –  
SERVICE STATION RAILWAY PARADE HENTY**

**6369 RESOLVED**

[Cr Parker / Cr Hicks]

Council resolves to:

1. That the report on class 1 proceedings in the Land and Environment Court be referred to Closed Council in accordance with section 10A(2)(g) of the Local Government Act 1993 as the report deals with advice concerning litigation.

**REASON**

The discussions to be had in relation to this matter deals with litigation and how Council will instruct its legal representative.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

**GOVERNANCE**

1. **JINDERA INDUSTRIAL ESTATE – GENERAL MANAGER’S AUTHORISATION TO SIGN CONTRACTS OF SALE FOR SALE OF LOTS 201 AND 202 DP 1285198 KILNACROTT DRIVE, JINDERA AND SALE OF LOTS 203, 204, 206 AND 207 JARICK WAY, JINDERA AND METHOD OF DISPOSAL TO RESULT IN SALE OF LOT 205 DP 1285198, 33 JARICK WAY, JINDERA**

**6370 RESOLVED**

[Cr Parker / Cr Hicks]

That consideration of the report to result in authorisation for the sale of six allotments and a report outlining a recommendation for the method of disposal of Lot 205 DP 1285198, be referred to the confidential section of the meeting (Closed Council) in accordance with section 10 A (2) (d) (i) commercial information of confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, that would, if disclosed, confer an advantage on a person whom Council is conducting (or proposes to conduct) business and (ii) confer a commercial advantage on a competitor of the council

**REASON**

On balance the public interest in transparency regarding the report is outweighed because the disclosure of this information could compromise the commercial position of the Council.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

Cr O'Neill left the meeting room at 6.26pm

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

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

**1. COMBINED INVESTMENT REPORT – MONTH ENDED 30 NOVEMBER 2022**

**6371 RESOLVED**

[Cr Hicks /Cr Wilton]

That Council receives and notes the Investment Balances Report for the month of November 2022.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

Cr O'Neill re-entered the meeting room at 6.27pm

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

**PART C - ITEMS FOR INFORMATION**

**CORPORATE AND COMMUNITY SERVICES**

1. **GREATER HUME CHILDREN SERVICES - UPDATE**
2. **GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS**
3. **STATEMENTS OF BANK BALANCES AS AT 30 NOVEMBER 2022**
4. **GREATER HUME LIBRARY SERVICES**

**ENGINEERING**

1. **NOVEMBER 2022 - REPORT OF WORKS**

**ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF NOVEMBER 2022**

**6372 RESOLVED**

[Cr Parker/Cr Hicks]

That Part C of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

**PART D**

**COMMUNITY MEETING – MINUTES**

1. GREATER HUME COUNCIL AUDIT, RISK & IMPROVEMENT COMMITTEE
2. MINUTES GREATER HUME COUNCIL AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD ON 8 NOVEMBER 2022
3. HOLBROOK COMMUNITY AND DISTRICT DEVELOPMENT GROUP – 1<sup>ST</sup> NOVEMBER 2022 MEETING
4. MINUTES OF THE WALLA WALLA COMMUNITY DEVELOPMENT COMMITTEE HELD ON MONDAY 26<sup>TH</sup> SEPTEMBER 2022 AT THE WALLA WALLA HALL AT 7 P.M.

**6373 RESOLVED**

[Cr Lindner /Cr Hicks]

That Part D of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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ON WEDNESDAY 21 DECEMBER 2022**

**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 6.37pm.

Members in the public gallery exited the meeting room.

**6374 RESOLVED**

[Cr Parker / Cr Hicks]

That the meeting be closed during the discussion of the items of business referred to the confidential section of the meeting.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

**ORDINARY MEETING RECONVENED**

**6377 RESOLVED**

[Cr Wilton/ Cr Hicks]

That the Ordinary meeting be reconvened at 6.59pm for the purpose of determining the report of the matter dealt with in Committee.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

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

**6378 RESOLVED**

[Cr Wilton / Cr Hicks]

That the foregoing report and recommendation on North Manilla Petroleum Pty Ltd V Greater Hume Council – Service Station Railway Parade Henty and Jindera Industrial Estate – General Manager’s Authorisation To Sign Contracts Of Sale For Sale Of Lots 201 and 202 DP 1285198 Kilnacrott Drive, Jindera and Sale Of Lots 203, 204, 206 And 207 Jarick Way, Jindera And Method Of Disposal To Result In Sale Of Lot 205 DP 1285198, 33 Jarick Way, Jindera from Closed Council (Committee of the Whole) be adopted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Forrest Hicks Lindner Meyer O'Neill Parker Quinn Schilg Wilton			

There being no further business, the meeting concluded at 7.00pm

THESE MINUTES WERE CONFIRMED at the Council meeting held on 15 February 2023 at which time the signature hereon was subscribed.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL  
HELD AT  
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK  
ON WEDNESDAY 21 DECEMBER 2022**

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Cr Tony Quinn  
**Mayor**, Greater Hume Council