

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 21 FEBRUARY 2018**

IN ATTENDANCE: Councillors Wilton (Chairperson), Meyer, Hicks, O'Neill, Osborne, Quinn, Schilg, Stewart and Weston.

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

Cr Osborne offered a prayer to open the meeting.

ACKNOWLEDGEMENT OF COUNTRY

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

At this juncture, the Mayor called for a minute's silence in honour of Austin Hanna, former Holbrook Shire Council councillor and Shire President for a total of 13 years. Mr Hanna passed away last week.

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

Cr Denise Osborne made a verbal declaration of non-pecuniary interest in PART A ITEM 1 INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AT AS 31 DECEMBER 2017. Councillor Osborne is a board member of State Cover Mutual Limited, Council's workers compensation insurer, and Council has recently received a rebate on workers compensation from that organisation.

APOLOGY

Nil.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 20 DECEMBER 2017

4897 RESOLVED [Hicks/Meyer]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Holbrook on Wednesday, 20 December 2017 as printed and circulated be confirmed as a true and correct record of the proceedings of such meeting.

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ACTION REPORT FROM THE MINUTES

Cr Stewart briefly left the meeting room at 6.07 pm, returning at 6.09 pm.

1. QUESTION ON NOTICE – COUNCIL STAFF WORKING IN THE FIELD – WHS ISSUES
Cr Osborne queried the status of the item and whether it should remain on the Action Report. In response General Manager advised that the matter would be revisited and a report presented to the April Council meeting.

2. QUESTION ON NOTICE - DIFIBRILLATORS

Cr Osborne raised the point that the Jindera public swimming pool does not have a defibrillator, and enquired whether other pools in the shire have them. In response Director Environment and Planning advised the meeting that mandatory standard resuscitation equipment which is provided at the 5 pools does not list defibrillators as mandatory equipment.

OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATION 10.2017.127.1 – APPLICATION FOR HIGHWAY SERVICE CENTRE, BUSINESS IDENTIFICATION SIGNAGE, TWO (2) LOT SUBDIVISION & ASSOCIATED INFRASTRUCTURE, HOLBROOK–WAGGA ROAD HOLBROOK**

4898 RESOLVED [Hicks/Quinn]

That application DA2017.127.1 for a highway service centre, associated infrastructure on land at Holbrook-Wagga Road, Holbrook and subdivision and boundary alignment of land described as Lot 18 DP1158310 and Lots 101 and 102 DP817824 be approved subject to the following conditions:

Deferred Commencement Approval

- 1 Council hereby grants a 'Deferred Commencement Approval' for the a highway service centre, associated infrastructure on land at Holbrook-Wagga Road, Holbrook and subdivision and boundary alignment of land described as Lot 18 DP1158310 and Lots 101 and 102 DP817824. In accordance with Section 80(3) of the Environmental Planning and Assessment Act, this development consent will not operate until the following matters have been completed to the satisfaction of Council:
 - a. Evidence is to be supplied to Council that the applicant has obtained an Aboriginal Heritage Impact Permit (AHIP).

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- b. In accordance with Clause 95(3) of the Environmental Planning and Assessment Regulation 2000 the “Deferred Commencement Approval” is valid for a period of Twelve (12) Months from the date of this consent. If Council is not completely satisfied within this time period as to the completion of the above matters, the development application will be “Refused” and a separate notice sent to you.

If the matters listed in the “Deferred Commencement Approval” above are satisfied Council will grant a separate “Operational Approval Conditions” for the development subject to the conditions contained in the notice of determination.

APPROVED PLANS

1 Compliance with Plans & 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 Expiry

This approval shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.

3 Signs – Separate DA Required

No advertising signage with frontage or exposure to the Hume Highway is approved as part of this Development Application. Further Development Application(s) with accompanying detailed information is to be submitted to the consent authority for assessment.

A separate development application for any pylon signs must be submitted to and approved by Council prior to the erection or display of such signs.

Any advertising signage is to be assessed against and comply with the provisions of State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage., and the Department of Planning’s *Transport Corridor Outdoor Advertising and Signage Guidelines* (July 2007). As a minimum the following condition is appropriate but is to be considered in association with the provisions for advertising structures under SEPP64.

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PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate of Final Occupation Certificate by the Principal Certifying Authority.

- 4 Connection to Holbrook Reticulated Sewerage**
Construction details showing how the development will be connected to the Holbrook reticulated sewerage are to be submitted to Council for approval.
- 5 Payment of Development Servicing Contribution**
In accordance with Councils Section 64 contributions plan an assessment of the equivalent tenements per m² for the proposed development reveals that a sewer contribution of \$78,802 is payable.
- 6 Connection to Riverina Water Reticulated Water Supply**
The applicant is to make an application for a certificate of compliance for water supply to Riverina Water and a certificate of compliance is required prior to issue of the construction certificate.
- 7 Screening – 7 Pinnabar Road and 132 Holbrook-Wagga Road**
The applicant is to submit for further approval of the responsible authority details of screening at the fence of 7 Pinnabar Road and 132 Holbrook-Wagga Road. The screening may be in the form of fencing or landscaping, or a combination of both, and must demonstrate that the design can prevent headlight glare from the development to the adjoining dwellings.
- 8 Drainage – Treatment separator device**
Detailed plans shall be provided to Council which indicate type, size and location of proposed separators/pre-treatment devices. This information should include details as to how the retardation basin will be fenced.
- 9 Section 94A Levy Development Contributions**
Prior to the issue of a construction certificate, a receipt for the payment to Greater Hume Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy is calculated at 1% of the cost of development, as determined at the date of this consent. The total contribution to be paid has been calculated at \$83,694.68

NOTE: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI).

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10 Outstanding Long Service Levy Fee

Prior to the issue of a construction certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of Building Works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment.

Payment can be made to Greater Hume Council or direct to the Long Service Levy Corporation.

11 Protection of the Environment Operations Underground Petroleum Storage Systems

The applicant is to submit for approval by the consent authority detailed plans and documentation demonstrating compliance with the relevant provision of the Protection of the Environment Operations Underground Petroleum Storage Systems Regulation 2014.

12 Satisfaction of Noise Assessment Stipulation

The applicant is to submitted updated calculations based on the selected equipment to support and substantiate the Environmental Noise Impact Assessment by Atkin Acoustics Pty Ltd dated July 2017 Report Number 47.7083

13 Pollution Control Valve

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that the design of the stormwater drainage system will contain all pollutants on the property and that all stormwater outlets from the property will contain a vandal resistant remote control valve capable of being closed off from a conspicuous position.

14 Stormwater Drainage Certificate

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;

15 Approval Required Prior to the Issue of Construction Certificate

The following documentation is to be submitted to Council or the Accredited Certifier, prior to the granting of the construction certificate:

- a. Local Government Act Approval Stormwater Disposal System
- b. Plumbing and Drainage Act Approval – Subfloor Drainage

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Note: Some of the RMS conditions are required to be completed prior to construction certificate.

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.

16 Construction Certificate Required

Prior to the commencement of any works, a construction certificate is required to be issued by a Certifying Authority.

Enquiries regarding the issue of a construction certificate can be made to Council on 02) 6029 8588.

17 Appointment of a Principal Certifying Authority

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

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

18 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.

19 Kerb and Gutter Protection

Prior to the commencement of any works on site, the developer shall provide and lay adequate footpath, kerb and gutter protection at all points of entry to the site in accordance with Council's Code of Protection of Footpaths and Erection of Hoardings. This protection shall be maintained in good condition throughout the course of construction.

20 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.

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21 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.

22 Sign During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited,
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours, and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

Note: A \$600 on the spot fine may be issued for non-compliance with this condition.

23 Proposed Sub-floor and Sewer Drainage Plan

A proposed Sub-floor and Sewer Drainage Plan for the service station shall be submitted to and approved by Council prior to the commencement of any such works.

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.

24 Interim/Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

25 Operational Management Plan

The applicant shall provide an Operational Management Plan ("OMP"), setting out the operational matters for each of the tenants within the development. Once the OMP has been endorsed it will form part of this consent.

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26 Completion of landscape works

Prior to the issue of an occupation certificate, evidence must be provided to Council that the landscape works have been completed in accordance with the particulars submitted.

27 NSW Fire Brigade Notification

Prior to the issue of an occupation certificate (Interim or Final), evidence that the NSW Fire Brigade has been notified of the exact location and operational procedures of the proposed stormwater isolation valve to be installed at the subject premises shall be submitted to the Principal Certifying Authority and Greater Hume Council.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Subdivision Certificate.

28 Compliance with conditions

Prior to the issue of a subdivision certificate, the applicant must submit a letter to Council outlining the relevant conditions of consent and how each of the conditions have been implemented and/or satisfactorily addressed.

29 Occupation Certificate

Council will not consent to the issue of a subdivision certificate prior to an occupation certificate for the development being issued by a certifying authority.

30 Subdivision – evidence of supply

Any standard conditions re notice of arrangement and compliance letters from authorities?

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.

31 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.

32 Submission of an Annual Fire Safety Certificate

The owner of any building in which fire safety measures are installed, must cause the Council to be given an annual fire safety statement, within 12 months after the last such statement or final fire safety certificate was issued.

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The certificate shall certify:

- a. that each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule, and
- b. that a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

33 During Construction

During the construction period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building work is to be carried out within the following hours.
 1. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones. No work may be carried out on Sundays or public holidays.

Note: On the spot penalties up to \$1,500 for an individual or \$3,000 for a Corporation will be issued for any non-compliance with this requirement.

34 Noise - Operational

The operation of the development must be carried out in accordance with the recommendations of the *Noise Assessment Highway Service Centre Wagga-Holbrook Road Holbrook* report prepared by Atkins Consulting, Rev 00, dated July 2017.

35 Noise

No external sound amplification equipment or loudspeakers are to be used for the purposes of announcement, broadcast, playing of music, ringing of telephones or similar purpose.

36 Maintenance of Land and Buildings

The finishes of all structures are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

37 Amenity - General

The approved development must not adversely affect the amenity of the neighbourhood in any way, including:

- a. the appearance of any building, works or materials used;
- b. the parking of motor vehicles;
- c. the hours of operation;
- d. electrical interference;
- e. the storage of chemicals, gasses or other hazardous materials; or
- f. emissions from the site.

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38 Storage of Rubbish

Rubbish skips and the like must not be placed or allowed to remain in the view of the public. Offensive odour must not emit from any rubbish receptacle on the site.

39 Lighting

All external lighting of the site, including to parking areas and buildings, must be located, directed, baffled and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.

40 Submit a Trade Waste Application

The applicant is to submit a trade waste application to the Greater Hume Council and upon approval enter into a Trade Waste Agreement with the Greater Hume Council.

Reason: To prevent damage to Council's Waste Water Treatment Works and subsequent pollution of waterways, to comply with the Local Government (General) Regulation 2005 and to satisfy Section 79C(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended.

41 Cross Connection Control or Backflow Prevention Devices

The applicant is to install cross connection control; and/or back flow prevention devices throughout the water supply system, all in accordance with AS/NZS 3500 and the Plumbing Code of Australia.

42 Food Premises

The premises shall comply with the requirements of the Food Act 2003, FSANZ Food Standards Code, and the Australian Standard AS 4674-2004 (Design, Construction and Fit Out of Food Premises) prior to commencement of operations.

43 Notify Council

All food businesses in NSW must either:

- a. Notify the Council of their food activity details; and
- b. Have a nominated Food Safety Supervisor for the premises.

44 Roads and Maritime Services – General Conditions

- a. Pedestrian and vehicular access from the road reserve of the Hume Highway to the development site is to be denied. Appropriate fencing is to be installed to enforce this restriction.
- b. As a minimum a sealed Channelised Right Turn (CHR) and Auxiliary Left Turn (AUL) treatment shall be constructed at the intersection of the proposed access driveway with the Holbrook - Wagga Wagga Road. The intersection treatment is to be designed and constructed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit. As a minimum the design vehicle is to be a B-Double heavy vehicle.

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- c. A Channelised Right Turn -Short (CHR(s)) shall be constructed at the intersection of Pinnabar Road with the Holbrook - Wagga Wagga Road to accommodate the right turn movement from the Holbrook - Wagga Wagga Road to Pinnabar Road. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- d. An acceleration lane shall be provided from the intersection of the proposed driveway with the Holbrook – Wagga Road towards the grade separated interchange on the Hume Highway in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- e. The proposed driveway to the Holbrook - Wagga Wagga Road shall be located and the roadside maintained to provide the required Sight Distance criteria in accordance with the Austroads for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.
- f. As a minimum the proposed driveway shall be constructed as a roadway treatment in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services and shall be sealed from the edge of seal for at least 50 metres from its intersection with the Holbrook - Wagga Wagga Road. As a minimum the design vehicle is to be a B-Double heavy vehicle.
- g. The driveways shall be designed and constructed to accommodate the largest size of vehicle likely to access the subject site. The intersection with the Holbrook - Wagga Wagga Road shall be designed and constructed so that vehicles turning between the development site and the road are not required to cross to the opposing travel lane in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.
- h. Any existing vehicular access driveways to the subject property from the Holbrook - Wagga Wagga Road shall be removed and the road reserve reinstated to match the surrounding roadside landform in accordance with Council requirements.
- i. Signage shall be erected within the development to provide motorists with directions from the development site to the Hume Highway. Signage is to be located on Pinnabar Road north of the development site advising that Pinnabar Road is a no through road.

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- j. The proposed separation of light and heavy vehicles within the site shall be implemented. Appropriate signage and line marking is to be installed and maintained within the subject site to enforce this requirement and provide for direction to motorist for way-finding through the development.
- k. As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 “Off-street car parking”, AS 2890.2-2002 “Off-street commercial vehicle facilities” and the Austroads Guide to Traffic Management Part 11: Parking. The driveways are to be designed and constructed to accommodate the largest size of vehicle likely to access the subject site.
- l. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 “Off-street commercial vehicle facilities” and to Councils satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
- m. Facilities are to be provided within the car park to facilitate safe pedestrian movements throughout the car park. Pedestrian crossing stripes are not to be placed as it resembles to the pedestrian crossing on the road and creates confusion as to who has the priority. Raised pedestrian walkways enhance the visibility of the walkway and the safety of pedestrians.
- n. The development is to be designed and managed to ensure that vehicles do not queue onto the road reserve of the Holbrook - Wagga Wagga Road.
- o. Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
- p. A Full time “No Stopping” restriction is to be implemented along the western side of the Holbrook - Wagga Wagga Road for the full frontage of the subject property to that road prior to commencement of any works.

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- q. All activities including, loading and unloading associated with this development are to take place within the subject site. Fill points for petrol and gas storage are to be located to so that tankers can stand clear of access driveways and not impede vehicular access through the development site. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
- r. Suitable drainage treatment is to be implemented to retard any increased storm water run-off directly from the subject site onto the adjoining road reserve. Any access driveway shall be designed and constructed to prevent water from proceeding onto, or ponding on, the carriageway of the adjoining public road network. Any culvert proposed to be located within the clear zone of the Holbrook - Wagga Wagga Road for the posted speed limit shall be constructed with a driveable type headwall.
- s. Any damage or disturbance to the road reserve of the Hume Highway or to the Holbrook - Wagga Wagga Road is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access driveways to the subject property from the Hume Highway or to the Holbrook - Wagga Wagga Road shall be removed and the road reserve reinstated to match the surrounding roadside landform in accordance with Council requirements.
- t. A management plan to address construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the public road network. Access to the development site shall be from the Holbrook - Wagga Wagga Road only. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- u. Detailed design plans for any proposed works, or works required by a condition of consent, within the road reserve of a classified road are to be submitted to Roads and Maritime Services for approval prior to the commencement of such works. On Classified Roads the geometric design and pavement designs must be in accordance with guidelines adopted by Roads and Maritime Services including the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit.
- v. Any works within the road reserve of a Classified Road requires concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.

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- w. Legal vehicular access shall be provided via the proposed driveway to the development from the Holbrook – Wagga Wagga Road to Lots 101 and 102 DP 817824 and Lot 18 DP 115 8310 or the residue of those allotments following subdivision.
- x. No advertising signage with frontage or exposure to the Hume Highway is approved as part of this Development Application. Further Development Application(s) with accompanying detailed information is to be submitted to the consent authority for assessment.
- y. Works associated with the development shall be at no cost to Roads and Maritime Services.

Reason for Conditions

The above conditions have been imposed:

- (i) to ensure compliance with the terms of the environmental planning instruments;
- (ii) having regard for the requirements of any agency consulted as integrated development;
- (iii) having regard to Council's duties of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, as well as Section 80A which authorises the imposing of the consent conditions; and
- (iv) having regard to the circumstances of the case and the public interest.

DEVELOPMENT APPLICATION 10.2017.127.1 – APPLICATION FOR HIGHWAY SERVICE CENTRE, BUSINESS IDENTIFICATION SIGNAGE, TWO (2) LOT SUBDIVISION & ASSOCIATED INFRASTRUCTURE, HOLBROOK–WAGGA ROAD HOLBROOK

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Meyer O'Neill Osborne Quinn Schilg Stewart Weston Wilton			

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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ON WEDNESDAY, 21 FEBRUARY 2018**

2. DEVELOPMENT APPLICATION 10.2017.166.1 – LANDSCAPE MATERIAL SUPPLIES YARD LOT1 DP 350735 LOT13 DP927736 - 153-155 ALBURY STREET HOLBROOK

4899 RESOLVED [Hicks/Quinn]

Pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 consent be granted to development application 10.2017.166.1 for a landscaping material supply yard on Lot 1 in DP3507354 and Lot 13 DP827736 153-155 Albury Street Holbrook subject to the following conditions:

**PLANNING CONDITIONS
APPROVED PLANS**

1 Compliance with Plans and Conditions

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by a Certifying Authority. The Certifying Authority can be either Greater Hume Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

2 Landscaping Plans

Prior to the issue of a construction certificate, plans for landscaping of the street frontage of Albury Street is to be submitted to Council for approval.

3 Service Provider Requirements

Prior to the issue of a construction certificate, the following service provider requirements shall be submitted to the Certifying Authority:

- a. Riverina Water – A Compliance Certificate from Riverina Water must be obtained. The Notice must be submitted to the Certifying Authority prior to the issue of a Final Occupation certificate.

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.

4 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.

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DEVELOPMENT APPLICATION 10.2017.166.1 – LANDSCAPE MATERIAL SUPPLIES
YARD LOT1 DP 350735 LOT13 DP927736 - 153-155 ALBURY STREET HOLBROOK
[CONT'D]

5 Appointment of a Principal Certifying Authority

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

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

6 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.

7 Sign During Construction

Prior to the commencement of works, a sign must be erected in a prominent position on site during construction:

- a. Stating that unauthorised entry to the work site is prohibited,
- b. Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours, and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

Note: A \$600 on the spot fine may be issued for non-compliance with this condition.

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.

8 Interim/Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

9 Sealing of the Driveway Thorpe and Albury Street

To minimise dust a bitumen seal is to be applied to the first 25 metres (starting at the alignment of the road) of the driveway connecting the development with both Albury Street and Thorpe Street.

10 Landscaping to be Completed

The provision and maintenance of landscaping is required in accordance with the approved landscaping plan.

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DEVELOPMENT APPLICATION 10.2017.166.1 – LANDSCAPE MATERIAL SUPPLIES
YARD LOT1 DP 350735 LOT13 DP927736 - 153-155 ALBURY STREET HOLBROOK
[CONT'D]

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.

11 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.

GENERAL CONDITIONS – DEVELOPMENT PLANNING

12 Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.

**DEVELOPMENT APPLICATION 10.2017.166.1 – LANDSCAPE MATERIAL
SUPPLIES YARD LOT1 DP 350735 LOT13 DP927736 - 153-155 ALBURY
STREET HOLBROOK**

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Meyer O'Neill Osborne Quinn Schilg Stewart Weston Wilton			

3. TRIAL HARD WASTE COLLECTION TO BE CONDUCTED IN CULCAIRN

Cr Schilg left the meeting room at 6.23pm, returning 6.26pm.

Cr Stewart left the meeting room at 6.26pm briefly, returning 6.27pm.

MOTION [Quinn/Osborne]

Council note that the anticipated time frame for completion of the trial hard waste collection for Culcairn township is scheduled to be 21 April 2018.

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TRIAL HARD WASTE COLLECTION TO BE CONDUCTED IN CULCAIRN [CONT'D]

Following discussion on the motion, Cr Osborne withdrew her support for the motion.

At this juncture, Cr Hicks seconded the motion.

MOTION [Quinn/Hicks]

Council note that the anticipated time frame for completion of the trial hard waste collection for Culcairn township is scheduled to be 21 April 2018.

4900 AMENDMENT [Osborne/O'Neill]

That the decision on the hard waste trial collection to be conducted in Culcairn be deferred to the budget process.

ON BEING PUT TO THE VOTE, THE AMENDMENT WAS CARRIED, BECAME THE SUBSTANTIVE MOTION AND ON BEING PUT TO THE VOTE THE MOTION WAS CARRIED.

GOVERNANCE

1. **2017/2018 DELIVERY PLAN – REPORT AS AT 31 DECEMBER 2017**

4901 RESOLVED [Meyer/Hicks]

The report be received and noted.

2. **OFFICE OF LOCAL GOVERNMENT – DRAFT MODEL CODE OF MEETING PRACTICE**

4902 RESOLVED [Hicks/Osborne]

That Council make a submission to the 'Office of Local Government Model Code of Meeting Practice – Consultation Draft' seeking to have clause 5.18 – Webcasting of Council Meetings a non-mandatory clause on the basis that:

1. it potentially has significant cost implications for rural councils where multiple council meeting venues are used and
2. exclude council meetings being held in some communities due to the unavailability of suitable telecommunications infrastructure.
3. include clauses 3.34 to 3.39 are contrary to the openness and transparency of transacting business at meetings.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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3. OFFICE OF LOCAL GOVERNMENT – CONSULTATION DOCUMENT ON THE PROPOSED COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

4903 RESOLVED [Meyer/Hicks]

That a submission be forwarded to the Office of Local Government supporting the proposed Councillor Induction and Professional Development Guidelines but pointing out that it will come at an additional cost to Council.

4. OFFICE OF LOCAL GOVERNMENT – JOINT ORGANISATIONS

General Manager referred to a late Addendum report on the matter due to the release of the regulations, which was emailed to councillors today and a copy provided at the meeting.

Cr O'Neill left the meeting room at 6.46pm, returned 6.48. Cr Stewart left the meeting room at 6.46pm, returned at 6.49. Cr Stewart left the meeting room at 6.50pm, returning at 6.52pm.

4904 RESOLVED [Osborne/Quinn]

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Greater Hume Shire Council resolves:

1. That the Council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - Bland Shire Council
 - Coolamon Shire Council
 - Cootamundra Gundagai Regional Council
 - Greater Hume Shire Council
 - Junee Shire Council
 - Lockhart Shire Council
 - Snowy Valleys Council
 - Temora Shire Council
 - Wagga Wagga City Council.
4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) with a copy of this resolution including the date on which Council made this resolution, and
 - b) inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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5. GENERAL MANAGER'S LEAVE

4905 RESOLVED [Hicks/Schilg]

That the report be received and noted.

6. UPDATE ON THE PROPOSED WALLA WALLA EARLY YEARS CHILDHOOD HUB

4906 RESOLVED [Osborne/Stewart]

That the report be received and noted.

CR WILTON REQUESTED HER OPPOSITION TO THE MOTION BE RECORDED.

7. PROPOSED EXTERNAL REVIEW OF THE STRUCTURE OF THE CORPORATE AND COMMUNITY SERVICES ORGANISATIONAL STRUCTURE

4907 RESOLVED [Hicks/Osborne]

That Council accept the proposal from Blackadder Associates to conduct an external review of the Corporate and Community Services Organisation Structure with an estimated cost not to exceed \$17,000 exc. GST.

8. CULCAIRN FOOTBALL AND NETBALL CLUB INC. – REQUEST FOR LOW INTEREST LOAN

4910 RESOLVED [O'Neil/Stewart]

That:

1. Council provide a loan of \$50,000 over a term of ten (10) years to Culcairn Football and Netball Clubs Inc. to replace the netball courts at the Culcairn Sportsground in accordance with Council's Financial Assistance to Community Groups – Loans Policy.
2. the Culcairn Football and Netball Club Inc. not be required to seek tenders for the replacement of the courts in accordance with section 55 (3) (i) of the Local Government Act, 1993 which states section 55 of the Act does not apply to: *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders* due to the limited time to undertake the works prior to the commencement of the Hume League Football and Netball season on Saturday, 7 April 2018.

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CORPORATE AND COMMUNITY SERVICES

1. **INTERIM 2017/2018 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2017**

4911 **RESOLVED** [Hicks/Schilg]

That Council note and approve the Interim Budget Review Statement as at 31 December 2017.

2. **CROWN LAND MANAGEMENT ACT 2016 - AMENDMENTS**

4912 **RESOLVED** [Osborne/Hicks]

That Council continue to monitor developments in relation to the changes to the Crown Lands Management Act and explore all opportunities to resource a Native Title Manager.

3. **GREATER HUME LIBRARIES MEMBERSHIP AND PARTICIPATION IN LIBRARY PROGRAMS**

4913 **RESOLVED** [Osborne/Schilg]

That Council note the Library & Youth Services Development Officer's intention to work with library staff to formulate a strategy to increase membership and participation in library programs.

4. **POLICY REVIEW - GREATER HUME CHILDREN SERVICES POLICIES**

4914 **RESOLVED** [Osborne/Hicks]

That Council adopt the following *reformatted policies* as follows:

- Assessment approved Policy
- Child Safe Environment policy
- Dealing with Infectious diseases Policy
- Engagement and Registration of Family Day Care Assistants Policy
- Engagement and registration of Family Day Care Educators Policy
- Enrolment and Orientation Policy
- Health and Safety Policy
- Keeping a Register of Family Day Care Educators Policy.

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ENGINEERING

1. **DRINKING WATER MANAGEMENT SYSTEM ANNUAL REPORT 2016-17**

4915 **RESOLVED** [Osborne/Quinn]

That the report be received and noted.

2. **BRIDGE UPGRADES – PROPOSED FIXING COUNTRY ROAD APPLICATION**

4916 **RESOLVED** [Hicks/O'Neill]

That Council endorse the submission of an application to the Fixing Country Road Program for the structural improvement of 13 bridges on regional roads to allow Higher Mass Limit use as detailed.

3. **POLICY DEVELOPMENTS**

4917 **RESOLVED** [Hicks/Weston]

That Council adopt the following reformatted policies:

- Asset Management Policy
- Footway Dining and Temporary Structures on the Footway (Road Reserve) Policy.

4. **REMOVAL OF VEGETATION IN CREEKS**

4917 **RESOLVED** [Osborne/Hicks]

That the report be received and noted.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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ITEMS TO BE REFERRED TO CLOSED COUNCIL

1. COMPULSIVE HOARDING LOT182 DP590967 - 17 WATTLE STREET CULCAIRN

4918 RESOLVED [Meyer/Quinn]

That consideration of confidential personal dealings of the ratepayer be referred to Closed Council in accordance with section 10A(2)(b) "confidential personal dealings" of any resident or ratepayer.

Reason

On balance the public interest in preserving the confidential personal dealings of a resident or ratepayer outweighs the public interest in maintaining openness and transparency in Council decision making at this time.

2. PROPOSED PURCHASE OF A VACANT ALLOTMENT IN HOLBROOK

4919 RESOLVED [Meyer/Quinn]

That consideration of the purchase of a vacant allotment in Holbrook for a potential new health related service be referred to Closed Council in accordance with section 10A(2)(c) 'information that would if disclosed confer an advantage on a person whom Council is conducting (or proposes to conduct) business'.

Reason

On balance the public interest in preserving the confidentiality of Council's potential purchase price outweighs the public interest in maintaining openness and transparency in Council decision making at this time. If Council is successful with the purchase, the purchase price would be disclosed at that time.

3. GENERAL MANAGER – ANNUAL PERFORMANCE REVIEW

4920 RESOLVED [Meyer/Quinn]

That the matter of the General Manager's Performance Review is confidential in nature and that the matter be referred to Closed Council (Committee Of The Whole) for discussion, in accordance with the relevant section of the Local Government Act 1993 section 10a (2)(a) personnel matters concerning particular individuals (other than councillors).

REASON

That the ability of councillors to discuss the performance of the General Manager in a full and frank manner outweighs the need for the report to be discussed in Open Council.

PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. **WORKSHOP/BRIEFING SESSION SCHEDULE 2018**
2. **OFFICE OF LOCAL GOVERNMENT CIRCULARS**
3. **LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS**
4. **TOURISM AND PROMOTIONS OFFICER’S REPORT**
5. **ECONOMIC DEVELOPMENT QUARTERLY REPORT**

CORPORATE AND COMMUNITY SERVICES

1. **CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS**
2. **STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 DECEMBER 2017 AND 31 JANUARY 2018**
3. **HUMAN RESOURCES REPORT FOR DECEMBER 2017 AND JANUARY 2018**

ENGINEERING

1. **DECEMBER 2017 AND JANUARY 2018 REPORT OF WORKS**
2. **WATER & SEWER REPORT – DECEMBER 2017 / JANUARY 2018**

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF DECEMBER 2017 AND JANUARY 2018**
2. **SENIOR WEEDS OFFICER'S REPORT – DECEMBER 2017 AND JANUARY 2018**
3. **RANGER'S REPORTS – DECEMBER 2017 AND JANUARY 2018**

4921 RESOLVED [Meyer/Hicks]

That Part B of the Agenda be received and noted.

PART C – COMMITTEE AND DELEGATE REPORTS

4922 RESOLVED [Meyer/Hicks]

That Part C of the Agenda be received and noted.

MATTERS OF URGENCY

Nil.

CLOSING THE MEETING

At this juncture the Chairperson asked the one person from the press in the gallery to depart.

4923 RESOLVED [7.27pm] [Hicks/Weston]

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

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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COMMITTEE OF WHOLE SECTION

4924 RESOLVED [7.27pm] [Quinn/ Hicks]

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 items of business:

1. **COMPULSIVE HOARDING LOT182 DP590967 - 17 WATTLE STREET CULCAIRN**
2. **PROPOSED PURCHASE OF A VACANT ALLOTMENT IN HOLBROOK**
3. **GENERAL MANAGER – ANNUAL PERFORMANCE REVIEW**

CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

1. **COMPULSIVE HOARDING LOT182 DP590967 - 17 WATTLE STREET CULCAIRN**

RECOMMENDATION [Meyer/Osborne]

Council receive and note the contents of this report.

2. **PROPOSED PURCHASE OF A VACANT ALLOTMENT IN HOLBROOK**

RECOMMENDATION [Hicks/O'Neill]

That Council approve the General Manager to bid at public auction or negotiate directly to acquire a suitable allotment to facilitate the establishment of a health related service to a limit outlined in the February Council meeting Confidential Report – Proposed Purchase of a Vacant Allotment in Holbrook.

At this juncture, all staff left the chamber at 7.45pm.

3. **GENERAL MANAGER – ANNUAL PERFORMANCE REVIEW**

RECOMMENDATION [Quinn/Osborne]

That the Council adopt the General Manager's Annual Performance Review for the six month period ended 31 December 2017.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
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ORDINARY MEETING RECONVENED

4924 RESOLVED [7.49pm] [Osborne/Schilg]

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

COMMITTEE REPORT

The Mayor reported that the Committee of the Whole makes the following recommendations.

RECOMMENDATIONS OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4925 RESOLVED [Osborne/Hicks]

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

There being no further business, the meeting concluded at 7.50pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 21 March 2018 at which time the signature hereon was subscribed.

Cr Heather Wilton,
Mayor - Greater Hume Shire Council