

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

The meeting opened at 6.10pm.

PARTICIPATION VIA ZOOM DUE TO COVID-19:

Councillors Wilton (Chairperson), Meyer, Hicks, Knight, Parker, O'Neill, Quinn, Schilg and Weston, Director Engineering, Director Environment and Planning

IN ATTENDANCE:

General Manager, Director Corporate and Community Services, Financial Controller and Executive Assistant.

Cr Annette Schilg read the prayer to commence the meeting.

ACKNOWLEDGEMENT OF COUNTRY

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

APOLOGY

Nil.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 18 MARCH 2020

5555 RESOLVED [Meyer/O'Neill]

That the Minutes of the Ordinary Meeting of Greater Hume Council held at Lankeys Creek on Wednesday, 18 March 2020 as printed and circulated be confirmed as a true and correct record of the proceedings of such meeting.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

ACTION REPORT FROM THE MINUTES

Nil.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

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

Cr Matt Hicks gave notice of his intention to declare a non pecuniary interest in PART A FOR DETERMINATION - ENVIRONMENT AND PLANNING - ITEM 4 GREATER HUME SHIRE COUNCIL – COUNCIL COMMENTS TO SUBMISSION REPORT AND AMENDMENT REPORT – JINDERA SOLAR FARM.

Cr Matt Hicks gave notice of his intention to declare a non pecuniary interest in PART A FOR DETERMINATION - ENVIRONMENT AND PLANNING - ITEM 5 GREATER HUME SHIRE COUNCIL – COUNCIL COMMENTS TO SUBMISSION REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR FARM.

Cr Heather Wilton gave notice of her intention to declare a non pecuniary interest in PART A FOR DETERMINATION – GOVERNANCE – ITEM 1 GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19).

MAYORAL MINUTE

Nil.

NOTICES OF MOTIONS

Nil.

OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA

5556 RESOLVED [Knight/O'Neill]

In accordance with Section 4.55 of the EP&A Act 1997 Council consent to utilising the provision of Clause 4.6 of the Greater Hume Local Environment Plan 2012 to modify development consent 10.2017.91.3 with the changed conditions shown in italics:

APPROVED PLANS

1 Compliance with Plans and Conditions

The development shall take place in accordance with the approved development plans endorsed DA10.2017.91.1, DA10.2017.91.2 and DA 10.2017.91.3 except as modified in red by Council and/or conditions of this consent.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

2 Time Period of Consent

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

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

3 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. Contract of Insurance or Owner-builder Permit

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

- (i) A contract of insurance that complies with Part 6 of the Home Building Act 1989 is in force in relation to the subject work. A certificate of insurance is to be provided to the other party of the contract; or
- (ii) An owner-builder has a valid owner-builder permit issued by the Department of Fair Trading.

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.

5 Notify Council of Intention to Commence Works

The applicant must notify Council, in writing of the intention to commence works at least two (2) days prior to the commencement of any works on site.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

6 Erosion and Sedimentation Control

Prior to the commencement of any works on site, controls shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

7 Toilet Facility

Prior to the commencement of any works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Greater Hume Council.

8 Sign During Construction

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

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

Note: A \$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.

9 Retaining Walls and Drainage

If soil conditions require it:

- a. Retaining walls associated with the erection/demolition of a building or other approved methods of preventing movement of soil must be provided, and
- b. Adequate provision must be made for drainage.

NOTE 1: A Retaining wall in excess of 600mm in height or within 1m of the lot boundary or an easement is not exempt development under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and requires an approval.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

NOTE 2: Retaining walls which exceed 900mm in height must be designed by a Practising Structural Engineer or installed in accordance with any manufacturer's specification.

REASON: It is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 4.15(1)(b) and (e) of the *Environmental Planning and Assessment Act 1979*, as amended.

10 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.

11 Basix Certification

Prior to the issue of an occupation certificate (whether interim or final), a compliance certificate shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with the commitments identified on approved Basix Certificate.

Should the design of the building alter or the commitments to Basix change, a new Basix Certificate is required to be completed and submitted to the Principal Certifying Authority and the Consent Authority.

12 Drainage Works-As-Executed Plan

Upon completion of installation of all drainage lines, a works-as-executed plan prepared by the licensed plumber/drainer shall be submitted for Council's records.

13 Plumbing Works Final

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

NB. This letter is in addition to the inspection sheet or Certificate of Compliance from Council.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

14 Basix Certificate

The commitments listed in the BASIX Certificate for the dwelling forms part of the development consent and are to be maintained during the life of the dwelling. Where the commitments require replacement, the replacement must be identical to or is at a higher star rating to that listed in the BASIX Certificate.

Note: Where there is any proposed change in the BASIX commitments, the applicant must submit a new BASIX Certificate for the development where the plans and specifications are inconsistent with development consent (see Clauses 145 & 146 of the Regulation). The applicant will be required to submit an amended development application to Council pursuant to Section 4.55 of the Act.

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.

15 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.

16 Compliance with the National Construction Code (NCC)

All building work must be carried out in accordance with the provisions of the NCC. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
 - i. complies with the performance requirements; or
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

17 Use of Garage and Shed

The garage and/or shed shall not be used for industrial, commercial or human habitation purposes without further consideration by Council.

18 Critical Stage Inspections

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

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

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

19 Stormwater Disposal

All stormwater shall be directed to Anvil Road Jindera.

20 Construction - Hours of Work

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

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

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

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

CONDITIONS RELATING TO TORRENS TITLE SUBDIVISION

21 The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2017.91.2 & 3 except where amended by any conditions of this consent.

22 Prior to the issue of a Subdivision Certificate for any lot the applicant shall provide to Council for approval:

- a. Written advice from a suitably qualified person indicating the connection of electricity and telecommunications to each lot.
- b. **Payment of the following Development Servicing Plan (DSP) charges for water and sewer:**
 - (i) Water Supply \$3230.00.
 - (ii) Sewer \$ 4390.00

NB. Contributions are due prior to the release of the Subdivision Certificate and will be calculated or recalculated at the rate applicable under the plans current at the time of payment.

- (i) Written confirmation is required attesting that there is no passage of services across the common boundary.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

- 23** Prior to the issue of a Subdivision Certificate for any lot the applicant shall undertake the following works in accordance with Councils specifications and at the applicant's expense:
- a. Existing water service to service new lot. New water service to be installed by Council to service existing house \$1494.00
 - b. Proposed additional lot to be connected to Jindera Sewerage Scheme. New sewer manhole and sewer main to be installed to service existing house. Easement to be created over new sewer main – 3 metre wide.
 - c. Submit for approval –detailed engineering plans for the construction of the subdivision showing sewer main route, long section and easements.
 - d. Works as executed plans to be submitted on completion of works.
 - e. Existing house drainage (sewer) to be reconnected to new sewer main.
 - f. New driveway crossover to be constructed to Councils Rural Driveway Crossover Specification.
- 24** All easements necessary to ensure the supply of services and access shall be provided.
- 25** No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 26** Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 27** All Stormwater drainage shall be directed to Mitchell Street.
- 28** Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.
- 29** This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 30** During construction, work must be conducted in a manner so as not to be injurious to health and amenity by reason of noise, vibrations, smells, dust, stormwater runoff, sediment loss, placement of building materials and wastes, rubbish, footway interference, traffic generated, hours of operation and the like.
- 31** Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form attached) and payment of the fee applicable when the subdivision certificate is issued.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT
& SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

PRESCRIBED CONDITIONS OF CONSENT

The following conditions are known as “Prescribed Conditions” and are required by the Environmental Planning and Assessment Regulation 2000 to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council’s Development Department who will be happy to advise you as to whether or not the conditions are relevant to your consent.

- 32** All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
- 33** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- 34** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of the Act,
 - in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- 35** A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- showing the name, address and telephone number of the principal certifying authority for the work, and
 - showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work is being carried out and must be removed when the work has been completed.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 10.2017.91.3 – HOUSE EXTENSION, NEW UNIT & SUBDIVISION - LOT 12 DP555506 74 DIGHT STREET JINDERA [CONT'D]

NOTE: This condition does not apply to building work that is carried out inside an existing building that does not affect the external walls of the building.

- 36** Any development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.

NOTE: The condition referred to in sub clause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

2. DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321 AND LOT 6 DP1126643 38 SWIFT STREET HOLBROOK AND 51 HALFORD DRIVE HOLBROOK

5557 RESOLVED [Quinn/Parker]

Pursuant to Clauses 4.16 and 4.17 of the Environmental Planning & Assessment Act 1979 a 2 lot subdivision (boundary adjustment) be approved at Lots 1 DP 717321 and Lot 6 DP 1126643 51 Halford Street Holbrook and 38 Swift Street Holbrook subject to the following conditions of approval:

- 1** The development is to be carried out generally in accordance with the approved plan and accompanying report endorsed DA10.2020.26.1 except where amended by any conditions of this consent.
- 2** All easements necessary to ensure the supply of services and access shall be provided.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

DEVELOPMENT APPLICATION 10.2020.26.1 – 2 LOT SUBDIVISION - LOT 1 DP717321
AND LOT 6 DP1126643 38 SWIFT STREET HOLBROOK AND 51 HALFORD DRIVE
HOLBROOK [CONT'D]

- 3** No trees shall be removed from this land as a result of the subdivision without the written permission of Council.
- 4** Any works associated with this development shall be undertaken in accordance with Council's Soil and Water Management Guidelines for Subdivisions.
- 5** All Stormwater drainage shall be to natural drainage lines.
- 6** Written notice shall be given to Council seven (7) days prior to the commencement of any works associated with the subdivision.
- 7** This consent shall lapse if the development hereby permitted is not physically commenced within five (5) years of the date of consent.
- 8** Subdivision Certificate will only be issued upon completion of "Application for Subdivision Certificate" (form available on Council's website) and payment of the fee applicable when the subdivision certificate is issued.
- 9** Written confirmation is to be provided confirming no services such as private water lines traverse the new common boundary.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

3. MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK

5558 RESOLVED [Hicks/Schilg]

In accordance with Section 4.55 of the EP&A Act 1997 Council consent to the modification of development consent 236-06/07 (DA6-11/12-s96) and change the working hours and allow concrete recycling where the amended conditions are shown in italics:

Administration

- 1** Except as expressly provided by the following conditions, works and activities must be carried out in accordance with the details contained in:
 - (a) the development application 263-06/07 submitted to the consent authority (Greater Hume Shire Council) on 25 June 2007;
 - (b) the Environmental Impact Statement titled *Lubke Quarry Environmental Impact Statement* dated June 2007 (including proposed environmental impact mitigation measures, monitoring and reporting requirements summarised in Section 3.15);
 - (c) all additional documents and information supplied to the consent authority in relation to the development; and
 - (d) the Planning Report submitted with modification application 6-11/12 submitted to the consent authority (Greater Hume Shire Council) on 7 October 2011.
 - (e) the Planning Report submitted with modification application 10.2011.6.3 submitted to the consent authority (Greater Hume Shire Council) on 27 November 2019.
- 2** This consent lapses 20 years from the date from which it operates.
- 3** The applicant shall not extract, process or transport more than 200,000 tonnes of material a year from the quarry site.
 - (a) Notwithstanding Condition 3, for a period not exceeding three (3) years from the date the consent is modified, the extraction of up to 400,000 tonnes of material per annum is permitted.
 - (b) Prior to commencing the increased rate of extraction, the applicant shall provide the consent authority with an audit of all existing consent conditions for compliance. The applicant must demonstrate compliance with all conditions. The increased rate of extraction must not commence until all existing consent conditions have been complied with.
- 4** This consent shall expire if the development hereby permitted is not commenced within five (5) years of the date of consent.
- 5** **Within one month of the date of consent** the applicant shall surrender the previous development consent applicable to the quarry (Ref: development application No. 10/85).

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

Note: The surrender of consent should be undertaken in accordance with Regulation 97(1) of the Environmental Planning and Assessment Regulation 1980.

- 6** The applicant shall comply with any reasonable request from the consent authority arising from matters contained in:
 - (a) the endorsed Environmental Impact Statement;
 - (b) any reports, plans or correspondence that are submitted to the consent authority in accordance with this development consent; and
 - (c) the implementation of any actions or measures contained in these reports, plans or correspondence.

- 7** For the residence of Paul and Narelle Emerson the applicant is to have a dilapidation study performed by a suitably qualified person prior to the three years of increased extraction. At the completion of this time another dilapidation study is to be performed and any damage to the residence that can be attributed to the increased extraction from Cromer quarry is to be rectified to correspond with the original condition of the dwelling prior to the increased extraction rate.

Stormwater

- 8** Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with and in connection with the carrying out of the development.

- 9** If a discharge point is proposed for the sedimentation system, the concentration of any pollutant discharged at that point must not exceed the concentration limit specified in the EPA licence for that pollutant in the table.

- 10** Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by above conditions must be done in accordance with:
 - (a) the Approved Methods Publication; or
 - (b) if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted, unless otherwise provided in the EPA licence.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

- 11** **Within 3 months of the date of consent** a Soil and Water Management Plan (SWMP) must be prepared, approved by the consent authority and implemented. The SWMP must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during extraction activities. The SWMP should be prepared in accordance with the requirements for such plans outlined in Managing Urban Stormwater: Soils and Construction (available from the Department of Housing).
- 12** **Within 3 months of the date of consent** a Stormwater Management Scheme (SMS) must be prepared, approved by the consent authority and implemented. Implementation of the SMS must mitigate the impacts of stormwater run-off from and within the premises following the cessation of extraction for the Hume Highway project. The scheme should be consistent with guidance contained in Managing Urban Stormwater: Council Handbook (available from the EPA).

Groundwater

- 13** If groundwater is intercepted at any stage of the project, the operation must cease immediately and the NSW Office of Water and the consent authority both contacted.
- 14** The depth of extraction is not to exceed any point less than two (2) metres from the standing water level of the shallowest aquifer.
- 15** **Within 3 months of the date of consent** a Groundwater Monitoring Program must be prepared, approved by the consent authority and implemented to monitor fluctuations in groundwater levels beneath the extraction pit.
- 16** A detailed progressive rehabilitation plan is to be prepared to the consent authority's satisfaction that details the agreed short and long term rehabilitation objectives of the site, a survey plan of the final land form and the information detailed in section 7 of the *EIS Guidelines for Extractive Industries-Quarries* prepared by the former DUAP.

Noise

- 17** Noise emissions from the premises must not exceed the criterion set out in the *New South Wales Industrial Noise Policy* at the nearest and potentially most affected noise sensitive receptors. Noise is to be measured in accordance with this policy if required to determine compliance with this condition.
- 18** All practical measures must be used to silence the plant and equipment used consistent with the best available technology that is economically achievable.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

- 19** The applicant must use natural barriers and construct acoustic barriers close to jaw crushing equipment which fully prevents line of site to the three closest properties to the west and southwest. The barrier must comply with the requirements of section 7.1 of the Noise Impact Assessment Report nss21664-final.
- 20** The noise emissions limits apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:
- (a) documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and
 - (b) where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhance impacts under temperature inversions conditions should be developed and implemented.
- 21** The proponent shall complete and submit to DECC a noise compliance assessment within three months of commencement of normal operations.
- 22** The proponent shall develop and implement a Noise Management Plan that has a primary aim, but is not necessarily limited to, the ongoing evaluation and application of best practice and all feasible and practicable means to reduce noise emissions so as not exceed the limits outlined in the Industrial Noise Policy.

Setback

- 23** In accordance with Regulation 32 of the *Environmental Planning and Assessment Model Provisions 1980*, no works shall be undertaken within 400 metres of the Hume Highway, including part of the area nominated as a 'temporary stockpile'.

Hours of Operation

- 24** *All work on site associated with the extraction, processing and transport of material must only be conducted between 6am and 6pm Monday to Friday and 7am to 6pm Saturday excluding public holidays.*
- 25** Activities at the site, other than extraction, processing and transport of material, may only be carried out between 7am and 10pm Monday to Friday and 7am to 6pm Saturday excluding public holidays.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

- 26** The delivery of material outside the specified hours of operation may be undertaken if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA, consent authority and affected residents as soon as possible, or within a reasonable period in the case of an emergency.
- 27** The hours of operation may be varied with written consent if the EPA and the consent authority are satisfied that the amenity of the residents in the locality will not be adversely affected.

Blasting

- 28** The overpressure level from blasting operations on the premises must not:
- exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and
 - exceed 120dB (Lin Peak) at any time,

The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut off frequency then a correction of 5dB should be added to the measure value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

- 28(a) Where winds are significant (i.e. over 18km/hour and in the south, west or southwest direction) the charge weight is to be restricted to 30kg from winds between 3 m/s and 5 m/s(18km/hr)
- 28(b) Blasting is not to take place when winds in the south or southwest directions exceed 5 m/sec.
- 29** Ground vibration peak particle velocity from the blasting operations at the premises must not:
- (a) exceed 5mm/s for more than 5% of the total number of blasts over a period of 12 months; and
 - (b) exceed 10mm/s at any time, when measured at any point within 1 metre of affected residential boundary or other noise sensitive location.
- 30** Blasting operations on the premises may only take place between 10am and 3pm Monday to Friday and not during periods of inversions.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

31 The hours of operation for blasting operations may be varied if the EPA and the consent authority, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

32 Blasting at the site is limited to one (1) blast each day on which blasting is permitted.

Note: The restrictions on times and frequency of blasting referred to above are based on the ANZEC guidelines – “Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration” September 1990.

33 A Blasting/Vibration Management Protocol must be prepared in relation to the development, submitted to the consent authority for approval and implemented. The protocol must include, but need not be limited to, the following matters:

- compliance standards;
- mitigation measures;
- remedial action;
- monitoring methods and program;
- monitoring program for flyrock distribution;
- measures to protect underground utilities (e.g. rising mains, subsurface telecommunication and electric cables) and livestock nearby;
- notification of procedures for neighbours prior to detonation of each blast;
- measures to ensure no damage by flyrock to people, property, livestock and powerlines.

(a) In the event of the consent authority receiving noise and/or vibration complaints associated with blasting at the quarry, it may request the monitoring of blasting at any residence in accordance with condition 34. Any such monitoring shall be at the applicant's expense.

34 For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at:

- the residential boundary; or
- 30 metres from residences in rural situations where the boundary is more than 30 metres from residences.
- Airblast overpressure levels should not be measured within 3.5 metres of any building.
- Ground vibration levels should not be measured with the longest dimension of the foundations of a building or structure away from such building or structure.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

Dust

- 35** Activities occurring at the site must be carried out in a manner that will minimise the emissions of dust off-site.
- 36** All areas of the site must be maintained in a condition that minimises the generation of dust.
- (a) A dust gauge is to be installed at the "Cromer" property (on Lot 7 DP 1129439) during the temporary three year period to monitor depositional dust levels.
- (b) The measured dust position levels must be analysed on a monthly basis to demonstrate compliance with OEH objectives.
- (c) The dust deposition gauges should be in place and activated before the start of the temporary expanded quarry operations. The following Australian Standards should be observed when undertaking the proposed monitoring:
- AS 2922-1987 – Ambient Air-Guide for Siting of Sampling Units; and
 - AS 3580.10.1-1991 – Particulates – Deposited Matter (Gravimetric Method)
- (d) The following dust management practices must be undertaken:
- Implementation of dust emission control measures including: watering dry surfaces, covering loads on outbound haul truck, seed long-term stockpiles and removing of mud and dirt tracked on to road surfaces;
 - Monitoring and recording the effectiveness of measures implemented to control dust emissions;
 - Progressively rehabilitating disturbed areas as soon as earthworks are completed or where earthworks on disturbed areas are dormant for greater than 8 weeks;
 - Limit vehicle and machinery access to designated work areas; and
 - Undertake progressive rehabilitation of the quarry work area.
- 37** Trucks entering and leaving the site that are carrying loads must have these loads completely covered at all times, except during loading and unloading.

Traffic

New RTA Requirements

- 38** The access driveway from the Hume Highway shall be sealed to a minimum width of 6m and the seal coverage maintained for at least 50m from the edge of seal of the carriageway of the Hume Highway. This is required to prevent deterioration of the road shoulder and the tracking of gravel onto the roadway.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

- (a) The developer is responsible for all works necessary due to the proposed development and as required by the various public utility authorities and/or their agents. It should be noted that relocation of any utility service within the road reserve will require Roads and Maritime Services (RMS) concurrence under section 138 of the *Roads Act 1993* prior to commencement to works.
- (b) Prior to works commencing within the road reserve of a Classified Road the applicant must apply for and obtain approval under Section 138 of the *Roads Act 1993* from the road authority (Council) and a Road occupancy licence from Roads and Maritime Services (RMS).
- (c) Any work associated with the proposed development shall be at no cost to Roads and Maritime Services (RMS).

Existing RTA Requirements

- 39** Existing entrance turnout and access road is to be sealed for a minimum length of 50 m from the existing pavement on the Hume Highway to prevent any dust near the highway. This also prevents deterioration of the road shoulder and the tracking of loose materials on to the highway.
- 40** The swept path of the largest vehicle entering/exiting the subject site and manoeuvrability through the site is to be in accordance with current Australian Standards and to the consent authority's satisfaction.
- 41** Gates within the fence line are to be set back a minimum of 30 metres from the road shoulder so as to allow storage of long vehicles likely to service the site.
- 42** If the proposed expansion of the quarry takes place prior to the duplication of the Hume Highway an Auxiliary Right Turn (AUR) treatment is to be constructed at the junction of access location and Hume Highway in accordance with the RTA's Road Design Guide for the prevailing speed limit.
- 43** Detail design of an Auxiliary Right Turn (AUR) treatment is to be sent to the RTA for approval prior to construction.
- 44** The required Safe Intersection Sight Distance (SISD) from the egress location on Hume Highway is to be in accordance with the RTA's Road Design Guide for the prevailing speed limit (i.e. 225m for 100km/hr speed zone).
- 45** As recommended in the submitted traffic report, the three trees on each side of the existing entrance are to be removed prior to the formal commencement of expanded quarry operation in order to improve the sight distance.
- 46** Any road and/or traffic works associated with the proposed development shall be at no cost to the RTA.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

Threatened Species

- 47** The applicant must **within 12 months of the date of consent** undertake tree planting in the vicinity of the quarry access to offset the impact of proposed clearing. Ten trees must be planted for every tree (living or dead) removed. Locally occurring tree species must be used. Tree planting must occur outside the future Hume Highway Road Reserve. Tree planting sites must be chosen so as to improve connectivity for Squirrel Gliders and to complement tree planting to be undertaken by the Northern Hume Alliance in the locality. The applicant is to advise the consent authority when such planting has been completed.
- 48** Areas supporting trees west of the haul road/current work area and located adjacent to the southern offset area must not be cleared or impacted by the development. These areas must be incorporated into the southern offset area.
- 49** **Within 3 months of the date of consent** the applicant must provide for the in-perpetuity management for conservation of offset areas via the placement of appropriate restrictions and positive covenants on the land under the *Conveyancing Act 1919* or the approval of a Property Vegetation Plan under the *Native Vegetation Act 2003*. Such mechanisms must be approved by the consent authority prior to implementation.
- 50** **Within 3 months of the date of consent** a revised *Rehabilitation Native Vegetation Offset Replanting Plan* (RNVORP) must be submitted to the consent authority for approval. The consent authority will only approve the RNVORP if, following consultation with the Department of Environment and Climate Change (DECC), it is satisfied the RNVORP will improve environmental outcomes such that impacts of the development are adequately offset. The revised RNVORP must include the requirement for additional revegetation associated with mitigating impacts on Squirrel Gliders associated with the Hume Highway access. The RNVORP is to be implemented within 3 months of approval.
- 51** Clearing of the development site must be staged, with only the minimum amount of clearing necessary to allow for the safe working of each bench undertaken immediately prior to the quarrying of that bench.

Monitoring

- 52** The results of any monitoring required to be conducted by a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in the following two conditions.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

- 53** All records required to be kept by the licence must be:
- in a legible form, or in a form that can be reduced to legible form;
 - kept for at least four (4) years after the monitoring or event to which they relate took place; and
 - produced in a legible form to any authorised officer of the EPA or the consent authority who asks to see them.
- 54** The following records must be kept in respect of any samples required to be collected:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.

Reporting

- 55** The applicant must provide an annual return to the EPA in relation to the development as required by any licence under *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity that applicant will be required to submit load-based fee calculation worksheets with the return.
- 56** A copy of the annual return to the EPA is to be provided to the consent authority.

Amended EPA Conditions (Extension of Hours and Concrete Request)

L2 Waste

L2.1 *The licensee must not cause, permit or allow any waste generated outside the premises, except the wastes expressly referred to in the column titled 'Waste' and meeting the definition, if any, in the column titled 'Description' in the table below.*

Any waste received at the premises must only be used for the activities referred to in relation to the waste in the column titled 'Activity' in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled 'Other Limits' in the table below.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

**MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]**

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
N/A	Concrete	Recycled concrete from the sleeper beds from Austrak Bomen	Waste Storage Waste Processing (non-thermal)	Maximum of 500 tonnes to be received at the premises per month

Noise Limits

L3.1 Noise generated at the premises must not exceed the noise limits in the table below.

Location	Noise Limits in dB(A)	
	Morning Shoulder LAeq (15 minute)	Day LAeq (15 minute)
<i>Jerapool (exact location to be negotiated with the EPA)</i>	38	40
<i>Beenly (exact location to be negotiated with the EPA)</i>	38	40
<i>Wongalee (exact location to be negotiated with the EPA)</i>	37	40
<i>Wonga Park (exact location to be negotiated with the EPA)</i>	37	40
<i>Coocook (exact location to be negotiated with the EPA)</i>	37	40
<i>Quambatook (exact location to be negotiated with the EPA)</i>	37	40
<i>Mitlon (exact location to be negotiated with the EPA)</i>	37	40

L3.2 For the purposes of condition L3.1:

- a) Morning shoulder means the period from 6am to 7am Monday to Friday.
- b) Day means the period from 7am to 6pm Monday to Friday and 7am to 6pm Saturday.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

**MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]**

L3.3 *Noise-enhancing meteorological conditions*

- a) *The noise limits set out in condition L3.1 apply under the following meteorological conditions:*

Assessment Period	Meteorological Conditions
<i>Day</i>	<i>Stability Categories A, B, C, D and E with wind speeds up to and including 3m/s at 10 metres above ground level.</i>
<i>Morning Shoulder</i>	<i>Stability Categories A, B, C, D and E with wind speeds up to and including 3m/s at 10 metres above ground level; or Stability Category F with wind speeds up to and including 2m/s at 10m above ground level.</i>

- b) *For those meteorological conditions not referred to in condition L3.3(a), the noise limits that apply are the noise limits in condition L3.1 plus 5dB.*

L3.4 *For the purposes of condition L3.3:*

- a) *The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at Albury, NSW.*
- b) *Stability category shall be determined using the following method from Fact Sheet D of the Noise Policy for Industry (NSW EPA, 2017);*
- i. *Pasquill-Gifford stability classification scheme (section D1.3.1).*

L3.5 *To assess compliance:*

- a) *with the LAeq (15 minutes) noise limits in condition L3.1 and L3.3, the noise measurement equipment must be located:*
- (i) *approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,*
- (ii) *in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,*
- (iii) *in an area within 50 metres of the boundary of a National Park or Nature Reserve,*
- (iv) *at any other location identified in condition L3.1.*
- b) *with the LAeq (15 minutes) noise limits in condition L3.1 and L3.3, the noise measurement equipment must be located:*
- (i) *at the reasonably most affected point at a location where there is no residence at the location; or,*
- (ii) *at the reasonably most affected point within an area at a location prescribed by condition L3.5(a).*

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

L3.6 *A non-compliance of conditions L3.1 and L3.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L3.5(a) or L3.5(b).*

NOTE to L3.5 and L3.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L3.7 *For the purposes of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.*

L3.8 *Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.*

L5 Hours of Operation

L5.1 *Unless otherwise agreed to in writing by the EPA, activities covered by this licence must only be carried out between the hours of 06:00 and 18:00 Monday to Friday and 07:00 and 18:00 Saturday and at no time on Sundays and Public Holidays.*

For the purpose of this licence, the term "activities" refers to all operations including maintenance, deliveries, movements, fuelling and associated heavy transport.

RMS REQUIREMENT

Waste concrete transported to the site must only be a backload after delivering raw materials to the Austrack facility.

NOTE: CESSATION OF TEMPORARY INCREASE IN EXTRACTION

The temporary increase in extraction of rock material approved by modification application 6-11/12 has ceased and the approved rate of extraction is the original rate of extraction which is an amount of 200,000 tonnes.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

MODIFICATION DEVELOPMENT APPLICATION 263-06/07 – EXISTING QUARRY VARIATION
OF HOURS & PROCESS - LOT 7 DP1129439 10721 HUME HIGHWAY HOLBROOK [CONT'D]

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

4. GREATER HUME COUNCIL – COUNCIL COMMENTS TO SUBMISSIONS REPORT AND AMENDMENT REPORT – JINDERA SOLAR FARM

AT THIS JUNCTURE, COUNCILLOR MATT HICKS MADE A DECLARATION OF NON PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE ZOOM MEETING AT 6.20PM PURSUANT TO SECTION 45(1) OF THE LOCAL GOVERNMENT ACT 1993 AND TOOK NO PART IN THE VOTING ON THE MATTER. THE REASON BEING IS THAT COUNCILLOR HICKS HAS AN INTEREST IN THE CULCAIRN SOLAR FARM DEVELOPMENT.

Director Environment and Planning referred the councilors to the ADDENDUM report on the matter now before the Council.

5559 RESOLVED [Knight/Schilg]

1. That Council resolve to provide the comments contained within amended **ANNEXURE 1** and acknowledge that the modified development, to some extent, addresses the concerns of Greater Hume Council contained within the Submission to the Environmental Impact Statement. Council will raise concerns about the NSW Rural Fire Service and Protection of the Environment Operations Act 1997.
2. Amendments to Annexure 1 are as detailed below:

Change second paragraph of submission to now read as:

“Council at its Ordinary meeting on 15 April 2020 resolved to respond and indicate that Council is satisfied that the amendments that have been made to the development proposal addressed several of Council’s concerns. Issues not satisfactorily addressed include:

- Continuing concern at the loss of high quality agricultural land, and
- The proponents have not provided any evidence that the devaluation of surrounding land will not occur.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

GREATER HUME COUNCIL – COUNCIL COMMENTS TO SUBMISSIONS REPORT AND AMENDMENT REPORT – JINDERA SOLAR FARM [CONT'D]

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Knight Meyer O'Neill Parker Schilg Weston	Cr Quinn Cr Wilton		Hicks

5. GREATER HUME COUNCIL – COUNCIL COMMENTS TO RESPONSE TO SUBMISSIONS REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR FARM

AT THIS JUNCTURE, COUNCILLOR MATT HICKS MADE A DECLARATION OF NON PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE ZOOM MEETING AT 6.20PM PURSUANT TO SECTION 45(1) OF THE LOCAL GOVERNMENT ACT 1993 AND TOOK NO PART IN THE VOTING ON THE MATTER. THE REASON BEING IS THAT COUNCILLOR HICKS HAS AN INTEREST IN THE CULCAIRN SOLAR FARM DEVELOPMENT.

Director Environment and Planning referred to the ADDENDUM report on the matter now before the Council.

5560 RESOLVED [O'Neill/Schilg]

1. That Council resolve to provide the comments contained within amended **ANNEXURE 2** and acknowledge that the modified development addresses the concerns of Greater Hume Council contained within its Submission to the Environmental Impact Statement. Council will raise concerns about being the Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997.

2. Amendments to Annexure 2 are a detailed below:

Change second paragraph of submission to now read as:

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

**GREATER HUME COUNCIL – COUNCIL COMMENTS TO RESPONSE TO SUBMISSIONS
REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR FARM [CONT'D]**

“Council at its Ordinary meeting on 15 April 2020 resolved to respond and indicate that Council is satisfied that the amendments that have been made to the development proposal addressed several of Council’s concerns. Issues not satisfactorily addressed include:

- Impact of the heat island effect
- Continuing concern at the loss of high quality agricultural land and question how the assessment of the value of agricultural land was undertaken
- Abatement of the dust nuisance, particularly in relation to the nearby function centre
- Reduced amenity of nearby residents.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Meyer O'Neill Parker Schilg Weston	Knight Wilton Quinn		Hicks

Cr Hicks returned to the zoom meeting at 7.05pm.

Cr O'Neill and Cr Meyer briefly left the zoom meeting at 7.05pm, re-joining at 7.06pm.

GOVERNANCE

1. GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)

AT THIS JUNCTURE, COUNCILLOR HEATHER WILTON MADE A DECLARATION OF NON PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE ZOOM MEETING AT 7.06PM PURSUANT TO SECTION 45(1) OF THE LOCAL GOVERNMENT ACT 1993 AND TOOK NO PART IN THE VOTING ON THE MATTER. THE REASON BEING IS THAT COUNCILLOR WILTON A FAMILY FRIEND WHO HAS AN AFFECTED BUSINESS.

AT THIS JUNCTURE, COUNCILLOR DENISE KNIGHT ALSO MADE A DECLARATION OF NON PECUNIARY INTEREST IN THE MATTER NOW BEFORE THE COUNCIL AND LEFT THE ZOOM MEETING AT 7.06PM PURSUANT TO SECTION 45(1) OF THE LOCAL GOVERNMENT ACT 1993 AND TOOK NO PART IN THE VOTING ON THE MATTER. THE REASON BEING IS THAT COUNCILLOR KNIGHT IS SECRETARY OF AN ORGANISATION WHICH WOULD BENEFIT IF THE RECOMMENDATION IS CARRIED. CR KNIGHT IS SECRETARY OF RURAL CARE LINK INC. WHICH RENTS PROPERTY FROM COUNCIL.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

GREATER HUME COUNCIL RESPONSE TO NOVEL CORONAVIRUS (COVID-19)
[CONT'D]

Cr Meyer took the Chair.

5561 RESOLVED [Hicks/Quinn]

1. That Council:
 - waive interest on outstanding rates and charges for the period 1 April 2020 to 30 June 2020.
 - from 1 April to 30 June 2020 rent on commercial premises impacted by the COVID -19 pandemic be reduced by 50% where the business continues to trade in a limited capacity and 100% where the business temporarily ceases to trade.
 - refer to the Budget Workshop the freezing of water, sewerage and waste collection charges.
 - amend the Local Purchase Preference Policy to provide a minimum 10% weighting for local businesses to 31 December 2020.
2. Further, that reports on the impact of COVID-19 be submitted to each monthly meeting of Council.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Meyer O'Neill Parker Quinn Schilg Weston			Knight Wilton

Cr Knight and Cr Wilton returned to the zoom meeting at 7.11pm.
Cr Wilton resumed the Chair.

2. OFFICE OF LOCAL GOVERNMENT - COUNCILLOR SUPERANNUATION DISCUSSION PAPER

MOTION [Quinn/Schilg]

That Council not make a submission to the OLG Councillor Superannuation Discussion Paper.

AMENDMENT [Knight/Parker]

That Council convene a workshop to discuss the item and determine whether to make a submission.

AT THIS JUNCTURE, IT WAS AGREED THAT THE AMENDMENT WAS INVALID AND SO THE AMENDMENT WAS WITHDRAWN.

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

OFFICE OF LOCAL GOVERNMENT - COUNCILLOR SUPERANNUATION DISCUSSION PAPER [CONT'D]

MOTION [Quinn/Schilg]

That Council not make a submission to the OLG Councillor Superannuation Discussion Paper.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Quinn Schilg Wilton	Hicks Knight Meyer O'Neill Parker Weston		

The MOTION WAS LOST.

5562 RESOLVED [Knight /Parker]

That a workshop be held on Wednesday, 29 April 2020 to consider the Office of Local Government Councillor Superannuation Discussion Paper, with a view to deciding if a submission should be formulated.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Myer O'Neill Parker Weston	Quinn Schilg Wilton		

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

CORPORATE AND COMMUNITY SERVICES

1. GREATER HUME CHILDREN SERVICES OPERATIONS

Director Corporate & Community Services provided a further update on the matter, advising that since the agenda paper was published, a commitment has been made by the NSW Government to fund the shortfall in Children Services revenue, however, detail is yet to be released.

General Manager left the zoom meeting at 7.23 pm, returning at 7.24pm.

5563 RESOLVED [Hicks/Parker]

That Council continue to monitor funding options for Local Government childcare services and, if required, call on the Minister for Education, Hon Dan Tehan MP and Member for Farrer, Hon Sussan Ley MP for the immediate introduction of further relief measures for local councils who provide critical childcare services to their communities.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

3. WALBUNDRIE HALL COMMITTEE – RELINQUISH STATUS OF COMMITTEE

5564 RESOLVED [Schilg/O'Neill]

That:

- the delegations issued to the Walbundrie Hall Committee be terminated and that the Walbundrie Hall Committee be removed from Council's register of committees appointed under Section 355 of the Local Government Act 1993.
- funds held by the committee be transferred to Councils Reserve Funds to be held for future development and maintenance of the Walbundrie Hall.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

ENGINEERING

1. ADDITIONAL PROJECTS - ENGINEERING

5565 RESOLVED [O'Neill/Schilg]

That Council approve the addition of the following projects to Council's 2019/20 Works Program:

1. \$15,000 – St Joseph's School - extension of parking bay in Blair Street to be funded from savings from the Creek Street footpath at Jindera
2. \$26,000 – Frampton Court - construction of new footpath from Kala Court Units to Library footpath to be funded from the Kala Court reserve.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

OFFICER'S REPORT – PART B – TO BE RECEIVED AND NOTED

GOVERNANCE

1. NOVEL CORONAVIRUS (COVID-19) – IMPACT ON COUNCIL SERVICES

5566 RESOLVED [Hicks/Meyer]

That the report be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. **WORKSHOP/BRIEFING SESSION SCHEDULE 2020/2021**
2. **OFFICE OF LOCAL GOVERNMENT CIRCULARS**
3. **LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW) – WEEKLY CIRCULARS**
4. **TOURISM AND PROMOTIONS OFFICER'S REPORT**

CORPORATE AND COMMUNITY SERVICES

1. **GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS**
2. **STATEMENTS OF BANK BALANCES AND INVESTMENTS AS AT 31 MARCH 2020**
3. **PEOPLE & CULTURE (HR) REPORT FOR MARCH 2020**

ENGINEERING

1. **MARCH REPORT OF WORKS**
2. **WATER & SEWER REPORT – MARCH 2020**

ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF MARCH 2020**

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT COMMUNITY MEETING ROOM, LIBRARY COMPLEX,
LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 15 APRIL 2020**

2. RANGER'S REPORT – MARCH 2020

3. SENIOR WEEDS OFFICER'S REPORT- MARCH 2020

5567 RESOLVED [Hicks/Meyer]

That Part C of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

PART D – COMMITTEE AND DELEGATE REPORTS

5568 RESOLVED [Hicks/Meyer]

That Part D of the Agenda be received and noted.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
Hicks Knight Meyer O'Neill Parker Quinn Schilg Weston Wilton			

There being no further business, the meeting concluded at 7.32pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 20 May 2020 at which time the signature hereon was subscribed.

Cr Heather Wilton
Mayor, Greater Hume Council