

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 16 AUGUST 2023**

The meeting opened at 6:00pm following the public forum.

IN ATTENDANCE

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

Councillor Parker read a prayer to commence the meeting.

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

Nil

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 19 JULY 2023

6477 RESOLVED [Cr. Hicks/Cr. Wilton]

That the Minutes of the Ordinary Meeting of Greater Hume Council held at Culcairn on Wednesday 19 July 2023 as printed and circulated to be confirmed as a true and correct record of the proceedings of such meeting.

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

ACTION REPORT FROM THE MINUTES

Nil

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

Nil

MAYORAL MINUTE

Nil

NOTICE OF MOTIONS

Nil

OFFICERS' REPORTS – PART A - FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. GREATER HUME COUNCIL SECTION 7.12 FIXED DEVELOPMENT CONSENT LEVY DEVELOPMENT CONTRIBUTIONS PLAN 2023

6478 RESOLVED [Cr. Hicks/Cr. O'Neill]

That:

- 1 In accordance with section 214(1)(a) of the Regulations, Council adopt the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2023 in the same format that it was advertised.
- 2 In accordance with section 214(4)(a) of the Regulations, Council place an advertisement upon its website advising of the adoption of the Greater Hume Council Section 7.12 Fixed Development Consent Levy Development Contributions Plan 2023.
- 3 In accordance with section 215 of the Regulations, Council repeals the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2021 and places an advertisement upon its website advising of the repeal of the Greater Hume Council S7.12 Fixed Development Consent Levy Development Contributions Plan 2021.

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

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2. **DEVELOPMENT APPLICATION 10.2023.18.1 – RESUBDIVISION OF THREE (3) LOTS INTO TWENTY-ONE (21) LOT TORRENS TITLE & TWELVE (12) LOT COMMUNITY TITLE SUBDIVISION, VEGETATION REMOVAL, ROAD CONSTRUCTION, AND ASSOCIATED CIVIL WORKS IN TWO (2) STAGES. – LOT: 2612 DP: 708334 & LOT: 1-2 SEC 23 DP: 758544 & AT 80 GOULBURN STREET AND 81-89 MITCHELL STREET, JINDERA NSW 2642.**

6479 RESOLVED [Cr. Hicks/Cr. Forrest]

That Council resolves to:

1. Approve Development Application No. 10.2023.18.1 on Lot: 2612 DP: 708334 & Lot: 1-2 sec 23 DP: 758544 & at 80 Goulburn Street and 81-89 Mitchell Street, Jindera NSW 2642 for resubdivision of three (3) lots into twenty-one (21) lot Torrens Title & twelve (12) lot Community Title Subdivision, vegetation removal, road construction, and associated civil works in two (2) stages, subject to the conditions attached to this report pursuant to Sections 4.16(3) and Section 4.17 of the EP&A 1979 subject to the conditions attached to this report.

PRESCRIBED CONDITIONS OF CONSENT

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

Section 70: Erection of signs

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

Section 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

Please refer to the NSW State legislation for full text of the above Sections under Part 4 Division 2 of the [Environmental Planning and Assessment Regulation 2021](#).

GENERAL CONDITIONS WHICH MUST BE FULFILLED

1. Compliance with Plans and Conditions

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

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

2. Hydraulic Assessment Report

Prior to issuing of the Subdivision Works Certificate a Hydraulic Assessment Report from a suitably qualified Hydraulic Engineer analysing the flood risk applying to the site must be submitted and approved by Council for each stage. The report shall summarise the requirements for a subdivision approval. The report shall detail the following:

- a) Civil Engineering Details (earthworks, road construction and foot paving);
- b) Stormwater Drainage (existing drainage and catchments, proposed drainage strategy, hydrological modelling, detention basins and flooding);
- c) Stormwater quality (WSUD water quality modelling, water quality treatment, rainfall data, catchment parameters, rainwater tanks, MUSIC modelling);
- d) Proposed utility servicing infrastructure (reticulated water supply, Sewer reticulation, electrical reticulation, telecommunications reticulation and gas reticulation);
- e) Proposed safety in design elements; and
- f) Assumptions applied for design purposes.

Raise of land levels as part of proposed earthworks will require drainage of a number of adjacent properties to be incorporated with the proposed drainage system of the subdivision.

Once Council has approved the report, it will form a part of this Development Consent. The recommendations provided in the report are to be implemented and incorporated into the design and construction of the development. Please refer to **Condition 4** for additional requirements.

3. Integrated Development - General Terms of Approval

The Applicant must comply with all conditions and requirements outlined in the General Terms of Approval from the Department of Planning and Environment—Water and dated 2 August 2023, that are attached and form part of this consent **PRIOR TO THE RELEASE OF THE SUBDIVISION WORKS CERTIFICATE FOR STAGE 2 (TWO).** **ANNEXURE 4.**

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4. Subdivision Works Plans

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

- a) Road Design,
- b) Sewer;
- c) Reticulated water;
- d) Stormwater Management;
- e) Details of any fill material to be brought on site;
- f) Concrete footpaths (1.5m wide);
- g) Certified Essential Energy (electricity) plans;
- h) Street name;
- i) Street lighting;
- j) Indicative details of utilities (gas, telecommunications);
- k) Details including easement(s) to be created are to be included with the plans and specifications;
- l) Perimeter fence that complies with the Hydraulic Assessment Report and DPIE –Water requirements as shown on the 'General Arrangement Plan - Sheet 1', drawing no 310852CA005, revision D, dated 08/02/2023. As follows. **Please also refer to 35 for additional requirements.**
 - along the northern boundaries of proposed Lot 1-7 abutting existing Lot 2611 DP 708334;
 - along the eastern boundary of existing Lot 2611 DP 708334 abutting proposed Lot 20 and 16m road reserve;
 - along the eastern boundaries of proposed Lot 20 and 19 abutting proposed Lot 21
 - along the southern boundary of proposed Lot 19 abutting existing Lot 33 DP 787558;
 - along the eastern boundaries of proposed Lot 8 and 18 abutting existing Lot 33 DP 787558 and Lot: 341 DP: 1189037; and
 - along the southern boundaries of proposed Lot 18-11 abutting Lot 7 &8 Sec 23 DP 758544.
- m) Cost summary report.
- n) Land management plan for proposed Lot 20:
 - the plan is to ensure the land will be maintained by the applicant in an environmentally sustainable manner and gifted to Council prior to the release of the subdivision certificate for Stage 1.
 - the plan shall include the following detail:
 - an assessment of existing condition of the land
 - any improvements/maintenance required by Councils Engineering department
 - access
 - signage
 - lighting (if any). **Please refer to Condition 26 for additional requirements.**

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

- Hydraulic Assessment Report submitted to and approved by Council.
- any correspondence including conditions and requirements received from the Department of Planning and Environment—Water (**FOR STAGE TWO (2) ONLY**)

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

5. Traffic calming details

Traffic calming devices details must be submitted to Council with the application for a Subdivision Works Certificate for each stage. These details must be approved by Council prior to the release of the Subdivision Works Certificate for each stage.

6. Erosion and Sediment Control Plan

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

7. Payment of Long Service Levy

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

8. Surrender of Previous Consent

The applicant or landowner is to surrender previous Development Consent No 10.2018.47.1 issued on 25 May 2018 in accordance with [Section 68 of the Environmental Planning and Assessment Regulation 2021](#).

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

9. Subdivision Works Certificate

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

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10. Notification and Appointment of a Principal Certifier

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

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

11. Erosion and Sedimentation Controls

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

12. Temporary Water Closet Accommodation

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

CONDITIONS WHICH MUST BE COMPLIED WITH DURING WORKS

13. Aboriginal Objects Discovered During Work

If any object having interest due to its age or association with the past is uncovered during the course of the work, all work must stop immediately in that area. The applicant must immediately notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au. Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required in accordance with the Heritage Act 1997.

14. Vegetation removal

There must be no clearing of any vegetation (including within Council's road reserve) other than the vegetation approved to be removed on the 'General Arrangement Plan'; Drawing No 310852CA005; Dated 1/12/2022; Drawn by Spiire. Temporary fencing must be placed around any other trees where any subdivision works are proposed within the drip line of the tree. The fencing must be in accordance with Australian Standard AS 4970-2009 'Protection of Trees on Development Sites' to ensure no interference occurs, with this fencing extending to the extent necessary to ensure there is no damage to the roots of the tree.

15. Existing Water Meter on Lot 2612 DP708334

The existing 'SECONDARY WATER METER' on the site must be removed at applicant's cost during subdivision works for Stage 1. Please contact Council's Manager Water and Sewer on (02) 6036 0100 to organise for its removal.

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16. Imported Fill Material

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

Certification supporting any source fill material must be provided to Council prior to the release of the Subdivision Works Certificate for each stage.

17. Compaction – Landfill

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

18. Contaminated Soil

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

19. Vehicles During Construction

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

20. 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.

21. Minimise Noise

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

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22. Dust Control Measures

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

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

23. No Obstruction of Road Reserve Permitted

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

24. Disposal of Waste

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

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

25. Subdivision Certificate

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

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

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

26. Land Dedication

Prior to the issue of the subdivision certificate for Stage One (1) Lot 20 is to be dedicated to Greater Hume Council at no cost. Upon dedication, the land is vested in Council free of all trusts, obligations, estates, interests, contracts, charges and rates.

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27. Private Infrastructure

Any private services/assets or alike which are located within the new allotments must be removed or be shown within an appropriate easement to be registered. Any such easements must be shown on the formal subdivision plans prior to the release of the Subdivision Certificate.

28. Completion of Subdivision Works

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by **Condition 4** of this consent and a satisfactory final inspection of the works by Council's Engineering Department for each stage.

29. Flood Affectation Certification

The submission of a report from a suitably qualified and experienced civil (hydrology) engineer to Greater Hume Council is required, prior to the issue the Subdivision Certificate for each stage. This report is required to certify that the 'as-constructed' development will not result in any detrimental flood related effects to adjoining properties or upon the subject land due to the loss of flood storage, changes in flood levels/velocities, diversion of floodwater, and/or alteration of flood conveyance.

30. Scour Protection

All stormwater outlets and surface flow paths (incl. flood flow paths) must be treated with appropriate scour/erosion protection measures designed in accordance with good engineering practice based on calculated 1 in 100 year ARI flow velocities. All scour protection measures and headwall structures shall be designed and constructed such that they will not protrude above adjacent surface levels. Stormwater outlets shall be oriented in the direction of flow of the receiving watercourse. Outlet scour protection is to be in accordance with Guidelines for Outlet Structures prepared by the Office of Water dated July 2012. The final details of the proposed scour/erosion protection measures shall be reflected on the plans and supporting documentation prior to the issue of the Subdivision Certificate for each stage.

31. Community Scheme Services Plan For The Community Title Subdivision

A plan shall be submitted for approval, showing services, proposed to be provided within the scheme and their maintenance.

32. Community Management Statement

Prior to the issue of the Subdivision Certificate for Stage 2, a full copy of the relevant Community Management Statement complying with Schedule 2 of the Community Land Development Act 2021 and a full copy of any relevant Community Development Contract must be submitted to and approved by Council.

A fee to assess the Community Management Statement and any relevant Community Development Contract is applicable.

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33. Section 64 and Landscape Contributions Fees

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

STANDARD RESIDENTIAL LOT	RETICULATED WATER	RETICULATED SEWER	LANDSCAPE CONTRIBUTIONS FEE - PER BLOCK TO SUPPLY, PLANT AND MAINTAIN A STREET TREE.	TOTAL \$ TO BE PAID
STAGE1	16 Lots	12 Lots	18 Lots	Rate at time of SC lodgement per lot
STAGE2	16 Lots	12 Lots	12 Lots	Rate at time of SC lodgement per lot

34. Correspondence From Agencies

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

(i) The Department of Planning and Environment—Water

The applicant must provide evidence to Council outlining how conditions and requirements outlined in the General Terms of Approval/correspondence from the Department of Planning and Environment—Water have been complied with.

(ii) Electricity

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

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(iii) **Natural gas**

APA Gas: Certificate of Acceptance;

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

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

- a) the installation of fibre-ready facilities to all individual lots (Except Lot 20 as shown on the stamped plan) in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose.

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

35. **Perimeter Fence**

Prior to the release of the Subdivision Certificate for “Stage Two (2)” a minimum height of 1.8 metre above natural ground level perimeter ***‘rural style’*** wire fencing must be erected.

The erection of the fence must be started from the western boundary of proposed Lot 7 and must run along the southern boundary of Lot 20 abutting Lot 7-11 as shown on the ‘General Arrangement Plan - Sheet 2’, drawing no 310852CA006, revision D, dated 08/02/2023 and ‘General Arrangement Plan -Sheet 1’, drawing no 310852CA005, revision D and dated 08/02/2023.

The ***“1.8m safety fencing”*** referred under this condition must be:

- 1) be constructed using post and wire or post and rail, and
- 2) if it is constructed of metal components—be of low reflective, factory pre-coloured materials, and

The registered proprietors of Lot 7 -11 as shown on the ‘General Arrangement Plan - Sheet 2’, drawing no 310852CA006, revision D, dated 08/02/2023 shall maintain this fence throughout the life of this development. **Please refer to 36 for additional requirements.**

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36. Conveyancing Act 1919 Instruments

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

The instrument must contain the following:

- (i) **Perimeter Fence**
The '**Perimeter Fence**' as required by **Conditions 4(I) and 35** must be maintained by the owners and occupiers of the respective allotments for the life of the development. Council holds no responsibility for the maintenance/ replacement of such fencing.
- (ii) **New Fences**
Any new fences constructed on the site shall be of a type that will not obstruct the free flow of surface or ground water and not cause damage to surrounding land in the event of a flood.
- (iii) **Restriction of Dwellings on the Community Title Allotments**
A restriction must be placed on the lots resulting from the "Community Title Subdivision" preventing the construction of more than one dwelling on each of the residential lots.
- (iv) **Restriction of Dwellings on Proposed Lot 20**
A restriction must be placed on Proposed Lot 20 (the lot burdened by easement for stormwater management) to have no dwelling entitlement.
- (v) **No structures on the community association lot**
Individual lot owners are prohibited from constructing structures on the community association lot.
- (vi) **Habitable floor level**
A restrictive covenant on all residential allotments requiring the floor level of all habitable rooms be constructed at least the height of the Flood Planning Level height of at least 300mm above the 1 in 100 year flood event as recommended within the Hydraulic Assessment Report as required under Condition 2 of this consent.
- (vii) **Drainage Easement**
A 10m wide drainage easement as shown over Proposed Lot 20 shall not be altered by cut or fill and any fill, stockpiles, building materials and sheds shall not be placed.

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL
HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 16 AUGUST 2023**

DEVELOPMENT APPLICATION 10.2023.18.1 – RESUBDIVISION OF THREE (3) LOTS INTO TWENTY-ONE (21) LOT TORRENS TITLE & TWELVE (12) LOT COMMUNITY TITLE SUBDIVISION, VEGETATION REMOVAL, ROAD CONSTRUCTION, AND ASSOCIATED CIVIL WORKS IN TWO (2) STAGES. – LOT: 2612 DP: 708334 & LOT: 1-2 SEC 23 DP: 758544 & AT 80 GOULBURN STREET AND 81-89 MITCHELL STREET, JINDERA NSW 2642.[CONT'D]

37. Compaction of lots

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

38. Works as Executed Plans

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

39. Council Property

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

40. Defects Liability Period

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

41. Defects Liability Bond (Security)

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

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

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

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

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

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DEVELOPMENT APPLICATION 10.2023.18.1 – RESUBDIVISION OF THREE (3) LOTS INTO TWENTY-ONE (21) LOT TORRENS TITLE & TWELVE (12) LOT COMMUNITY TITLE SUBDIVISION, VEGETATION REMOVAL, ROAD CONSTRUCTION, AND ASSOCIATED CIVIL WORKS IN TWO (2) STAGES. – LOT: 2612 DP: 708334 & LOT: 1-2 SEC 23 DP: 758544 & AT 80 GOULBURN STREET AND 81-89 MITCHELL STREET, JINDERA NSW 2642.[CONT'D]

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

1. To ensure compliance comply with the [Biodiversity Conservation Act 2016](#).
2. To protect Aboriginal heritage and to comply with the [National Parks and Wildlife Act 1974](#).
3. To ensure compliance with the terms of the [Environmental Planning and Assessment Act 1979](#).
4. To comply with the [Community Land Development Act 2021](#).
5. To protect public interest, the environment and existing amenity of the locality.
6. To improve the amenity, safety and environmental quality of the locality.

ADVICE TO APPLICANT

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

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

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

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3. POLICY DEVELOPMENT – CONTAMINATED LAND MANAGEMENT POLICY

6480 RESOLVED

[Cr. Meyer/Cr. Wilton]

That in accordance with Schedule 6 (3)(c) of the Environmental Planning and Assessment Act 1975 and Section 160 of the Local Government Act 1993 the policy will still need to be placed on public exhibition for 28 days and 42 days allowed for submissions to be made.

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

4. KERBSIDE COLLECTION TENDER

6481 RESOLVED

[Cr. Meyer/Cr. Parker]

That Council accepts the conforming tender submission and the alternate submission options 1 and 3 from Cleanaway Waste Management Limited for Contract No. 19/04045 Regional Kerbside Collection Services for Greater Hume Council for a 10 year period, commencing 1 July 2024 until 30 June 2034, for an estimated contract value of \$13,771,615.00 (Including GST).

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

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5. POLICY DEVELOPMENT - PRIVATE SWIMMING POOL INSPECTION POLICY

6482 RESOLVED [Cr. Wilton/Cr. Lindner]

That the Greater Hume Council Policy relating to Private Swimming Pool Inspection Policy be adopted.

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

GOVERNANCE

Nil

CORPORATE AND COMMUNITY SERVICES

1. LICENCE – LOT 169 DP 753730, URANA ROAD, BURRUMBUTTOCK – CROWN RESERVE 41865

6483 RESOLVED [Cr. Linder/Cr. Meyer]

RECOMMENDATION

That Council accept the Expression of Interest from Amanda & Mahir Fejzic in the amount of \$590.90 (ex GST) to enter in to a licence over Lot 169 DP 753730, Urana Road, Burrumbuttock, Crown Reserve 41865 commencing 1 September 2023 for a period

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

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2. LICENCE – PART LOT 2 DP 1271058 WAGGA ROAD, HOLBROOK

6484 RESOLVED [Cr. Parker/Cr. Meyer]

That Council accept the Expression of Interest from Jake Smith in the amount of \$1,136.36 per annum for Area 1 and \$83.33 per month for Area 2 to enter in to a licence over Part Lot 2 DP 1271058 Wagga Road, Holbrook commencing 1 September 2023 for a period of twelve months terminating 31 August 2024.

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

3. POLICY DEVELOPMENTS

6485 RESOLVED [Cr. Wilton/Cr. Schilg]

That:

1. The Greater Hume Council Corporate Credit Card and Purchasing Card Use Policy be adopted
2. Greater Hume Children Services Payment of Fees - Family Day Care Policy be adopted

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

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ENGINEERING

1. PROVISION OF FOOTPATH, ROSLER PARADE, HENTY

6486 RESOLVED [Cr. Schilg/Cr. Lindner]

That Council:

1. Approve the construction of footpath in Rosler Parade, Henty.
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

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

2. PROVISION OF FOOTPATH, URANA STREET, JINDERA

6487 RESOLVED [Cr. O'Neill/Cr. Wilton]

That Council:

1. Approve the construction of footpath in Urana Street, Jindera
2. That the cost to land owners be as detailed.
3. That the landowners be notified of the estimated amount of their contribution to the project

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

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ITEMS TO BE REFERRED TO CLOSED COUNCIL

1. CULCAIRN RESIDENTIAL SUBDIVISION

6488 RESOLVED [Cr. Parker/Cr. Schilg]

On balance the confidentiality in determining the feasibility to undertake the proposed 68 residential lot subdivision at Culcairn, the cost estimates and expected return from the sale of land in the subdivision is of a confidential nature, outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information could compromise the commercial position of Council in future sale of the developed land

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

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MAYORAL MINUTE

2. GENERAL MANAGER'S INTERIM PERFORMANCE REVIEW TO 30 JUNE 2023

6489 RESOLVED

[Cr. Parker/Cr. Schilg]

That the matters of the General Manager's Performance Review and Contract of Employment are confidential in nature and that the matters 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.

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

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

1. 2022/2026 DELIVERY PLAN AND 2022-2023 OPERATIONAL PLAN – REPORT AS AT 30 JUNE 2023

6490 RESOLVED [Cr. Wilton/Cr. Meyer]

That Council receive and note the 2022/2026 Delivery Program and 2022/2023 Operational Plan review report to 30 June 2023.

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

2. COMBINED INVESTMENT ACCOUNT – MONTH ENDED 31 JULY 2023

6491 RESOLVED [Cr. Wilton/Cr. Meyer]

That Council receives and notes the Investment Balances Report for the month of July 2023.

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

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PART C - ITEMS FOR INFORMATION

GOVERNANCE

1. **TOURISM AND PROMOTIONS OFFICER'S REPORT – JULY 2023**

CORPORATE AND COMMUNITY SERVICES

1. **GREATER HUME CUSTOMER REQUEST MODULE – SUMMARY OF MONTHLY REQUESTS**
2. **STATEMENTS OF BANK BALANCES AS AT 31 JULY 2023**
3. **GREATER HUME LIBRARY SERVICES**

ENGINEERING

1. **JULY 2023 - REPORT OF WORKS**

ENVIRONMENT AND PLANNING

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF JULY 2023**

6492 RESOLVED

[Cr. Wilton/Cr. Meyer]

That Part C of the Agenda be received and noted.

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

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PART D

1. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING 27TH JUNE 2023, 7PM, CULCAIRN COUNCIL CHAMBERS**

2. **CULCAIRN COMMUNITY DEVELOPMENT COMMITTEE MEETING 18TH JULY 2023 7PM CULCAIRN COUNCIL CHAMBERS**

3. **HOLBROOK DISTRICT COMMUNITY AND BUSINESS GROUP MEETING 06/06/2023**

6493 RESOLVED

[Cr. Hicks/Cr. Wilton]

That Part D of the Agenda be received and noted.

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

MATTERS OF URGENCY

Nil

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

At this juncture the live stream of the meeting was paused so that the confidential section of the meeting was held in camera at 6:29pm.

6494 RESOLVED [Cr. Wilton/Cr. Forrest]

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. CULCAIRN RESIDENTIAL SUBDIVISION

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

MAYORAL MINUTE

2. GENERAL MANAGER'S INTERIM PERFORMANCE REVIEW TO 30 JUNE 2023

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

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL
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**CONFIDENTIAL – CLOSED COUNCIL (COMMITTEE OF THE WHOLE)
ITEM FOR DETERMINATION**

1. CULCAIRN RESIDENTIAL SUBDIVISION

6495 RECOMMENDATION [Cr. Schilg/Cr. Forrest]

That Council:

1. Resolve to support the development of residential land in Culcairn by Council and to consider tenders for the construction of Stage 1 at the September meeting.
2. Authorise the procurement of common use concrete items to avoid procurement delays to the project.

VOTING ON THE RECOMMENDATION

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

AT THIS JUNCTURE, COUNCIL STAFF – GENERAL MANAGER, DIRECTOR CORPORATE AND COMMUNITY SERVICES, DIRECTOR ENGINEERING, DIRECTOR ENVIRONMENT AND PLANNING, CHIEF FINANCIAL OFFICER AND EXECUTIVE ASSISTANT EXITED THE ROOM TO ALLOW COUNCIL TO CONSIDER THE CONFIDENTIAL ITEM, LEAVING THE MEETING AT 6:38PM.

2. GENERAL MANAGER'S INTERIM PERFORMANCE REVIEW TO 30 JUNE 2023

That Council note the report of the Performance Review Panel.

At 6:53PM THE GENERAL MANAGER, DIRECTOR CORPORATE AND COMMUNITY SERVICES, DIRECTOR ENGINEERING, DIRECTOR ENVIRONMENT AND PLANNING AND EXECUTIVE ASSISTANT RETURNED TO THE MEETING ROOM.

**MINUTES OF ORDINARY MEETING OF GREATER HUME COUNCIL
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COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY 16 AUGUST 2023**

ORDINARY MEETING RECONVENED

6496 RESOLVED [Cr. Wilton/Cr. Lindner]

That the Ordinary meeting be reconvened at 6:53pm for the purpose of determining the report of the matter dealt with in Committee.

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

RECOMMENDATION OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

6497 RESOLVED [Cr. Wilton/Cr. Lindner]

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

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

There being no further business, the meeting concluded at 6:54pm

THESE MINUTES WERE CONFIRMED at the Council meeting held on 20 September 2023 at which time the signature hereon was subscribed.

Cr Tony Quinn
Mayor, Greater Hume Council