

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBER, BALFOUR STREET, CULCAIRN  
AT 4.30 PM ON WEDNESDAY 20 MAY 2009**

**PRESENT:** Councillors Osborne (Chairperson), Evans, Jacob, McDonald, McInerney, O'Neill, Ross, Scheuner and Wilton.

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

**PRAYER:** Pastor Gary Kenney opened the meeting with a prayer.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 15 APRIL 2009**

**1869 RESOLVED** [Jacob/Wilton]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council, held at Bungowannah on Wednesday, 15 April 2009, as printed and circulated, be confirmed as a true and correct record of the proceedings of such meeting.

### **MINUTES OF EXTRAORDINARY MEETING OF COUNCIL HELD ON 6 MAY 2009**

**1870 RESOLVED** [Wilton/Ross]

That the Minutes of the Extraordinary Meeting of Greater Hume Shire Council, held at Holbrook on Wednesday, 6 May 2009, as printed and circulated, be confirmed as a true and correct record of the proceedings of such meeting subject to the mover and seconder of Minute No. 1865 be altered to read McInerney/Jacob and mover and seconder of Minute No. 1866 be altered to read Ross/Scheuner.

## **ACTION REPORT FROM THE MINUTES**

1. Minute 1290- KILTEARN HOUSE HOSTEL ADVISORY COMMITTEE – ADDITIONAL AGED CAR EBEDS FOR CULCAIRN

Cr Evans queried if the meeting with UPA went ahead. General Manager advised the meeting that the meeting with UPA was held on Friday 3 April 2009 and reported that that UPA agreed to participate in a community information day where it will advise members of the public what it can offer for aged care services in Culcairn.

2. Minute 1291 – UPPER MURRAY PARTNERSHIP AGREEMENT

Cr Ross questioned if the planned meeting between the Shires of Towonga, Tumbarumba and Greater Hume Shires, member Councils of the Upper Murray Partnership Agreement, has been held. General Manager advised that several planned meetings have been postponed by Tumbarumba Shire representatives, but that he held the view that the members of Agreement should meet to determine the future of the Agreement.

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3. Minute 1593 – RAILIWAY LEVEL CROSSINGS

Cr Ross requested an update in the matter since Council had resolved to write to RTA seeking a deferment of community consultation in relation to the rail crossings at Henty and south of Culcairn until early 2009. The General Manager advised that prior to meeting with the RTA it would be preferable for Council to develop a number of options for the retention of crossings north of Henty and south of Culcairn.

4. Minute 1525 - CLOSING OF THE HOLBROOK OFFICE OF MURRAY CATCHMENT MANAGEMENT AUTHORITY

Cr Evans queried progress in the matter. General Manager reported that the matter was still outstanding.

5. Minute 1609 – PROPOSED HOLBROOK ROTARY AND PLAYGROUND EXERCISE CIRCUIT

Cr McInerney requested an update on the matter as the Rotary Club of Holbrook is involved with the project. Cr McInerney sought clarification if a new ablutions block was required, as the Rotary Club's current view is that additional toilets are required. In response, however, Director Engineering informed Council that toilets were not discussed at the meeting held and would not be a requirement, as the existing toilets at Circus Flat service the precinct. Cr McInerney agreed to clarify the situation with representatives of Rotary Club of Holbrook.

## **ENVIRONMENT AND PLANNING**

Cr McDonald joined the meeting at 4.42pm.

1. **CHEMICAL ISSUED TO LANDHOLDERS**

**MOVED** [McInerney/O'Neill]

That Senior Weeds Officer be authorised to issue chemical (Roundup Biactive) to landholders within the Shire who have requested chemical to control weeds on Council road reserves to prevent them encroaching onto their land subject to:

1. the landholder being a holder of a chemical user certificate
2. maximum issuing being 5 litres in an unopened container
3. signing of formal agreement with landholder.

**1871 MOVED AS AN AMENDMENT** [Evans/Ross]

That Senior Weeds Officer be authorised to issue chemical (Roundup Biactive) to landholders within the Shire who have requested chemical to control weeds on Council road reserves to prevent them encroaching onto their land subject to:

1. the landholder producing verification that they hold a chemical user certificate
2. maximum issuing being 5 litres in an unopened container
3. signing of formal agreement with landholder.

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

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**2. WOOMARGAMA LANDFILL**

**MOTION** [McInerney/Wilton]

That Council reaffirm its decision to introduce landfill charges at Woomargama Landfill.

**1872 MOVED AS AN AMENDMENT** [McDonald/O'Neill]

That residents of Bowna/Wymah and Mullengandra be given free access to Woomargama Tip on the presentation of a driver's licence that lists their identity and location of their address until such time as the Mullengandra Transfer Station is open.

At this juncture, at 5.12pm, a motion of dissent was moved and seconded.

MOTION OF DISENT [McInerney/Wilton] that the Amendment was a direct negative to the motion.

On being put the vote, the motion of dissent was LOST.

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

Crs Ross and McInerney requested that their opposition to the motion be recorded.

**3. HOLBROOK RAILWAY PRECINCT**

Cr McInerney briefly left the meeting room at 5.16pm and returned at 5.17pm.

**1873 RESOLVED** [Wilton/Jacob]

That Council:

1. Seek confirmation from ARTC to sub-lease Lot 1 DP 831081 and Lot 5 DP 804402 at the Holbrook Railway Precinct to the Holbrook Lions Club.
2. Subject to ARTC approval, sub-lease Lot 1 DP 831081 and Lot 5 DP 804402 at the Holbrook Railway Precinct to the Holbrook Lions Club.
3. Authorise the Mayor and General Manager to sign the Lease documentation under the Common Seal of Council.
4. Provide a one-off grant of \$2000 for building maintenance and other improvements and meet the annual lease expenses from the ARTC.

Director Corporate & Community Services briefly left the meeting room at 5.18pm and returned at 5.20pm.

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**4. WASTE OIL COLLECTION**

**1874 RESOLVED** [O'Neill/Scheuner]

That Council enter in a Memorandum of Understanding with Southern Oil Refining Pty Ltd for the collection of waste oils within Greater Hume Shire Council.

**5. CONTAINER DEPOSIT LEGISLATION (CDL)**

**1875 RESOLVED** [Scheuner/Ross]

That Council support the Local Government and Shire Association and Clean Up Australia in calling for the urgent introduction of beverage container deposits legislation.

## **GOVERNANCE**

**1. HENTY COMBINED CHURCHES – REQUEST FOR FINANCIAL CONTRIBUTION TO COLIN BUCHANAN CONCERT**

**1876 RESOLVED** [Ross/Evans]

That:

1. Council approve a contribution of \$400 to the Henty Combined Churches Colin Buchanan concert to be held 25 August 2009; and
2. the contribution be funded from the 2008/2009 Donations (NEI) allocation.

**2. 2008/2009 MANAGEMENT PLAN – REPORT AS AT 31 MARCH 2009**

**1877 RESOLVED** [O'Neill/Wilton]

The report be received and noted.

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**3. AUSTRALIA DAY 2010**

**1878 MOTION** [Ross/McDonald]

That Australia Day 2010 celebration be held at Culcairn and that the 2011 event be held at Jindera.

MOVED AS AN AMENDMENT [Jacob/O'Neill]

That Australia Day 2010 celebration be held at Jindera Swimming Pool Complex and that the 2011 event be held at Culcairn.

**ON BEING PUT TO THE VOTE, THE AMENDMENT WAS LOST. ON BEING PUT TO THE VOTE THE MOTION WAS CARRIED.**

**4. CULCAIRN COMMUNITY AND BUSINESS FORUM – ROTATION OF AUSTRALIA DAY**

**1879 RESOLVED** [Ross/Scheuner]

1. That Council will consider offering the Australia Day event to any community within the Shire. Furthermore, any community that has an upcoming special event (in forthcoming years) may write to Council asking it to consider their request for the annual Australia Day event to be held at that community to coincide with that community's special event or commemoration.
2. The above matter be publicised widely across the Shire including regular coverage in Council's community newsletter distributed on a quarterly basis.

Cr O'Neill departed the meeting room at 5.33pm and returned at 5.35pm.

**5. CODE OF CONDUCT FOR NSW COUNCILS – APPOINTMENT OF A CONDUCT COMMITTEE**

**1880 RESOLVED** [Wilton/Jacob]

1. That Council seek to form a Conduct Review Panel consisting of:
  - Representative of DG Skinner and Associates
  - Representative of Kell Moore Solicitors
  - Representative of Commins Hendriks
  - Ray Stubbs, Executive Officer of RAMROC and former General Manager of Albury City Council
  - Gerry Holmes of Holmes and Reynolds Pty Ltd.

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2. A further report be submitted to Council when a response has been received from DG Skinner and Associates, Kell Moore Solicitors and Commins Hendricks.

**6. IMPLEMENTATION OF DEPARTMENT OF LOCAL GOVERNMENT PROMOTING BETTER PRACTICE PROGRAMME**

**1881 RESOLVED** [O'Neill/McDonald]

That the report be received and noted.

**7. DEPARTMENT OF STATE AND REGIONAL DEVELOPMENT – APPLICATION FOR FUNDING ECONOMIC DEVELOPMENT OFFICER**

**1882 RESOLVED** [Wilton/Evans]

That the report be received and noted.

**8. INTEGRATED PLANNING & REPORTING FRAMEWORK**

**1883 RESOLVED** [Wilton/Ross]

That the General Manager be authorised to prepare submissions on the draft Bill and Regulations and the draft Guidelines and Manual, if deemed appropriate.

## **CORPORATE AND COMMUNITY SERVICES**

**1. INTERIM 2008/2009 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2009**

**1884 RESOLVED** [Wilton/Ross]

That Council note and approve the Interim Budget Review Statement as at 31 March 2009.

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**2. DRAFT MANAGEMENT PLAN AND ESTIMATES OF INCOME AND EXPENDITURE 2009/2010**

**1885 RESOLVED** [Wilton/Ross]

That:

1. the 2009/2010 Draft Management Plan incorporating Estimates of Income and Expenditure for Council's General, Sewerage and Water Supply be placed on public exhibition for a period of 28 days commencing Monday 25 May 2009.
2. a Council Workshop be held on Wednesday 26 August 2009 to examine the benefits / impacts of alternative rating structures for Greater Hume Shire Council.

**3. FRIENDS OF THE IAN GEDDES BUSH WALK COMMITTEE**

**1886 RESOLVED** [Wilton/O'Neill]

The delegations vested to the Friends of the Ian Geddes Bush Walk Committee be revoked and that the Friends of the Ian Geddes Bush Walk Committee under section 355 of the Local Government Act 1993 be removed from Council's register of committees appointed under Section 355 of the Local Government Act 1993.

**4. SIGNING OF GOODS AND SERVICES TAX CERTIFICATE**

**1887 RESOLVED** [Scheuner/McInerney]

That Council authorise the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer to execute the goods and services tax certificate to confirm compliance with section 114 of the Commonwealth Constitution.

**5. GEROGERY COMMUNITY CENTRE COMMITTEE (ROSE COTTAGE)**

**1888 RESOLVED** [Wilton/O'Neill]

1. The delegations vested to the Gerogery Community Centre Committee (Rose Cottage) under the Section 355 of the Local Government Act 1993 be revoked and that the Gerogery Community Centre Committee (Rose Cottage) be removed from Council's register of committees appointed under Section 355 of the Local Government Act 1993.
2. That Council commence negotiations with Australian Rail Track Authority regarding the future management of Rose Cottage – Assistant Station Masters Residence.

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## **ENGINEERING**

**1. JINDERA FLOOD STUDY**

**1889 RESOLVED** [O'Neill/Scheuner]

That Council note the Jindera Flood Study as submitted, and include an additional item in the 09/10 Management Plan of \$60,000 for the installation of an additional culvert under Pioneer Drive west of Jindera Street as recommended and further implement other recommendations as resources permit.

**2. CHALMER'S CHURCH COOKARDINIA**

**1890 RESOLVED** [McDonald/Wilton]

Subject to confirmation from Mr Colin Black that he has no objection, that approval be given to the Chalmers Church Restoration Committee to install gates on the public road accessing Chalmers Church, Cookardinia as detailed in correspondence with the additional conditions that additional reflective signage be installed on the gates and that the gates are never to be locked.

At this juncture, Cr McDonald departed the meeting at 5.57pm.

## **PART B – FOR INFORMATION**

### **GOVERNANCE**

**1. DEPARTMENT OF LOCAL GOVERNMENT CIRCULARS [G.320.3]**

**2. LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW (LGSA) – WEEKLY CIRCULARS [G.330.1]**

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## **CORPORATE AND COMMUNITY SERVICES**

1. **CUSTOMER REQUEST MODULE**
2. **STATEMENTS OF BANK BALANCES AS AT 30 APRIL 2009. COMBINED INVESTMENT ACCOUNTS AS AT 30 APRIL 2009**

## **ENGINEERING**

1. **APRIL REPORT OF WORKS**

## **ENVIRONMENT AND PLANNING**

1. **DEVELOPMENT APPLICATIONS PROCESSED FOR THE MONTH OF APRIL 2009**
2. **RANGER'S REPORT – APRIL 2009**
3. **SENIOR WEED OFFICER'S REPORT - MAY 2009**
4. **WASTE UPDATE**
5. **SCRAP METAL COLLECTION**

**1891 RESOLVED** [Wilton/O'Neill]

That Part B of the Agenda be received and noted.

## **PART C – COMMITTEE REPORTS**

**1892 RESOLVED** [Ross/Wilton]

That Part C of the Agenda be received and noted.

## **MATTERS OF URGENCY**

Nil.

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## **QUESTIONS WITHOUT NOTICE**

1. CUSTOMER ACTION REQUEST – WALLA WALLA TOWNSHIP AND STREETS – GENERAL MAINTENANCE

Cr Jacob advised that a resident had complained to him about apparent inaction on several customer action requests at Walla Walla. Cr Jacob queried the amount of maintenance hours allocated to the Walla Walla township. Director Engineering asked that the matter be taken on notice and that he would report back to Council.

2. HENTY COMMUNITY – INCREASE IN AGED POPULATION – KERB ACCESS FOR MOTORISED GOPHERS

Cr Evans reported to Council that there has been an increase in the aged population at Henty and that there are insufficient pedestrian access ramps for motorised gophers in the town. Director Engineering indicated that planning is underway to seek additional funding to enable additional pedestrian access ramps to be installed in the Henty township.

3. WALLA WALLA TOURIST BROCHURE

Cr Evans advised there is a number of inaccuracies in the Walla Walla DL brochure. General Manager advised that existing stock will be destroyed and update of brochure be carried out.

4. IMPLEMENTATION OF THE FOOTWAY DINING POLICY

Cr Scheuner queried if Council's officers are implementing and patrolling Council's streets in accordance with the adopted policy. Director Environment and Planning responded that audits of footway dining structures will be undertaken by the Building Inspector but are yet to commence. They will commence after Food Premises inspections have reached a suitable level of satisfaction and certainly in the second half of 2009.

5. FUTURE OF CULCAIRN WATER SUPPLY

Cr Scheuner enquired whether Council had received any correspondence regarding the future of the Culcairn Water Supply. General Manager advised that one letter had been received and one other enquiring from a resident through Cr Evans.

6. TRAFFIC CALMING DEVICES IN WALLA WALLA

Cr Jacob advised Council that he has received a number of complaints regarding the traffic calming devices situated at Walla Walla. Director Engineering reported, however, that at the most recent community development committee meeting he attended in Walla Walla, local committee members indicated that they are happy for these to stay.

7. SOFTWOODS MEETING HELD 20 MAY 2009 - MANAGED INVESTMENT SCHEMES

Cr Ross queried if MIS schemes were raised at softwoods meeting held today. Cr McNerney attended and advised the matter was discussed briefly and that a Softwoods Working Group tour for Councillors and senior staff had been set down for 10 June 2009.

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8. ORGANISATIONAL REVIEW - REPORT PREPARED BY LEARNING SOLUTIONS

Cr Ross queried the next step in the consideration of the organisational review report recently presented to Council.

In reply, General Manager indicated that he will be reporting to Council on the balance of the recommendations (33 in total) to subsequent meetings of Council with the aim that all recommendations will be dealt with prior to 31 August 2009.

9. RESIGNATION – CR MCINERNEY RESIGNATION AS COUNCIL'S DELEGATE TO OCCUPATIONAL HEALTH AND SAFETY COMMITTEE AND CONSULTATIVE COMMITTEE.

Cr McInerney advised his resignation as Council's delegate from the above committees. Mayor advised that a report will come back to Council to re-appoint delegate(s) to those respective committees.

10. REMOVAL OF 45 DEGREE PARKING SIGN – WALLACE STREET, HOLBROOK

Cr McInerney thanked the Director Engineering for the removal of this sign.

11. ALLIANCE OF COUNCILS AND SHIRES OF UPPER MURRAY (ACSUM) MEETING HELD ON 13 MAY 2009 AT CHILTERN

Cr Ross provided a brief report on the meeting that he attended and advised that the next meeting will be held on 22 July 2009.

12. LOCAL GOVERNMENT AND SHIRES ANNUAL CONFERENCE

General Manager reported to Council that Mayor, Deputy Mayor and he will be attending the Shires Conference in Sydney on Tuesday 2 and Wednesday 3 June 2009 and that the Conference Program is available for Councillors' perusal.

There being no further business, the meeting concluded at 6.00pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 24 June 2009, at which time the signature hereon was subscribed.

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Cr Denise Osborne  
Mayor - Greater Hume Shire Council