

PRESENT.

The Mayor, Councillor GJ Poidevin (Chairperson), Councillors WB Bott AM, DJ Davey, JE Doyle, GJ Law, FT Longmire, FM Schirmer, MS Shields and NW Wales APM.

ALSO PRESENT.

Mr BJ Corcoran (General Manager), Mr B Parr (Director Environmental Services), Mr JJ Babbs (Director Engineering Services) and Mr ID Rich (Director Corporate and Community Services).

BEREAVEMENTS.

One minutes silence was observed in sympathy for the passing of :-

Reginald Walter Hall  
Gwenyth Marjorie Richardson  
Reginald Hildebrand  
Evelyn Price  
John Noel Faulkner

MINUTES.

301/09 RESOLVED on the motion of Councillors that the Minutes of the Ordinary Meeting held on 18 August 2009 be confirmed.

GENERAL MANAGER'S REPORT.

302/09 RESOLVED on the motion of Councillors Wales and Law that the General Manager's Report be dealt with.

1. MAYORAL ELECTION

(b) ELECTION OF MAYOR.

303/09 RESOLVED on the motion of Councillors Law and Davey that the ordinary ballot be used in the election process.

A nomination was received from Councillor Poidevin for the position of Mayor.

As Councillor Poidevin was the only nomination he was elected as Mayor of Corowa Shire for the 2009/2010 year.

(c) ELECTION OF DEPUTY MAYOR.

Nominations were received from Councillors Schirmer and Longmire for the position of Deputy Mayor.

On the election of the Deputy Mayor being conducted by the General Manager, Councillor Longmire was elected as Deputy Mayor of Corowa Shire for the 2009/2010 year.

(f) ELECTION OF STATUTORY COMMITTEES.

304/09 RESOLVED on the motion of Councillors Bott and Longmire that the following members of each Statutory Committee be appointed.

- (i) Occupational Health and Safety - Councillors Shields, Davey and Wales,

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Director Engineering Services and Director Corporate Services.

- (ii) Traffic Committee - Director Engineering Services.
- (iii) Consultative Committee - Mayor and Deputy Mayor.
- (iv) Saleyards Committee - Mayor, Councillors Longmire, Bott and Schirmer.
- (v) Rural Fire Service Liaison Committee - Mayor, General Manager and Councillor Shields as the alternate.
- (vi) Rural Fire Service Advisory Committee - Mayor, Director Engineering Services and Councillor Shields as the alternate.
- (vii) Code of Conduct Committee – members of the REROC and RAMROC Panel.

(g) ELECTION OF DELEGATES TO COUNCIL COMMITTEES.

305/09 RESOLVED on the motion of Councillors Law and Shields that the following Committee delegates be appointed.

- (i) Australia Day Committee - Mayor, Councillors Law, Doyle, Wales and Schirmer and the General Manager.
- (ii) Social and Community Plan Committee - Mayor, Councillors Longmire, Law, Schirmer, Davey, Shields and Director of Corporate Services and Community Services.
- (iii) Waste Management Committee - Mayor, Councillors Davey, Schirmer, Shields, Bott, General Manager and Director Environmental Services.
- (iv) Sister City Committee - Mayor, Councillors Schirmer, Law, Doyle and Director of Corporate Services and Community Services.
- (v) Sanger Street Committee - Mayor, Councillors Schirmer, Law, Longmire, Wales, Director Engineering Services and Economic Development Officer.
- (vi) Mulwala Streetscape Committee - Mayor, Councillors Davey, Doyle, Wales, Director Engineering Services and Economic Development Officer.
- (vii) Industrial Land Committee - Mayor, Councillors Davey, Shields, Bott, General Manager and Economic Development Officer.
- (viii) Corowa Social Enterprise Centre Committee - Mayor, Councillors Bott, Law, Longmire and General Manager.
- (ix) Corowa 150 Year Celebrations Committee - Mayor, Councillors Longmire, Schirmer, Wales, Bott and General Manager.

(h) ELECTION OF DELEGATES TO ORGANISATIONS.

306/09 RESOLVED on the motion of Councillors Bott and Law that the following delegates to Committees and organizations be appointed.

- (i) National Federation Festival - Mayor and Councillor Wales.

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- (ii) Murray Darling Association Incorporated - Councillors Longmire, Schirmer and Director Environmental Services.
  - (iii) Upper Murray Regional Library Corporation - Councillor Bott and the General Manager as the alternate.
  - (iv) Corowa Howlong Mulwala Tourism - Councillor Schirmer with Councillor Davey as the alternate.
  - (v) Yarrowonga-Mulwala Tourism Inc. - Councillor Doyle with Councillor Davey as the alternate.
  - (vi) Regional Waste Management Forum - Mayor and Director Environmental Services.
  - (vii) Daysdale Water Trust - Councillor Bott.
  - (viii) Friends of the Library – Corowa - Councillors Bott and Law.
  - (ix) Friends of the Library – Mulwala - Councillor Doyle.
  - (x) Lonsdale Reserve Management Committee - Councillors Davey, Doyle and Wales.
  - (xi) Aerodrome Management and Development - Councillors Law, Shields and Director Engineering Services.
  - (xii) Corowa District Landcare Group - Councillor Bott.
  - (xiii) Corowa Shire & Rutherglen District Health, Social and Community Support Committee – Councillor Longmire.
  - (xiv) Advisory Group, Hume to Yarrowonga Waterways Management - Councillor Bott.
  - (xv) Morris Park Committee of Management - Councillors Longmire and Law.
  - (xvi) RAMROC - Mayor and General Manager.
  - (xvii) REROC - Mayor and General Manager.
  - (xviii) CDSE Committees –
    - Corowa – Councillors Longmire, Shields and General Manager.
    - Mulwala – Councillor Doyle and General Manager.
  - (xix) Curlew Arts Committee – Councillor Schirmer.
  - (xx) Liquor Accord Committee – Councillor Longmire (Corowa) and Councillor Davey (Mulwala).
  - (xxi) Business Corowa Howlong Mulwala (BCHM) Steering Committee - Mayor, Councillors Law, Longmire, Schirmer and Davey.
  - (xxii) Lowe Square Management Committee - Councillor Shields.
  - (xxiii) Alliance of the Councils and Shires of the Upper Murray - Mayor and Councillor Schirmer.
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(xxiv) Yarrawonga Mulwala Rail Museum Project Committee - Councillors Davey and Wales.

(xxv) Murray Arts – Councillor Schirmer.

(xxvi) Festival of Dance – Councillor Schirmer.

(xxvii) Lake Mulwala Reference – Councillor Doyle.

(xxviii)ERNWAG (Noxious Weeds) – Councillor Longmire.

### 3. RURAL FIRE SERVICE

307/09 RESOLVED on the motion of Councillors Longmire and Law that Council formally adopt the Rural Fire Service 2010/11 Equipment Allocation Estimates and submit them to the Commissioner of Rural Fire Service for consideration.

### 4. SENIOR STAFF CONTRACTS

308/09 RESOLVED on the motion of Councillors Davey and Shields that Council appoint Councillor Longmire to assist the Mayor in carrying out the General Manager's appraisal.

### 5. FINANCIAL POSITION AS AT 30 JUNE 2009 AND RESERVE TRANSFERS

309/09 RESOLVED on the motion of Councillors Longmire and Davey that Council adopt the Cash Financial Report to 30 June 2009 and the Reserve Transfers for 2008/09.

### 6. ONE ASSOCIATION

310/09 RESOLVED on the motion of Councillors Bott and Schirmer that the Mayor be authorised to complete the One Association questionnaire on behalf of Council.

### 7. NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

311/09 RESOLVED on the motion of Councillors Longmire and Bott that Council again be represented at the Roads Congress.

### LIONS CLUB CONVENTION - CIVIC RECEPTION

312/09 RESOLVED on the motion of Councillors Bott and Shields that Council agree to hold a Welcome Civic Reception for the Lions Club Convention.

### ADOPTION OF GENERAL MANAGER'S REPORT.

313/09 RESOLVED on the motion of Councillors Doyle and Shields that the balance of the General Manager's Report be adopted.

### SUSPENSION OF STANDING ORDERS

314/09 RESOLVED on the motion of Councillors Bott and Schirmer that standing orders be suspended.

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SOUTHERN SPORTS ACADEMY

The Mayor welcomed Mr Greg McLay, Southern Sports Academy representative and students who made a presentation to Council and attended morning tea.

ADJOURNMENT OF MEETING

The meeting adjourned for morning tea at 10.30 am.

RESUMPTION OF MEETING

The meeting resumed at 10.50 am.

FEDERATION BRIDGE – ARTWORKS

The Mayor introduced Mr Simon Eaking (CPG Australia, Landscaping Consultant) and Mr Richard Walker (Sculptor) who addressed the meeting on the location of the Broлга Sculptures.

RESUMPTION OF STANDING ORDERS

315/09 RESOLVED on the motion of Councillors Bott and Davey that standing orders be resumed.

DIRECTOR CORPORATE AND COMMUNITY SERVICES' REPORT.

316/09 RESOLVED on the motion of Councillors Law and Wales that the Director Corporate and Community Services' Report be dealt with.

1. LAPTOPS FOR COUNCILLORS

317/09 RESOLVED on the motion of Councillors Bott and Longmire that this item be referred to the next Policy and Resource Committee meeting for consideration.

2. COROWA WOODCRAFTER'S CLUB

318/09 RESOLVED on the motion of Councillors Bott and Davey that Council agree to the shared occupation of the Council land in Redlands Road, Corowa by the Corowa Historic Vehicle and Machinery Club Inc. and Corowa Woodcrafter's Club AND THAT a new agreement be prepared and signed by all three parties.

ADOPTION OF DIRECTOR CORPORATE AND COMMUNITY SERVICES' REPORT.

319/09 RESOLVED on the motion of Councillors Bott and Davey that the balance of the Director Corporate and Community Services' Report be adopted.

SUSPENSION OF STANDING ORDERS

320/09 RESOLVED on the motion of Councillors Bott and Doyle that standing orders be suspended.

The Mayor introduced Mr John Irving to address Council on fluoridation.

ADJOURNMENT OF MEETING

The meeting adjourned for lunch at 12.50 pm.

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RESUMPTION OF MEETING

The meeting resumed at 1.55 pm.

321/09 RESOLVED on the motion of Councillors Bott and Schirmer that standing orders be resumed.

FLUORIDATION OF TOWN WATER SUPPLIES

322/09 RESOLVED on the motion of Councillors Shields and Law that Council refer the matter of water fluoridation of the Shire town water supplies to the Director General for Health for a professional recommendation on the issue of fluoridation.

DIRECTOR ENGINEERING SERVICES' REPORT.

323/09 RESOLVED on the motion of Councillors Schirmer and Doyle that the Engineering Services Report be dealt with.

The General Manager returned to the meeting.

3. HOWLONG TOWN IMPROVEMENT FUND ACCUMULATED RESERVES - PROPOSALS FOR EXPENDITURE

324/09 RESOLVED on the motion of Councillors Shields and Schirmer that Council adopt Year 1 of the proposed programme.

**YEAR 1**

Pell Street, Hovell Street to Hume Street Shoulder sealing	\$53, 140
Hawdon Court. Design and construct central pavement	\$34,950
Pearce Street, Victoria St to Clarks St West. Design and central seal	\$56,130
Hammer Street, Jude St to Kennedy St. Design incl, drains, central seal	\$38,300
Lowe Square shade sails (Note: community contribution)	\$17,000
Hawkins Street letter bins – 8 off	\$14,000
Bank Street, East St to Orchard St, Form and seal on existing alignment	\$21,930
Rotunda restoration in Memorial Park	\$ 3,000
<b>TOTAL – Year 1</b>	<b><u>\$238,450</u></b>

4. FEDERATION BRIDGE – ARTWORKS

325/09 RESOLVED on the motion of Councillors Schirmer and Law that Council go ahead with placement of the Brolga sculptures and plantings on the T&G Corner as presented by the consultant.

6. SAVERNAKE ROAD BUS SHELTER

326/09 RESOLVED on the motion of Councillors Bott and Shields that Council consider the inclusion of the Savernake Road Bus Shelter in the 2010/11 budget.

7. DAVEY'S HILL QUARRY

327/09 RESOLVED on the motion of Councillors Schirmer and Law that Council resolves in relation to Lot 2 DP 1037356 that:

1. Council proceed with the compulsory acquisition of the land for the purpose of a quarry described as Lot 2 DP 1037356 in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

2. Council make an application to the Minister and the Governor for approval to acquire Lot 2 DP 1037356 by compulsory process under Section 186 of the Local Government Act 1993.
3. Upon acquisition the land Lot 2 DP 1037356 be classified as operational land.

328/09 RESOLVED on the motion of Councillors Schirmer and Law that Council resolves in relation to Lot 1 DP 1037356 that:

1. Council proceed with the compulsory acquisition of the land described as Lot 1 DP 1037356 in accordance with the requirements of the land Acquisition (Just Terms Compensation) Act 1991.
2. Council make an application to the Minister and the Governor for approval to acquire Lot 1 DP 1037356 by compulsory process under Section 177 of the Roads Act 1993.
3. Upon acquisition the land Lot 1 DP 1037356 to publish in the Government Gazette a Dedication of Land as Public Road, in accordance with the provisions of Part 2 Section 10 of the Roads Act 1993.

329/09 RESOLVED on the motion of Councillors Schirmer and Law that Council resolves in relation to Lot 3 DP 1037356:

1. For Council to negotiate the sale of Lot 3 DP 1037356 from Mr Mark Hanrahan for the purpose of a public road.
2. To publish in the Government Gazette a Dedication of Land as Public Road, in accordance with the provisions of Part 2 Section 10 of the Roads Act 1993.

#### 8. HERMITAGE DRIVE, COROWA

330/09 RESOLVED on the motion of Councillors Longmire and Law that subject to availability of funds within the 2009/2010 budget and commitment from adjoining owners that the extension of Hermitage Drive to Gallipoli Street be completed on a cost sharing arrangement with adjoining landholders.

#### 9. WATER RESTRICTIONS

331/09 RESOLVED on the motion of Councillors Davey and Shields that the General Manager be given delegated authority to alter Water Restrictions in accordance with State Government recommendations.

#### 11. DEVELOPMENT CONSENT 2009/75 - SUBDIVISION

332/09 RESOLVED on the motion of Councillors Bott and Law that Council confirm the Conditions of Development Consent 2009/75, Items 4 and 5.

#### 13. SANGER STREET LINEMARKING – SHELL SERVICE STATION

The Mayor declared a pecuniary interest, vacated the Chair and left the Council Chambers. Reason – Section 59(1) Council's Code of Meeting Practice. He is the owner of a competing Service Station business.

Councillor Longmire took the Chair and chaired the meeting.

333/09 RESOLVED on the motion of Councillors Davey and Bott that a break in the median in Sanger Street be provided to permit safe delivery of fuel to the Corowa Service Station.

Councillor Longmire vacated the Chair and the Mayor returned to Chair the meeting.

#### 14. SALEYARDS RECORDS MANAGEMENT BUILDING

334/09 RESOLVED on the motion of Councillors Longmire and Law that Mr Ian Bilney be awarded the Saleyards Records Management building work at the quoted price of \$74,703.60 ex GST.

#### FRUIT FLY ERADICATION PROGRAM

335/09 RESOLVED on the motion of Councillors Bott and Law that Council introduce the Department of Primary Industry notification regarding Fruit Fly eradication within Corowa this summer.

336/09 RESOLVED on the motion of Councillors Law and Shields that Council agree and commit to the Corowa action and seek information as to what assistance is available to Howlong residents.

#### ADOPTION OF DIRECTOR ENGINEERING SERVICES' REPORT.

337/09 RESOLVED on the motion of Councillors Law and Davey that the balance of the Director Engineering Services' Report be adopted.

#### DIRECTOR ENVIRONMENTAL SERVICES' REPORT.

338/09 RESOLVED on the motion of Councillors Wales and Schirmer that the Environmental Services Report be dealt with.

#### 2. SMOKE-FREE OUTDOOR AREAS

339/09 RESOLVED on the motion of Councillors Schirmer and Law that as the State Government is progressively introducing laws relating to Smoke Free Public Areas Council take no action.

#### 3. DEVELOPMENT APPLICATION NO. 2009/14

PROPERTY: 45 PIMPALA CRESCENT, MULWALA  
Lot 1 DP 616075

OWNER: 111 INVESTMENTS PTY LTD

PROPOSAL: TO ESTABLISH A PRIMITIVE CAMPING GROUND WITH ANCILLARY FACILITIES

CURRENT USE: VACANT LAND AREA: 41.06 ha.

ZONING: 7(a) ENVIRONMENT PROTECTION ZONE

340/09 RESOLVED on the motion of Councillors Bott and Schirmer that development consent for Development Application No. 2009/14 for a primitive camping ground at Lot 1 DP 616075, known as 45 Pimpala Crescent, Mulwala, NOT be granted for the following reasons:

- (1) (a) The likely impacts of the development upon the natural and built environments, and social and economic impacts in the locality;
- (b) The suitability of the site for the development;
- (2) The absence of sewerage infrastructure; and

(3) The lack of detail indicating compliance with Rural Fire Service provisions.

Voting

For: Councillors Law, Davey, Bott, Shields, Doyle, Longmire, Schirmer, Wales and Poidevin.

Against: Nil.

ADOPTION OF DIRECTOR ENVIRONMENTAL SERVICES' REPORT.

341/09 RESOLVED on the motion of Councillors Law and Bott that the balance of the Director Environmental Services' Report be adopted inclusive of :-

1. BUILDINGS.

2009/124	19 O'Brien Court, Corowa	Patio & Deck
2009/130	45 Hawkins Street, Howlong	Food Shop
2009/131	42 Kennedy Street, Howlong	Swimming Pool
2009/146	131 Dawe Street, Corowa	Shed/Garage
2009/152	25 Sanger Street, Corowa	Fire Wall
2009/163	4 Hogg Court, Corowa	Pergola
2009/164	15 Savernake Road, Mulwala	Front Fence
2009/165	75 Hume Street, Corowa	Carport
2009/166	98 Hume Street, Mulwala	Dual Occupancy
2009/167	13 Albert Street, Corowa	Dwelling Renovations
2009/168	146-148 Hoddle Street, Howlong	Home Industry
2009/173	158 Adams Street, Corowa	Swimming Pool
2009/175	'The Sanctuary' Riverina Highway, Corowa	Swimming Pool
2009/177	42-64 Binda Road, Mulwala	Dwelling
2009/179	80 Adams Street, Corowa	Swimming Pool
2009/180	189 Church Street, South Corowa	Garage
2009/181	172 Golf Club Drive, Howlong	Pergola
2009/182	79 Hume Street, Howlong	Dwelling Additions
2009/184	120 Church Street, Corowa	Garage
2009/186	55 Hermitage Street, Corowa	Dwelling Alterations
2009/187	193 River Street, Corowa	Dwelling Alterations & Storage Container
2009/189	57 Heather Circuit, Mulwala	Patio

DEVELOPMENT APPLICATIONS.

The following development applications have been determined under delegated authority by the granting of consent subject to conditions.

DEVELOPMENT APPLICATION REGISTERED NO. 2009/131 – COUNTRYWIDE POOLS & SPAS FOR D & C HENMAN

Application to install a swimming pool on township land being Lot 18 Sec 60 DP 758528, 42 Kennedy Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2009/168 – F & B GOLDEN

Application to commence home industry (homemade sauces) on township land being Lot 9 Sec 8 DP 758528, 146-148 Hoddle Street, Howlong.

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ADJOURNMENT OF MEETING

The meeting adjourned for afternoon tea at 3.35 pm.

RESUMPTION OF MEETING

The meeting resumed at 4.00 pm.

NOXIOUS WEEDS AND ANIMAL INSPECTOR'S REPORT.

342/09 RESOLVED on the motion of Councillors Davey and Shields that the Noxious Weeds and Animal Inspector's Report be received and adopted.

REPORTS FROM COMMITTEES.COROWA SHIRE AND RUTHERGLEN DISTRICT HEALTH SOCIAL AND COMMUNITY SUPPORT COMMITTEE

343/09 RESOLVED on the motion of Councillors Law and Schirmer that the minutes of the Corowa Shire and Rutherglen District Health, Social and Community Support Committee meeting held on Thursday, 3 September 2009 be adopted inclusive of:-

APOLOGIES

THAT the apologies received from Barbara Robinson, May Houlihan, Frank Primerano, Rosemary Garthwaite, Beth Tidd and Gwynneth Handberg be accepted.

MINUTES.

THAT the Minutes of the meeting held on 6 August 2009 be confirmed with an amendment to the reference to electric chairs should be electric beds.

GENERAL BUSINESS

THAT Council write to Mr Greg Aplin MP, Member for Albury advising of this situation and that due to Corowa Shire's circumstances being the same as Albury in that the maternity sections were closed at the respective hospitals, babies from Corowa born at Wodonga should be able to be registered in NSW.

BUSINESS COROWA HOWLONG MULWALA STEERING COMMITTEE

344/09 RESOLVED on the motion of Councillors Schirmer and Davey That the minutes of the Business Corowa Howlong Mulwala Steering Committee meeting held on Wednesday, 9 September 2009 be adopted inclusive of:-

APOLOGY

THAT the apology received from Gary Pysing be accepted.

MINUTES

THAT the minutes of the meeting held on 12 August 2009 were confirmed.

ECONOMIC DEVELOPMENT MANAGER'S REPORT

THAT the Economic Development Manager's report containing 77 items be adopted.

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DELEGATES' REPORTS.

Councillor Bott reported on the Upper Murray Regional Library.  
Councillor Doyle reported on the Miki City Exchange Trip.  
Councillor Doyle reported on the Lake Mulwala Community Reference Group.  
Councillor Shields reported on the Howlong Golf Club Board.  
Councillor Longmire reported on the Liquor Accord.  
Councillor Longmire reported on the IPART Draft Report on Local Government Financing.  
Councillor Schirmer reported on the Murray Darling Association Conference.  
Councillor Wales reported on the IPART Draft Report on Local Government Financing.  
Councillor Wales reported on the Federation Festival.  
The Mayor reported on the State Plan and Cross Border issues meetings.  
The Mayor reported on the Super PACT Albury meeting.  
The Mayor reported on the ASCUM meeting.  
The General Manager reported on the State Plan and Cross Border issues meetings.  
The Director Corporate and Community Services reported on the IPART Draft Report on Local Government Financing.

ADOPTION OF DELEGATES' REPORTS.

345/09 RESOLVED on the motion of Councillors Law and Davey that the verbal Reports of the Delegates be adopted.

CORRESPONDENCE REQUIRING COUNCIL ACTION AND FOR INFORMATION.1. AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION

346/09 RESOLVED on the motion of Councillors Bott and Schirmer that no action be taken to become a member of the Australian Local Government Women's Association.

2. RENNIE RESERVE TRUSTEES

347/09 RESOLVED on the motion of Councillors Bott and Longmire that Council advise the Trustees this funding is allocated to Council owned or controlled parks/reserves and any new funding to the Trustees would need to be allocated as part of the next Management Plan process AND FURTHER the Trustees be invited to make a presentation on their funding request to Council early in 2010 when Council will be preparing the 2010 Management Plan.

3. SAVERNAKE SCHOOL OF ARTS HALL

348/09 RESOLVED on the motion of Councillors Bott and Longmire that Council forward a Community Small Grant application to the Savernake School of Arts Hall Committee for funding of the production "The Sentimental Bloke".

4. YARRAWONGA MULWALA TOURISM

349/09 RESOLVED on the motion of Councillors Bott and Doyle that Council provide in-kind support of up to \$3,000 to the Lake Mulwala Power Festival which is to be held on 28 - 29 November 2009.

5. MR RAY MARSH

350/09 RESOLVED on the motion of Councillors Law and Bott that no action be taken regarding Mr Marsh's letter on the need for a pedestrian crossing in Sanger Street.

6. ANNIE PIGGIN

351/09           RESOLVED on the motion of Councillors Law and Wales that Council write and advise Ms Piggini of Council's actions on the location for the Brolga sculptures.

The meeting terminated at 5.10 p.m.

CONFIRMED: 20 October 2009.

MAYOR: \_\_\_\_\_