

# Draft Extraordinary Edward River Council Business Paper

3.00pm Edward River Council Chambers July 26, 2017

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3. Minutes of Previous Meeting
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**4. SUBJECT: ELECTION CARETAKER PERIOD POLICY AND PROCEDURE**

**FROM: GENERAL MANAGER  
Adam McSwain**

**RECOMMENDATION:**

That Council resolves to:

1. Adopt the Election Caretaker Period Policy and Procedure

**BACKGROUND:**

In the lead-up to a Council Election, Council enters a period called “Caretaker Period”. Under the NSW Local Government Act 1993 this period commences 28 days prior to the Election.

For the 2017 Edward River Council elections, the Caretaker Period commences morning (12:01am) on Friday 11 August 2017 and continues until 6 pm Saturday 9 September 2017.

During this time, Council must avoid actions and decisions that could be seen to influence voters or which would have a significant impact on the incoming Council. In particular, the NSW Local Government Act prohibits Councils from:

- Entering into any contract or undertaking involving an expenditure or receipt by the Council of an amount equal to or greater than \$150,000 or 1% of the Council’s revenue and rates in the preceding financial year (whichever is the larger).
- Determination of a controversial Development Application, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period. The term “controversial Development Application” is defined as one for which at least 25 persons have made submissions by way of objection.
- Appointing or renewing the appointment of the General Manager or terminating their employment. (This does not include the appointment of an acting or temporary General Manager).

These statutory requirements are minimum governance standards only. As such, in addition to providing guidance at an operational level to ensure compliance with those minimum standards, the draft Policy and Procedure builds on the minimum statutory standards to enhance the transparency and accountability of the Council, Administrator, special committees and Council staff during the Caretaker Period.

The Policy and Procedure provide a framework for Council staff and Council's Administrator to work within in the lead up to the Council Election.

**STRATEGIC IMPLICATIONS:**

The Election Caretaker Period Policy and Procedure ensure that Council meets its responsibilities in operating a Council throughout Caretaker Period.

**BUDGETARY IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

This report establishes a new Policy and Procedure for Edward River Council. The Policy and Procedure would be reviewed in 2019, in the lead up to the next Election in 2020.

**LEGISLATIVE IMPLICATIONS:**

This project ensures Council complies with the *Local Government Act 1993* and associated regulations and meets the expectations of the Office of Local Government.

**CONCLUSION:**

Transparent governance is critical in retaining community confidence in Council. The Election Caretaker Period Policy and Procedure, ensure that Edward River Council is operating in this manner.

**ATTACHMENTS:**

- Caretaker Period Policy
- Caretaker Period Procedure

5. **SUBJECT: AMENDMENT TO RATNG REVENUE POLICY 2017-2018**

**FROM: FINANCIAL ACCOUNTANT  
Kris Kershaw**

**RECOMMENDATION**

1. That Council acknowledge and approve an amendment to the 2017-18 Rating Revenue policy, as adopted as part of the 2017-18 Operational Plan, in relation to the Conargo Farmland ad valorum rates;

<b>Category</b>	<b>Correct Ad Valorum cents in the \$</b>	<b>Listed in Revenue Policy Ad Valorum cents in the \$</b>
<b>Former Conargo Shire Council Area</b>		
Conargo Farmland Dryland	0.004598	0.004897
Conargo Farmland Low MIL Irrigation	0.006158	0.006559
Conargo Farmland High MIL Irrigation	0.008943	0.009525
Conargo Farmland Low Murray/ Murrumbidgee	0.005339	0.005687
Conargo Farmland High Murray/ Murrumbidgee	0.007462	0.007948
Conargo Farmland Murrumbidgee Groundwater	0.005262	0.005605
Conargo Farmland Murray Groundwater	0.008863	0.009440
Conargo Farmland Private Scheme Irrigation	0.008332	0.008874
Conargo Farmland Low Coleambally Irrigation	0.004785	0.005096
Conargo Farmland High Coleambally Irrigation	0.006967	0.007421

2. **IT IS HEREBY RECOMMENDED** that Council re-confirm the making and levying of the Conargo Farmland rating categories as per the following:

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.004598 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **CONARGO FARMLAND DRY**.

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.006158 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND LOW MIL IRRIGATION.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.008943 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND HIGH MIL IRRIGATION.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.005339 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND LOW MURRAY/MURRUMBIDGEE.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.007462 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND HIGH MURRAY/MURRUMBIDGEE.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.005262 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND MURRUMBIDGEE GROUNDWATER.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.008863 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND MURRAY GROUNDWATER.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.008332 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND PRIVATE SCHEME IRRIGATION.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.004785 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND LOW COLEAMBALLY IRRIGATION.**

**IT IS HEREBY RECOMMENDED** – that Council make and levy an Ordinary Rate of 0.006967 cents per dollar of land value and a **MINIMUM RATE** of \$446.00 on all rateable land per property within the former Conargo Shire Council local government area sub-categorised as **FARMLAND HIGH COLEAMBALLY IRRIGATION**.

## **Background**

There is a need to amend the Conargo Farmland categories ad valorem cents in the dollar due to the incorrect year ad valorem cents in the dollar been stated in the adopted 2017-18 Rating Revenue Policy, which forms part of the 2017-18 Operational Plan. The policy shows the 2016-17 year ad valorem rates instead of the 2017-18 year ad valorem rates for the Conargo Farmland categories. The notional yield amounts stated in the policy are correct; only the ad valorem rates for Conargo Farmland categories need to be amended to show the correct cents in the dollar. The amendment will see the cents in the dollar amounts to be lower

The making of the rates forms part of the Draft 2017-18 Annual Statement of Revenue, as adopted by Council on the 17 May 2017 (resolution 79/17). This showed the correct ad Valorum cents in the dollar when put to the May 2017 meeting, however when the final 2017-18 Operational Plan was put to Council at the extraordinary meeting held on the 29 June 2017 for final adoption, the Rating Revenue policy had the incorrect Conargo Farmland ad Valorum rates stated.

Council staff have also discussed the issue with the Office of Local Government and they have advised that there is no need to re-advertise due to the amended ad valorem cents in the dollar rates been lower than what is listed in the 2017-18 Rating Revenue Policy, as well as there is no change to the notional yield totals. The issue has been discussed with Council's external auditors as well and they are happy with a Council resolution to adopt the change and concur with the Office of Local Government's advice.

## **Budgetary Implications**

There are no budget implications to the 2017-18 budget as adopted on the 29 June 2017, as it showed the correct notional yield totals for all rating categories, including the Conargo Farmland.

## **Conclusion**

The Rating Revenue Policy forms part of Council's Operational Plan 2017-18. The policy sets out Council's rating and annual charges revenue. The document will require an amendment to the Conargo Farmland cents in the dollar rates due to the incorrect year been listed.

**6. SUBJECT: DENILIQUN AND DISTRICT PSSA**

**FROM: GENERAL MANAGER  
Adam McSwain**

**RECOMMENDATION:**

That Council donate \$250.00 to assist the Deniliquin and District Primary School Sports Association in their sporting endeavours.

**BACKGROUND:**

The Deniliquin and District PSSA covers an area that includes the primary schools and communities of Deniliquin, Conargo, Blighty, Mayrung, Bunnaloo, Moama, Mathoura and Hay. In past years many local service and business organisations have offered much-needed and greatly appreciated financial support to the association.

The association is entirely a non-profit organisation, conducted on a voluntary basis by district teachers with the sole objective of providing quality sporting experiences for the children in the area.

**COMMENT:**

The previous Deniliquin Council resolved in 2014 to assist with a fee waiver and in-kind support of \$400.00 and in 2015 resolved to assist with running the Deniliquin and District Primary Schools Association Athletics Carnival and Cross Country with a cash amount of \$250.00.

**STRATEGIC IMPLICATIONS:**

Nil

**BUDGETARY IMPLICATIONS:**

The contribution will come from the Donations and Contributions pool.

**POLICY IMPLICATIONS:**

Nil

**LEGISLATIVE IMPLICATIONS:**

Covered under contribution and donations.

**CONCLUSION:**

The Association covers the schools within the Edward River Council area and it would be seen as appropriate for Council to contribute.

**ATTACHMENTS:**

Sponsorship letter

7. **SUBJECT: DENILQUIN CLAY TARGET CLUB – REQUEST FOR FUNDING**

**FROM: DIRECTOR ECONOMIC AND BUSINESS DEVELOPMENT  
John Harvie**

**Recommendation:**

For council's determination.

**Background:**

Council has received a request for funding from the organisers of the 'Deniliquin Clay Target Club – Two-day shoot' that will be held in Deniliquin in October 2017. The club holds one of the biggest prize shoots in Australia attracting Olympians, world champions and the best shooters in Australia.

James Willett who is a current Olympic shooter and world champion is a member of Deniliquin Clay target Club.

The event attracts approximately 250 people including shooters and guests and injects considerable economic value into the local economy. The club is asking council to sponsor an event with a donation of \$1000.

**Strategic Implications:**

Nil

**Budgetary Implications:**

Council has a budget for contributions – general from which funds could be allocated.

**Policy Implications:**

Nil

**Legislative Implications:**

Nil

**Conclusion:**

Local club events, particularly events that attract the best competitors in Australia, do add value to the local economy.

**Attachments:**

Request For Funding - Email (1 page)



**8. SUBJECT: CEMETERY MANAGEMENT POLICY**

**FROM: DIRECTOR CORPORATE SERVICES**  
**Caroline Wallis**

**RECOMMENDATION:**

That Council adopts the Cemetery Management Policy

**BACKGROUND:**

At its Ordinary Meeting of 14 June 2017 Council resolved to review its Cemetery Management Policy and place it on public exhibition for 28 days from 19 June 2017 to 17 July 2017.

The Policy was exhibited on the Council's website. No submissions or feedback was received from the public.

No further changes to the Policy are recommended and it is now ready for formal adoption.

**STRATEGIC IMPLICATIONS:**

The Policy supports the Council to deliver good asset management and cemetery services and meet its strategic objectives.

**BUDGETARY IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

The Policy strengthens the Council's asset management program and supports other policies dealing with community and customer service.

**LEGISLATIVE IMPLICATIONS:**

Nil

**CONCLUSION:**

The Cemetery Management Policy supports good asset management and community and customer service and should be adopted by Council and made available to the public via the Council website.

**ATTACHMENTS:**

There are no attachments to this report.

**9. SUBJECT: FRAUD AND CORRUPTION PREVENTION POLICY**

**FROM: DIRECTOR CORPORATE SERVICES  
Caroline Wallis**

**RECOMMENDATION:**

That Council adopts the Fraud and Corruption Prevention Policy

**BACKGROUND:**

At its Ordinary Meeting of 14 June 2017 Council resolved to review its Fraud and Corruption Prevention Policy and place it on public exhibition for 28 days from 19 June 2017 to 17 July 2017.

The Policy was exhibited on the Council's website. No submissions or feedback was received from the public.

No further changes to the Policy are recommended and it is now ready for formal adoption.

**STRATEGIC IMPLICATIONS:**

The Policy supports the Council to deliver good governance and meet its strategic objectives.

**BUDGETARY IMPLICATIONS:**

Nil

**POLICY IMPLICATIONS:**

The Policy strengthens the Council's governance arrangements and supports other policies dealing with corporate governance and risk management.

**LEGISLATIVE IMPLICATIONS:**

Nil

**CONCLUSION:**

The Fraud and Corruption Prevention Policy supports good governance and should be adopted by Council and made available to the public via the Council website.

**ATTACHMENTS:**

There are no attachments to this report.

**10. SUBJECT: PROPOSED SALE OF LAND TO ENNOR  
ENGINEERING PTY LTD**

**FROM: DIRECTOR ECONOMIC AND BUSINESS  
DEVELOPMENT**  
**John Harvie**

**RECOMMENDATION:**

That

1. Council consider a report on this matter while the meeting is closed to the public as it contains information that is considered confidential pursuant to Section 10A(2) (c) of the Local Government Act 1993 as it relates to information that may, if disclosed, confer a commercial advantage on a person with who the council is conducting (or proposes to conduct) business.
2. It is considered the public Interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Councils decision making as publishing confidential information may impact on the willingness of third parties to conduct business with Council in the future.

**11. SUBJECT: DENILIQVIN LOCAL ENVIRONMENTAL PLAN 2013  
(Amendment 6)**

**FROM: DIRECTOR ECONOMIC AND BUSINESS  
DEVELOPMENT  
John Harvie**

**Recommendation:**

1. That Council note that Deniliquin Local Environmental Plan 2013 (Amendment 6) commenced on 14 July 2017.

**Background**

At its meeting on 17 May 2017, Council resolved:

1. In accordance with section 59(2) of the Environmental Planning and Assessment Act make the proposed Deniliquin Local Environmental Plan 2013 (Amendment 6); and
2. Upon signing of the proposed Deniliquin Local Environmental Plan 2013 (Amendment 6) by Council's delegate, that the Department of Planning and Environment be notified of Council's decision.

The amendment to the Deniliquin Local Environmental Plan 2013 (LEP 2013) commenced on 14 July 2017 following its publication on the NSW Legislation website on the same day. Attachment 1 is the amending instrument.

**Comment**

The amendment is for the identification in Schedule 5 Environmental Heritage of the LEP 2013 of a State heritage item being the 12 Pounder Rifled Breech – Loading Gun (Armstrong) at the Deniliquin RSL Club.

As part of this amendment, clause 1.2 (Aims of Plan) of LEP 2013 has been changed by deleting the reference to the 'Deniliquin local government area' and replacing it with 'Edward River local government area'. The dictionary of LEP 2013 changed the definition of Council by deleting the reference to 'Deniliquin' and replacing it with 'Edward River'.

**Strategic Implications**

Nil.

**Budgetary Implications**

Nil.

**Policy Implications**

Nil.

**Legislative Implications**

Amendments to the LEP 2013 must be made in accordance with the Act.

**Risk Assessment**

No risk assessment has been provided as this report is for information only.

**Conclusion**

That Council note that this LEP amendment has now been made.

**Attachments**

1 – Deniliquin Local Environmental Plan 2013 (Amendment No 6), 3 pages

**12. SUBJECT: CONSOLIDATION OF OPERATIONAL DEPOTS**  
**FROM: ACTING DIRECTOR INFRASTRUCTURE**  
**Mark Dalzell**

**RECOMMENDATION:**

That Council:

1. Note this report regarding the consolidation of the operational depots;
2. Select the Northern depot site, being at the intersection of Wanderer Street and Augustus Street as the preferred location for the consolidated depot;
3. Submit a Development Application for the expansion of the existing depot site; and
4. Receive a further report regarding detailed layout and costings following further consultation with staff.

**BACKGROUND:**

Following the merger of the former Deniliquin Council and the former Conargo Shire Council on 12 May 2016, Edward River Council has committed to the consolidation of its operational works depots to one location. This shall provide for efficiency of management and control for the Operations section as well as assisting in forming a single operational section.

It is noted that Council's administration areas have already been consolidated to one location with the construction of the temporary administration offices at 180 Cressy Street. These offices, along with existing buildings, house the following sections and departments:

- Office of the General Manager;
- Corporate Services department;
- Economic Development and Business Development department; and
- Engineering and Assets section of the Infrastructure department.

**EXISTING DEPOTS**

Council currently has two depots, being:

- The former Conargo Shire Council depot located at corner of Wanderer Street and Augustus Street. This depot is known as the 'Northern depot'; and
- The former Deniliquin Council depot located along Hardinge Street adjacent to the Deniliquin Oval. This depot is known as the 'Southern depot'.

It is noted that Council also owns several other sites, such as the stockpile site along Calimo Street, that support Council's operational activities and provision of services.

## REQUIREMENTS OF A CONSOLIDATED DEPOT

As part of the merger process, Council as recently adopted a new organisational structure and is currently filling the vacant positions. Council has also undertaken the first stage of a review of its service provision to the community. This information, along with the review of the existing depots, has assisted in determining the requirements of a consolidated depot.

In summary, the consolidated depot shall need to provide for the following:

ITEM	REQUIREMENT
Administration Office	10 staff, meeting room, kitchenette, meeting room, toilets, and showers – 200m <sup>2</sup>
Carpark for Administration Offices	200m <sup>2</sup> , sealed.
Staff carparking	2,500m <sup>2</sup> , gravel hardstand
Workshop	500m <sup>2</sup>
Enclosed sheds	600m <sup>2</sup>
Undercover vehicle parking areas	400m <sup>2</sup>
Open area vehicle parking	1,500m <sup>2</sup>
IT Connectivity	High speed internet utilising microwave

## STAFF CONSULTATION:

As part of the planning for the consolidated depot, Council has consulted with operational staff. Council's Project Engineer has led this consultation process and the process has involved the following steps:

- Discussion of the project at various meetings including operational staff toolbox meetings, Supervisors meetings, and all of staff meetings;
- Opportunity for staff to discuss and make submissions directly to the General Manager, Acting Director Infrastructure and Works Managers regarding consolidation of the depots. It is noted that several staff have taken up this opportunity and have provided good feedback and comments on the project; and
- Discussion workshop, including walk through of the existing facilities, involving the Project Engineer and Works Managers from each of the existing depots

A summary of the outcomes from the staff consultation process is attached to this report. It is noted that a consensus was not able to be reached between all the staff involved throughout the consultation process as to the best location for the consolidation with both existing locations having many pros and cons. Staff noted the benefits in operating from a consolidated depot and there was a lot of support for Council continuing this process.

It is noted that several issues raised by staff during the consultation process were issues relating to the transition to a consolidated depot rather than issues with either of the existing sites. These included available shed space and how council staff shall continue to operate during the transition period. These issues have been incorporated into the concept layouts for the depots.

### **DEVELOPMENT OF EXISTING DEPOT SITES:**

As noted previously, neither of the existing depot sites were considered suitable for a consolidated depot as they are now. A list of the works required for each of the existing depots to meet the requirements of the consolidated depot is attached to this report. It is noted that both depots have sufficient size to operate as a consolidated depot.

Concept plans showing the proposed development of each of the existing sites are attached to this report. Estimated costs for the development of each of these sites are as follows:

- Northern depot: \$1,300,000 (including \$200,000 for IT connection upgrades) ; and
- Southern depot: \$1,200,000 (including \$100,000 for IT connection upgrades).

The difference in development costs relate to the provision of IT connection upgrades to the site. Whilst there is additional cost for the construction of a tower at the Northern depot, this tower shall assist with extending Council's UHF network across the local government area.

These figures are broad estimates only and are subject to review and refinement as the project further progresses. The information shows that the estimated costs for re-development of either site are very similar. This is consistent with the fact that each of the former councils had similar numbers of operational staff.

### **OPPORTUNITY COSTS:**

This report does not discuss in detail the opportunity costs of developing one site over the other. It is noted that once the development of the consolidated depot site is complete, the remaining site shall be able to be sold off. Indicative information is that the Southern depot site shall have a higher value when sold than the Northern depot site due to its location and access to the highway. These points add value to the depot when sold but not to the continuing operation of the depot.

### **RECOMMENDATION AND FUTURE STEPS:**

Based on the information included in this report it is recommend that Council consolidate its operations to the Northern depot site for the following reasons:

- Existing functioning workshop that as a minimum shall be suitable for the consolidated depot. Whilst costs have been estimated for the construction of a new workshop in the Southern depot, there may be additional costs involved with this; and
- Greater area to expand if required due to the nature of the area as well as land on the opposite side of Charles Street that has been zoned Industrial.

As part of this consolidation Council shall need to undertake the following works:

- Prepare a Project Management Plan for the management of the construction works as well as transition to the re-developed depot;



- Submit a Development Application for expansion of the existing depot; and
- Document the new buildings, including Administration offices and sheds, to allow for Design and Construct tenders to be advertised for the works.

It is noted that Council has currently allocated \$450,000 in the 2017/18 Operations Plan for the consolidation of the depots. Estimates included in this report have indicated that the costs for fully re-developing the Northern depot are in the order of \$1.1M. The existing allocation is sufficient for the first stage of the project, being the demolition and removal of the existing administration offices and construction of a new administration office.

The further development of the depot, being the additional shedding to allow all staff to be relocated to the consolidated depot, shall require additional funds to be allocated to the project from Council's unrestricted reserves.

**BUDGET IMPLICATIONS:**

Council has allocated \$450,000 in the 2017/18 Operational Plan. This shall cover Stage 1 of the works being the construction of a new Administration office. Council shall need to allocate further funding from unrestricted reserves to complete the estimated works.

**POLICY IMPLICATIONS:**

All works shall comply with Council's Procurement policy, including open tendering where works shall have a greater value than \$150,000.

**LEGISLATIVE IMPLICATIONS:**

An open tender process shall be used for procurement in accordance with the Local Government Act.

**RISK ASSESSMENT:**

***What can happen?***

Council's tender process does not comply with the legislative requirements of the Local Government Act.

Consolidated depot does not function efficiently for staff.

***How can it happen?***

Poor governance procedures, lack of adequate investigation and assessment of tenders and insufficient consultation with staff.

***What are the consequences of the event happening?***

Consequences include Council not complying with the Local Government Act, which may lead to action by the Office of Local Government against Council.

Another consequence is that the depot is not fit for purpose and inhibits staff from undertaking their duties in an efficient and safe manner.

***What is the likelihood of the event happening?***

Unlikely.

***Adequacy of existing controls?***

Council has a process for open tendering and this process shall be complied with throughout the project.

Staff shall continually be consulted throughout the project to ensure that the most efficient

**ATTACHMENTS:**

1. Outcomes from Staff Consultation regarding Consolidation of Depots (3 pages)
2. Concept Layout for Development of Northern Depot (1 page);
3. Estimate for Consolidated Depot (2 pages).

**15. SUBJECT: CONTRACT 2.19.237 – SEALING AND ENRICHMENT WORKS WITHIN THE EDWARD RIVER COUNCIL LGA**

**FROM: ACTING DIRECTOR INFRASTRUCTURE  
Mark Dalzell**

**RECOMMENDATION:**

That

1. Council consider a report on this matter while the meeting is closed to the public as it contains information that is considered confidential pursuant to Section 10A(2) (c) of the Local Government Act 1993 as it relates to information that may, if disclosed, confer a commercial advantage on a person with who the council is conducting (or proposes to conduct) business.
2. It is considered the public Interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Councils decision making as publishing confidential information may impact on the willingness of third parties to conduct business with Council in the future.

**14. SUBJECT: CONFIDENTIAL REPORTS**  
**FROM: GENERAL MANAGER**  
**Adam McSwain**

Section 10A(4) of the Local Government Act provides as follows:-

A council, or committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is close to the public, as to whether that part of the meeting should be closed.

**RECOMMENDATION:**

That the Council consider the following reports while the meeting is closed to the public as it contains information that is considered confidential pursuant to Section 10A (2) (a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

10A(2) (a) personnel matters concerning particular individuals (other than Councillors)

On balance, the public interest in preserving confidentiality of these matters outweighs the public interest in openness and transparency of Council decision making as public disclosure of the information at this stage may adversely affect those proposed activities.