



EXTRAORDINARY MEETING OF THE EDWARD RIVER COUNCIL HELD IN THE COUNCIL CHAMBERS SEPTEMBER 5, 2017 AT 10.00AM

PRESENT

Administrator Mr Ashley Hall

COUNCIL STAFF PRESENT:

Mr Adam McSwain, General Manager, Mr Mark Dalzell, Acting Director Infrastructure, Mr John Harvie, Director Economic and Business Development, Mrs Caroline Wallis, Director Corporate Services, Cian Middleton, Communications, Mrs Belinda Perrett Executive Assistant

GALLERY MEMBERS: One

GUESTS: Nil

CHAIRMANSHIP OF MEETING:

The Administrator, Mr Ashley Hall, chaired the meeting.

INTERPRETATION:

In these Minutes "the Council" means the Edward River Council

DECLARATION OF MEETING OPEN:

The Administrator, Mr Ashley Hall, formally declared the meeting open at 10.01am

LEAVE OF ABSENCE: Nil

DECLARATIONS OF INTEREST: Nil

184/17 CONFIRMATION OF MINUTES – EDWARD RIVER COUNCIL MEETINGS HELD JULY 20 JULY 26, 2017 AND AUGUST 24, 2017

Resolved on the motion of the Administrator that the draft minutes of the Edward River Council meetings held on the 20th July, 2017; 26th July, 2017 and 24th August, 2017 be accepted.

185/17 CONFIRMATION OF MINUTES – EDWARD RIVER COUNCIL HERITAGE COMMITTEE – AUGUST 18, 2017

Resolved on the motion of the Administrator that the draft minutes of the Edward River Council Heritage Committee held August 18, 2017 be accepted.

186/17 CONFIRMATION OF MINUTES – EDWARD RIVER COUNCIL COMMUNITY GARDENS COMMITTEE – AUGUST 28, 2017

Resolved on the motion of the Administrator that the draft minutes of the Edward River Council Community Gardens Committee held August 28, 2017 be accepted.

187/17 SUBJECT: RECOVERY OF LOAN PROVIDED TO DONGMUN GREENTECH PTY LTD

**FROM: GENERAL MANAGER
Adam McSwain**

RESOLUTION:

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) (d) of the Local Government Act 1993 as it relates to information that would, if disclosed, prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.
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.

On the motion of the Administrator

188/17 SUBJECT: SPECIAL EVENT APPROVAL – 2017 DENILQUIN UTE MUSTER

**FROM: ACTING DIRECTOR INFRASTRUCTURE
Mark Dalzell**

RESOLUTION:

That Council grant approval to the Deni Play on the Plains Festival Committee for the 2017 Ute Muster as a Class 1 Special Event, to be held on 29 and 30 September 2017, subject to the following conditions:

- a) All traffic control measures detailed in the approved Traffic Control Plan and Traffic Management Plan be implemented by suitably accredited persons;
- b) Speed shall be reduced to 50 kph through the site location along Conargo Road (MR 552).
- c) “No Stopping” Signs for both sides of the road from approximately the Moonee Swamp Road to 500 metres towards Conargo from the main entrance on the Conargo Road.
- d) “No Camping” Signs will be erected in both sides of the road. No camping will be allowed on any road side or public reserves in the vicinity of the event. All Campers must be contained within the fenced Ute Muster allocated camping area on the corner of Moonee Swamp Road and Conargo Road (MR 552). Police will monitor and move on any campers not in the designated fenced area of the Ute Muster site.
- e) In the event that traffic starts to impact non-event traffic the reserve between Smart Street and Augustus Street will be used as a holding area. Traffic will then be intermittently (with the use of a traffic controller) directed across Conargo Road into the Ute Muster entrance;
- f) The entrance from Conargo will be controlled by a traffic controller;
- g) Variable Message Signs (VMS) will be located at each end;
- h) The Traffic Control Plans and their impact be advertised prior to the event.
- i) Approval from Roads and Maritime Services in relation to the Special Event Application is received by Council prior to the commencement of the event.

On the motion of the Administrator

189/17 CLOSED COUNCIL

On the motion of the Administrator (Mr A. Hall)

1. That council resolve into closed council to consider business identified.
2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the: business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required under section 11(2) of the Local Government Act 1993.
4. Public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision making, as it may prejudice Council's position in its negotiations.

Council closed its meeting at 10.10am and the public and staff left the Chambers.

191/17 OPENING OF MEETING TO THE PUBLIC

On the motion of the Administrator

That Council move out of closed Council and into Open Council at 10.12am.

The following resolutions of Council, while the meeting was closed to the public, were read to the meeting by the Administrator.

That Council

1. Note and approve the following action taken by the General Manager to recover the loan provided by the former Deniliquin Council to Dongmun Greentech
 - a. Notification provided to Council's lawyers on 1 September 2017 to prepare and send the Default Notice and Demand pursuant to Section 76 of the Transfer of Land Act, requiring payment by 30 September 2017 otherwise Court proceedings and/or forced sale of the subject property
 - b. Notification provided to Council's lawyers on 1 September 2017 to arrange for an auction of the property if the 30 September 2017 date is not met
2. Note that if the loan is re-paid to Council prior to 30 September 2017, that the process to sell the land will cease

The Administrator thanked all staff for their support during his time as Administrator.

Meeting closed 10.14am