



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

15 August 2019

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REPORTS OF COMMITTEES**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 18 JULY 2019****RESOLUTION 2019/08/174**

Moved: Cr Peta Betts
Seconded: Cr Peter McCrabb

That Council receive and note the Minutes of the Audit Risk and Improvement Committee Meeting held on 18 July 2019, contained at Attachment 2.

CARRIED**REPORTS TO COUNCIL****MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2019/08/175**

Moved: Cr Norm McAllister
Seconded: Cr Peter McCrabb

That Council note the Mayor, Councillor and General Manager meetings for July 2019.

CARRIED**RESOLUTIONS OF COUNCIL****RESOLUTION 2019/08/176**

Moved: Cr Norm McAllister
Seconded: Cr Ashley Hall

That Council note the information in the Resolutions of Council to 5 August 2019.

CARRIED**INVESTMENT REPORT AS AT 31 JULY 2019****RESOLUTION 2019/08/177**

Moved: Cr Peter McCrabb
Seconded: Cr Marg Bull

That Council:

1. Note and receive the Report on Investments totalling \$46,479,989 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of July 2019 was \$70,128.
3. Note that accrued interest earned to 31 July 2019 but not yet received was \$412,328.

CARRIED

2018-2019 CARRY FORWARD CAPITAL AND OPERATIONAL EXPENDITURE**RESOLUTION 2019/08/178**

Moved: Cr Pat Fogarty
Seconded: Cr Ashley Hall

That Council adopt the carry forward of expenditure and funding from 2018-2019 into the current financial year, as contained at Attachment 1.

CARRIED

RATES AND REVENUE HARMONISATION PROJECT**RESOLUTION 2019/08/179**

Moved: Cr Peter McCrabb
Seconded: Cr Nick Metcalfe

That Council

1. 'Opt out' of the Minister for Local Government's determination made under the Local Government Amendment (Rates-Merged Council Areas) Act 2017, section 218CB(1) and (2) Transitional provision for maintenance of pre-amalgamated rate paths at the end of 3 rating years.
2. Advise the Office of Local Government of the decision by 6 September 2019

In Favour: Crs Norm Brennan, Marg Bull, Peter McCrabb and Nick Metcalfe

Against: Crs Pat Fogarty, Peta Betts, Ashley Hall and Norm McAllister

The motion was carried as the Mayor held the deciding vote.

CARRIED

RETIREMENT LIVING PROJECT**RESOLUTION 2019/08/180**

Moved: Cr Peter McCrabb
Seconded: Cr Pat Fogarty

That Council

1. Establish a budget of \$325,000 funded from Councils reserves for undertaking the next steps outlined in Attachment 1
2. Approve the expenditure of \$65,000 to undertake Stage 1 of the work
3. Require a report outlining the outcomes of Stage 1 prior to progressing with work on Stage 2 of the project

CARRIED

Julie Rogers, Manager Environmental Services entered the Chambers at 9.30am



LOCAL HERITAGE FUND 2019-2020**RESOLUTION 2019/08/181**

Moved: Cr Norm McAllister
Seconded: Cr Marg Bull

That Council fund the projects detailed in Attachment 1 under the Local Heritage Fund 2019-2020 as follows:

- (a) 412 Cressy Street – Local Heritage Fund contribution of \$2 250;
- (b) 25-29 Napier Street – Local Heritage Fund contribution of \$7 600;
- (c) 138 End Street – Local Heritage Fund contribution of \$2 800; and
- (d) 99 Wellington Street – Local Heritage Fund contribution of \$3 600.

CARRIED

DRAFT MEMORIAL PARK MASTERPLAN**RESOLUTION 2019/08/182**

Moved: Cr Peter McCrabb
Seconded: Cr Nick Metcalfe

That Council:

1. Adopt the draft Memorial Park Masterplan (Attachment 1);
2. Note that implementation of the Memorial Park Masterplan will be reliant on Council receiving external grant funding and that the projects outlined in the Plan have not been factored into Council's Long Term Financial Plan
3. Advise the submission authors and the Memorial Park users of the outcome of the exhibition.

CARRIED

Councillor Peta Betts and Councillor Norm McAllister left the Chambers at 9.40am and took no part in the discussion.



DEVELOPMENT APPLICATION 32/19**RESOLUTION 2019/08/183**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That Council:

1. **APPROVE** the development application 32/19 for a 2 stage development for the purposes of a vehicle body repair workshop being an extension of the existing shed and installation of a spray booth and bunded paint room in stage 1 and an extension of the existing shed in stage 2, on Lot 2 DP430062, 27 Lloyds Lane, Deniliquin, dated 24 June 2019 as shown on plans numbered DA 32/19 Site Plans 1/2, Floor Plan 1/2, Structural Details, West Elevation Plan, and North Elevation 1/2 Plans and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:

(a) The application generally complies with the applicable planning controls;

(b) The proposal is appropriate for the site given its approved use.

Impose the conditions on DA 32/19 as detailed in Attachment 3 but amend condition 1e by deleting the hours of operation for Saturday.

In Favour: Crs Norm Brennan, Pat Fogarty, Marg Bull, Ashley Hall, Peter McCrabb and Nick Metcalfe

Against: Nil

CARRIED 6/0

Councillor Peta Betts and Councillor Norm McAllister returned to the Chambers at 9.48am

Councillor Norm McAllister left the Chambers at 9.49am

ENVIRONMENTAL SERVICES REPORT (JULY 2019)**RESOLUTION 2019/08/184**

Moved: Cr Peter McCrabb

Seconded: Cr Ashley Hall

That Council note the Environmental Services Report for July 2019.

CARRIED

Julie Rogers, Manager Environmental Services left the Chambers at 9.50am

Michelle Cobb, Manager Community & Economic Development entered the Chambers at 9.50am



MURRAY DARLING ASSOCIATION MEMBERSHIP AND ANNUAL GENERAL MEETING**RESOLUTION 2019/08/185**

Moved: Cr Peter McCrabb

Seconded: Cr Pat Fogarty

That Council

1. Resolve to maintain membership of the Murray Darling Association
2. Resolve that two Councillors be given the opportunity to attend the Murray Darling Association's 75th National Conference and AGM Tuesday, 22 October 2019 to Thursday 24 October, 2019 in Toowoomba, Queensland.

CARRIED

Councillor Norm McAllister returned to the Chambers at 9.55am

SIGNAGE STRATEGY - CONCEPT DESIGNS**RESOLUTION 2019/08/186**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That Council

1. Endorse the Signage Strategy concept designs for a hierarchy of signs contained at Attachment A.
2. Note that the draft Signage Strategy and Guidelines will be provided to Council for its adoption at its ordinary meeting in September 2019.
3. Note that Council Officers will work with the Memorial Park Users Group to develop a proposed entry sign to Memorial Park, ensuring it aligns with Council's signage style guide.

CARRIED



EDWARD RIVER AGRI-FOOD AND FIBRE MASTERPLAN**RESOLUTION 2019/08/187**

Moved: Cr Peta Betts

Seconded: Cr Nick Metcalfe

That Council

1. Note and endorse the development of the Edward River Agri-food and Fibre Masterplan
2. Approve the establishment of a Project Reference Group made up of eight to ten industry representatives and two Councillors
3. Note that the project will be funded through \$45,000 from the Round One Merger Funding to develop an investment prospectus, \$39,296 remaining from the Round Two Merger funding allocated towards the airport project and \$15,704 from the Office of the General Manager Consultant budget line
4. Note that in line with Councils Procurement Policy the General Manager provided an exemption to directly engage McKinna *et al* given the experience and knowledge they developed through the airport project, that the work on the airport project was awarded through an open and competitive procurement process and that their experience and expertise aligned with the needs of the Agri-Food and Fibre Masterplan project

CARRIED

Michelle Cobb, Manager Community & Economic Development left the Chambers at 10.14am

CAPITAL WORKS UPDATE END OF YEAR 2018/19**RESOLUTION 2019/08/188**

Moved: Cr Pat Fogarty

Seconded: Cr Peter McCrabb

That Council note the report outlining the final status of the Capital Works program for 2018/19

CARRIED

STRONGER COMMUNITIES FUND - MAJOR PROJECTS PROGRAM AND THE STRONGER COMMUNITIES PROGRAM - AUGUST PROGRESS REPORT**RESOLUTION 2019/08/189**

Moved: Cr Peta Betts

Seconded: Cr Marg Bull

That Council note the Major Projects Program from various funding sources - Progress Report for August 2019.

CARRIED



CONFIDENTIAL MATTERS**RESOLUTION 2019/08/190**

Moved: Cr Nick Metcalfe
Seconded: Cr Peter McCrabb

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993: 10.30am

12.1 General Manager Performance Agreement

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

12.2 Contract C2020/01 - Operation and Management of the Deniliquin Swim Centre

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.3 Contract C2020/04 - Asset Revaluation Project

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.4 Expression of Interest - South Depot - 147-149 Hardinge Street, Deniliquin

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.5 Request for Economic Development Support

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

GENERAL MANAGER PERFORMANCE AGREEMENT**RESOLUTION 2019/08/191**

Moved: Cr Pat Fogarty
Seconded: Cr Peta Betts

That Council

1. Adopt the General Manager Performance Agreement at Attachment 1

Mark Dalzell, Manager, Engineering & Assets entered the Chambers at 10.43am

CARRIED



CONTRACT C2020/01 - OPERATION AND MANAGEMENT OF THE DENILQUIN SWIM CENTRE**RESOLUTION 2019/08/192**

Moved: Cr Ashley Hall

Seconded: Cr Pat Fogarty

That Council:

1. Accept the tender submitted by Denilquin Outdoor Pools Incorporated/Denilquin Indoor Pools Incorporated and Denilquin Outdoor Pools Incorporated/Denilquin Indoor Pools Incorporated Contract C2020/01 – Operation and Management of the Denilquin Swim Centre for the Lump Sum tender price of \$155,000.00 excluding GST for the 2019/20 season; and
2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2020/01 – Operation and Management of the Denilquin Swim Centre.

CARRIED

CONTRACT C2020/04 - ASSET REVALUATION PROJECT**RESOLUTION 2019/08/193**

Moved: Cr Peter McCrabb

Seconded: Cr Pat Fogarty

That Council:

1. Accept the tender submitted by CT Management Group Pty Ltd for Contract C2020/04 – Asset Revaluation Project for the lump sum tender price of \$169,300 + GST;
2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2020/04 – Asset Revaluation Project.

CARRIED

Michelle Cobb, Manager, Community & Economic Development entered the Chambers at 11.04am
Mark Dalzell, Manager, Engineering & Assets left the Chambers at 11.05am

EXPRESSION OF INTEREST - SOUTH DEPOT - 147-149 HARDINGE STREET, DENILIQUN**RESOLUTION 2019/08/194**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council

1. Agree to sell the former South Depot site at 143-147 Hardinge Street Deniliquin, to Jason O'Connor Fabrications for the amount noted in the report, to support the retention of four local jobs and the creation and relocation of at least twenty-one new jobs to Deniliquin.
2. Negotiate with Jason O'Connor Fabrications on the settlement date to ensure a smooth transition of Council operations from the South Depot to the North Depot in line with the project to redevelop the North Depot
3. Confirm that Clause 11.2 of the Contract of Sale, Attachment 4, is to require a development application to be submitted within 12 months of the signing of the contract
4. Require Officers to discuss with Councils solicitor the ability to add in an additional clause requiring construction to commence within two years and the ability for other clauses to enforce the economic development benefits claimed in the proposal
5. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for the sale of the South Depot, 147-149, Hardinge Street, Deniliquin

In Favour: Crs Norm Brennan, Pat Fogarty, Marg Bull, Norm McAllister, Peter McCrabb and Nick Metcalfe

Against: Crs Peta Betts and Ashley Hall

CARRIED 6/2

Councillor Norm McAllister left the Chambers at 11.15am

REQUEST FOR ECONOMIC DEVELOPMENT SUPPORT**RESOLUTION 2019/08/195**

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

1. That Council gives the General Manager the authority to meet with the proposed developers of the Federal Hotel and offer Council assistance.
2. Assistance can include
 - i) Fifty percent (50%) rate reduction up to a three-year period
 - ii) Waiving of the DA fees
 - iii) Allowing a delayed payment schedule for any Headworks or Infrastructure payments.
 - iv) Any Council assistance will require a written agreement with specific timeframes.

CARRIED

RESOLUTION 2019/08/196

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council moves out of Closed Council into Open Council.

CARRIED

The meeting closed at 11.35am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 September 2019.

CHAIRPERSON

