



**Edward  
River**  
COUNCIL

# **MINUTES**

**Ordinary Council Meeting**

**19 September 2019**

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**MINUTES OF EDWARD RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIQUIN  
ON THURSDAY, 19 SEPTEMBER 2019 AT 9.00AM**

- PRESENT:** Cr Norm Brennan (Mayor), Cr Pat Fogarty (Deputy Mayor), Cr Peta Betts, Cr Marg Bull, Cr Ashley Hall, Cr Norm McAllister, Cr Peter McCrabb, Cr Nick Metcalfe, Cr Mac Wallace
- IN ATTENDANCE:** Adam McSwain (General Manager), Oliver McNulty (Director Infrastructure)  
Trish Kirkland (Director Corporate Services) Belinda Perrett (Executive Assistant)
- GALLERY:** Nil

### **ACKNOWLEDGEMENT OF COUNTRY**

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

### **STATEMENT OF PURPOSE**

I have come here as a Councillor freely and without bias to:

- Represent the views of the community in considering the matters before us today
- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

### **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Nil

### **CONFIRMATION OF MINUTES**

#### **RESOLUTION 2019/09/197**

Moved: Cr Pat Fogarty  
Seconded: Cr Peta Betts

That the minutes of the Ordinary Council Meeting held on 15 August 2019 be confirmed.

**CARRIED**



**DISCLOSURES OF INTERESTS**

Nil

**REPORTS OF COMMITTEES****MINUTES OF THE TIDY TOWNS COMMITTEE MEETING HELD ON 13 AUGUST 2019****RESOLUTION 2019/09/198**

Moved: Cr Pat Fogarty  
Seconded: Cr Nick Metcalfe

That Council receive and note the Minutes of the Tidy Towns Committee Meeting held on 13 August 2019, contained at Attachment A.

**CARRIED****MINUTES OF THE EDWARD RIVER CONCERT BAND COMMITTEE MEETING HELD ON 13 AUGUST 2019****RESOLUTION 2019/09/199**

Moved: Cr Marg Bull  
Seconded: Cr Peter McCrabb

That Council receive and note the Minutes of the Edward River Concert Band Committee Meeting held on 13 August 2019, contained at Attachment A.

**CARRIED****REPORTS TO COUNCIL****ELECTION OF MAYOR SEPTEMBER 2019-2020**

Mayor Cr Norm Brennan removed himself from the Chair at 9.09am and the General Manager took the chair as the Returning Officer.

**RESOLUTION 2019/09/200**

Moved: Cr Ashley Hall  
Seconded: Cr Nick Metcalfe

The General Manager advised that there was one nomination received for the position of Mayor:-

Councillor Nominated Norm Brennan

Nomination made by Councillor Pat Fogarty

Seconded by Norm Brennan

The General Manager then called for any other nominations and none were received. As there were no other nominations the Returning Officer declared that Councillor Brennan is elected for the position of Mayor for a one-year term

**CARRIED**

**ELECTION OF DEPUTY MAYOR SEPTEMBER 2019-2020****RESOLUTION 2019/09/201**

Moved: Cr Ashley Hall  
Seconded: Cr Nick Metcalfe

The General Manager advised that there was one nomination received for the position of Deputy Mayor:-

Councillor Nominated	Pat Fogarty
Nomination made by Councillor	Norm Brennan
Seconded by	Pat Fogarty

The General Manager then called for any other nominations and none were received. As there were no other nominations the Returning Officer declared that Councillor Fogarty is elected for the position of Deputy Mayor for a one-year term.

**CARRIED**

The Mayor, Cr Brennan, then took the chair at 9.12am and chaired the remainder of the meeting. Julie Rogers, Manager Environmental Services entered the Chambers at 9.12am

**RESOLUTIONS OF COUNCIL****RESOLUTION 2019/09/202**

Moved: Cr Pat Fogarty  
Seconded: Cr Marg Bull

That Council note the information in the Resolutions of Council to 2 September 2019.

**CARRIED****MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2019/09/203**

Moved: Cr Peta Betts  
Seconded: Cr Peter McCrabb

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

**CARRIED**



**INVESTMENT REPORT AUGUST 2019****RESOLUTION 2019/09/204**

Moved: Cr Peter McCrabb

Seconded: Cr Pat Fogarty

That Council:

1. Note and receive the Report on Investments totalling \$48,090,059 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of August 2019 was \$66,422.
3. Note that accrued interest earned to 31 August 2019 but not yet received was \$427,619

**CARRIED****STRONGER COMMUNITIES FUND - MAJOR PROJECTS PROGRAM AND THE STRONGER COMMUNITIES PROGRAM - SEPTEMBER 2019 PROGRESS REPORT****RESOLUTION 2019/09/205**

Moved: Cr Peta Betts

Seconded: Cr Mac Wallace

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

**CARRIED**

Michelle Cobb, Manager Community & Economic Development entered the Chambers at 9.45am

**GRANTS COMMISSION - FINANCIAL ASSISTANCE GRANTS 2019-20****RESOLUTION 2019/09/206**

Moved: Cr Mac Wallace

Seconded: Cr Marg Bull

That Council receive the Grants Commission correspondence as per their request as contained in Attachment 1.

**CARRIED**

**DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY****RESOLUTION 2019/09/207**

Moved: Cr Marg Bull  
Seconded: Cr Peter McCrabb

That Council:

1. Place the draft Councillor Expenses and Facilities Policy, contained at Attachment 1, on public exhibition for a period of 28 days.
2. Should no public submission be received during the exhibition period:
  - (a) Adopt the draft Councillor Expenses and Facilities Policy, and
  - (b) Repeal the Councillor Expenses and Facilities Policy adopted 14 December 2017.

**CARRIED**

**ADMINISTRATION OF 2020 LOCAL GOVERNMENT ELECTIONS****RESOLUTION 2019/09/208**

Moved: Cr Peter McCrabb  
Seconded: Cr Pat Fogarty

That Edward River Council ("the Council") resolves:

1. pursuant to section 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act"), that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.
4. pursuant to section 377 of the Act, that the General Manager be delegated to negotiate and execute the contract with NSW Electoral Commissioner.

**CARRIED**

**COUNCIL INFORMATION GUIDE 2019****RESOLUTION 2019/09/209**

Moved: Cr Peter McCrabb  
Seconded: Cr Pat Fogarty

That Council adopt the draft Agency Information Guide 2019-20, contained at Attachment 1 with an amendment to be made regarding the election of Mayor.

**CARRIED**



**REQUEST FOR WATER TRANSFERS****RESOLUTION 2019/09/210**

Moved: Cr Peter McCrabb  
Seconded: Cr Norm McAllister

That Council

- 1) Approve providing a water transfer to the Racecourse Reserve and Deniliquin Golf Club.
- 2) Set the water transfers at the following levels:
  - a) Racecourse Reserve – 40 ML
  - b) Golf Club – 200 ML
- 3) Provide the water to the Golf Club and Racecourse free of charge and only pass on to either group administrative charges as incurred in establishing the water transfer
- 4) Note that this approval is a once off approval and that Council may not be able to provide this support in future years if increased water restrictions are applied.

**CARRIED**

**STRONGER COUNTRY COMMUNITIES ROUND THREE****RESOLUTION 2019/09/211**

Moved: Cr Peter McCrabb  
Seconded: Cr Nick Metcalfe

That Council:

1. Approve the following submissions to Round Three of the Stronger Country Communities Fund:
  - (a) Deniliquin Town Hall, Stage Three – Application seeking \$1,142,702
  - (b) Revitalisation of the former North Deniliquin Tennis Court site – Application seeking \$400,000
2. Approve the allocation of the remaining Stronger Communities interest to the Deniliquin Town Hall project and that this funding be used as the leverage funding required for this grant application
3. Not approve support for the project to develop a slide at the Deniliquin Pool Complex through this current funding program.
4. Submit a letter of support for the Deniliquin Boat Club Project, however Council's priorities for the funding are the Deniliquin Town Hall and the revitalisation of the former North Deniliquin Tennis court site.
5. Submit a letter of support for the Yarkuwa Project, however Council's priorities for the funding are the Deniliquin Town Hall and the revitalisation of the former North Deniliquin Tennis court site.

**CARRIED**

Cr McAllister left the Chambers at 10.20am





**DRAFT RECREATION STRATEGY****RESOLUTION 2019/09/212**

Moved: Cr Pat Fogarty  
Seconded: Cr Mac Wallace

That Council:

1. Exhibit the draft Recreation Strategy for a minimum period of 28 days; and
2. Receive a further report upon completion of the exhibition of the draft Recreation Strategy.

**CARRIED**

**COMMUNITY PARTICIPATION PLAN****RESOLUTION 2019/09/213**

Moved: Cr Pat Fogarty  
Seconded: Cr Ashley Hall

That Council:

1. Prepare a community participation plan (attachment 1) and exhibit it for a minimum period of 28 days in accordance with section 2.23(1) and Schedule 1 of the Environmental Planning and Assessment Act 1979.
2. In relation to Chapter 1 Introduction of the Deniliquin Development Control Plan 2016:
  - (a) Prepare an amendment to this chapter (attachment 3) in accordance with section 3.43 of the Environmental Planning and Assessment Act 1979; and
  - (b) Publicly exhibit the amendment in accordance with Schedule 1 of the Environmental Planning and Assessment Act and Part 3 Division 2 of the Environmental Planning and Assessment Regulation.
3. Receive a further report upon completion of the public exhibition of the community participation plan and the amendments to the Deniliquin Development Control Plan 2016.

Councillor McAllister returned to the Chambers at 9.23am

**Carried**

In Favour: Crs Norm Brennan, Pat Fogarty, Peta Betts, Marg Bull, Ashley Hall, Norm McAllister, Peter McCrabb, Nick Metcalfe and Mac Wallace

Against: Nil

**CARRIED 9/0**





**DRAFT RURAL RESIDENTIAL STRATEGY****RESOLUTION 2019/09/214**

Moved: Cr Ashley Hall  
Seconded: Cr Norm McAllister

That Council:

1. Adopt the draft Rural Residential Strategy; and
2. Forward the Rural Residential Strategy to the Department of Planning and Environment and request that it be endorsed.

**CARRIED**

**ENVIRONMENTAL SERVICES REPORT (AUGUST 2019)****RESOLUTION 2019/09/215**

Moved: Cr Peter McCrabb  
Seconded: Cr Norm McAllister

That Council note the Environmental Services report (Attachment 1) for August 2019.

**CARRIED**

Julie Rogers, Manager Environmental Services left the Chambers at 10.33am

**EDWARD RIVER COUNCIL - DRAFT INVESTMENT ATTRACTION AND EXPANSION POLICY****RESOLUTION 2019/09/216**

Moved: Cr Peter McCrabb  
Seconded: Cr Nick Metcalfe

That Council:

1. Exhibit the Draft Edward River Council Investment Attraction and Expansion Policy, Attachment 1, for a period of 28 days
2. Note that the Assessment Matrix, Attachment 2, will remain a confidential document for Council to use when assessing applications
3. Receive a further report upon the completion of the exhibition period

**CARRIED**



**DRAFT EDWARD RIVER COUNCIL LIBRARY STRATEGY****RESOLUTION 2019/09/217**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council

1. Exhibit the Draft Edward River Council Library Strategy for a minimum period of 28 days; and
2. Receive a further report upon completion of the exhibition of the Draft Edward River Council Library Strategy

Cr Metcalfe left the Chambers at 10.43am

**CARRIED****2019/20 COMMUNITY GRANTS PROGRAM - FUNDING ALLOCATION****RESOLUTION 2019/09/218**

Moved: Cr Peter McCrabb

Seconded: Cr Pat Fogarty

That Council:

1. Approve the 2019/20 Community Grants funding allocation as recommended by the assessment panel and included in Attachment 1.

**CARRIED**

Michelle Cobb, Manager Community &amp; Economic Development left the Chambers at 10.50am

**SPECIAL EVENT APPLICATION - 2019 UTE MUSTER****RESOLUTION 2019/09/219**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council

1. Classify the Ute Muster event as a Class 1 event under the Special Events Guidelines; and
2. Approve the special event application for the 2019 Ute Muster.

**CARRIED**

**DENILQUIN HOSPITAL AND POLICE PRECINCT PARKING REVIEW****RESOLUTION 2019/09/220**

Moved: Cr Pat Fogarty  
Seconded: Cr Mac Wallace

That Council:

1. Approve the creation of 12, 2-hour time limited parking spaces along Charlotte Street to encourage parking space turnover near the hospital entrance;
2. Receive a further report regarding the effectiveness of the changes six months after the implementation of the 2-hour time limited parking spaces;
3. Note that Councils resourcing of staff to undertake enforcement in this area is not increasing and inspections will be undertaken as they fit within existing workload; and
4. Contact the Police regarding the creation of a disabled parking space along Charlotte Street, in accordance with the Development Approval for the Police Station.

**CARRIED**

**PROCUREMENT POLICY REVIEW****RESOLUTION 2019/09/221**

Moved: Cr Mac Wallace  
Seconded: Cr Marg Bull

That Council adopt the draft Procurement Policy incorporating the changes to Section 55 of the *Local Government Act* relating to the threshold for open tendering being raised to \$250,000.

**CARRIED**

Cr Metcalfe returned to the Chambers at 10.59am

**EDWARD RIVER COUNCIL - DRAFT WASTE STRATEGY****RESOLUTION 2019/09/222**

Moved: Cr Ashley Hall  
Seconded: Cr Peta Betts

That Council

1. Adopt the Edward River Council Waste Strategy 2019-2049, Attachment 2
2. Note that recommendation 1.1, 'Expansion of Kerbside Services' (contained in Appendix A), will require the development of a business case prior to implementation.

**CARRIED**





**DENILIQUN TRUCK STOP PROJECT****RESOLUTION 2019/09/223**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That Council

1. Defer the project to develop a truck stop within Deniliquin pending further investigations to identify a suitable site that meets the trucking community's needs,
2. Seek approval through the Office of Local Government (OLG) to transfer the \$400,000 allocated to this project, through the Stronger Communities Fund (Round 2), to the following projects;
  - (a) \$390,000 to the development of a Civic Plaza at 180 Cressy Street, Deniliquin that will be delivered as part of the project to re-develop the Town Hall and the Estates Buildings,
  - (b) \$10,000 shall be retained in a truck stop project, to carry out further strategic work, to identify a suitable location and to determine the costings for the potential future development of a truck stop

Cr Wallace left the Chambers at 11.02am

**CARRIED**

Cr Wallace returned to the Chambers at 11.05am

**DRAFT POLICY - MEMORIALS IN PUBLIC SPACE****RESOLUTION 2019/09/224**

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

That Council:

1. Place the draft Memorials in Public Places Policy on public exhibition for a period of 28 days
2. Adopt the draft Memorials in Public Spaces Policy subject to no submissions being received
3. Note that a central location for memorials will be constructed as part of the re-development of a Civic Plaza at 180 Cressy Street Deniliquin
4. Inform the family and friends of the late Bill Mulham that Council will place a memorial to Bill in the Civic Plaza once it is completed.

**CARRIED**

**NUMBER OF COUNCILLORS FOR 2020-24 TERM OF OFFICE****RESOLUTION 2019/09/225**

Moved: Cr Norm McAllister  
Seconded: Cr Peter McCrabb

That Council determines the number of councillors as (9) nine (including the Mayor) for the 2020-24 term of office.

**CARRIED**

**CONFIDENTIAL MATTERS****RESOLUTION 2019/09/226**

Moved: Cr Pat Fogarty  
Seconded: Cr Nick Metcalfe

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: 11.07am

**12.1 CBD Painting Program**

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**

**CBD PAINTING PROGRAM****RESOLUTION 2019/09/227**

Moved: Cr Norm McAllister  
Seconded: Cr Peta Betts

That Council

1. Approve the Drought Communities Program CBD Painting and Signage funding allocation as recommended by the assessment panel, with an amendment that those partially funded, will be fully funded to the 50% maximum.
2. Officers to work with those not currently funded to seek quotes, further develop their applications and identify any properties that did not apply.

**CARRIED**

Cr McCrabb left the Chambers at 11.33am and returned at 11.36am.



**RESOLUTION 2019/09/228**

Moved: Cr Norm McAllister

Seconded: Cr Mac Wallace

That Council moves out of Closed Council into Open Council at 11.38am

**CARRIED**

**CLOSE OF MEETING**

**The Meeting closed at 11.39am.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 October 2019.**

.....  
**CHAIRPERSON**

