



**Edward  
River**  
COUNCIL

# **MINUTES**

**Ordinary Council Meeting**

**24 September 2020**

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**MINUTES OF EDWARD RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE RFS BUILDING, MACKNIGHT DRIVE, DENILQUIN  
ON THURSDAY, 24 SEPTEMBER 2020 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 Mac Wallace

**IN ATTENDANCE:** Philip Stone (General Manager), Suni Campbell (Director Corporate Services), Oliver McNulty (Director Infrastructure), Michelle Cobb (Manager Community & Economic Development), Tiffany Carroll (Communications Advisor), Matthew Begg (IT Help Desk), Belinda Perrett (Executive Assistant)

## **1 OPEN MEETING**

## **2 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.

## **3 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.

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

### **RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That the apology received from Cr Metcalfe accepted and a leave of absence granted.

**CARRIED**

## **5 CONFIRMATION OF MINUTES**

### **RESOLUTION 2020/176**

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That the minutes of the Ordinary Council Meeting held on 20 August 2020 and the Extraordinary Council Meeting held on 3 September 2020 be confirmed.

**CARRIED**

**6 DISCLOSURES OF INTERESTS**

10.10 Plan of Management for Multiple Reserves – Wanganella Common. Cr Peter McCrabb declared a non-pecuniary – less than significant interest.

**7 MAYORAL MINUTE(S)**

Nil

**8 REPORTS OF COMMITTEES**

Nil

**9 REPORTS TO COUNCIL****10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2020/177**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council note the Mayor, Councillors and General Manager meetings attended during the month of August 2020, undertaken either remotely, or adhering to COVID-19 distancing regulations.

**CARRIED**

**10.2 RESOLUTIONS OF COUNCIL****RESOLUTION 2020/178**

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council note the information in the Resolutions of Council as at 15 September 2020.

**CARRIED**

**10.3 INVESTMENT REPORT AUGUST 2020****RESOLUTION 2020/179**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council:

1. Note and receive the August report on Investments totalling \$43,928,709 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of August 2020 was \$60,206;
3. Note that accrued interest earned to 31 August 2020 but not yet received was \$202,508;
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

**CARRIED**

**10.4 SCHEDULE OF ORDINARY MEETINGS****RESOLUTION 2020/180**

Moved: Cr Peta Betts  
Seconded: Cr Pat Fogarty

That Council:

1. Pursuant to section 365 of the *Local Government Act 1993* and clause 3.1 of Council's Code of Meeting Practice, adopt the proposed 2020/2021 Schedule of Ordinary Meetings contained at Attachment A.
2. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.3 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting.

**CARRIED**

**10.5 CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT****RESOLUTION 2020/181**

Moved: Cr Norm McAllister  
Seconded: Cr Mac Wallace

**THAT COUNCIL:**

1. Pursuant to section 440(3) of the *Local Government Act 1993* and clause 180(1) of the Local Government (General) Regulation 2005, adopt the draft Code of Conduct, contained at Attachment A.
2. Pursuant to section 440AA(3) of the *Local Government Act 1993* and clause 181 of the Local Government (General) Regulation 2005, adopt the draft Procedures for the Administration of the Code of Conduct, contained at Attachment B.
3. Repeal the Code of Conduct and Procedures for the Administration of the Code of Conduct adopted 18 April 2019.

**CARRIED**

**10.6 DA 56/20 - INSTALL 2 SHIPPING CONTAINERS - DENILQUIN LITTLE ATHLETICS CLUB****RESOLUTION 2020/182**

Moved: Cr Pat Fogarty  
Seconded: Cr Mac Wallace

That Council resolves to: -

1. **APPROVE** the development application DA56/20 for the installation of 2 x shipping containers, on Lot 1 DP724430, Crown reserve 77085, 149-173 Hardinge Street, Deniliquin dated 19 August 2020 as shown on the site plan and elevation 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 proposal is appropriate given the site and character of the area*

2. Impose the following conditions:

1. Development as per Plans

The development shall take place in accordance with the approved plans and documentation, including any notations marked by Council thereon, as referenced in Schedule 1 - List of approved plans attached to DA No.56/20 and the conditions of consent.

Reason: To clarify the extent of the consent.

2. Plant / Tree Removal

No plants or trees are to be removed unless:

- (i) The individual trees or area to be cleared have been delineated on the approved plans; or
- (ii) Removal is required to comply with any other condition of consent in relation to matters such as servicing or firebreaks.

Reason: To clarify the extent of vegetation removal permissible with this consent.

3. Non-reflective materials

The exterior of the shipping containers must be finished in non-reflective materials.

Reason: To maintain and enhance visual amenity.

**CARRIED**

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

Against: Nil

**CARRIED 7/0**

**10.7 ENVIRONMENTAL SERVICES REPORT (AUGUST 2020)****RESOLUTION 2020/183**

Moved: Cr Norm McAllister  
Seconded: Cr Peta Betts

That Council note the Environmental Services report for August 2020.

**CARRIED**

**10.8 2020-21 COMMUNITY GRANTS PROGRAM - RECOMMENDED FUNDING ALLOCATION****RESOLUTION 2020/184**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council:

1. Approve the 2020-21 Community Grants funding allocation as detailed in Attachment 1, allocating \$40,000 across 14 applications and reserve the remaining \$5,000 for Council's 2020-21 Quick Response Grant Program.
2. Approve Councillor Peta Betts and Councillor Pat Fogarty for membership on future Community Grant assessment panels.

**CARRIED**

**10.9 MAJOR PROJECTS PROGRAM - SEPTEMBER 2020 PROGRESS REPORT****RESOLUTION 2020/185**

Moved: Cr Peta Betts

Seconded: Cr Norm McAllister

That Council note the Major Projects Program from various funding sources - Progress Report for September 2020.

**CARRIED**

9.32am Cr Peter McCrabb entered the Council Chambers

**10.10 PLAN OF MANAGEMENT FOR MULTIPLE RESERVES****RESOLUTION 2020/186**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council adopts the Plan of Management, contained in Attachment 1 to this report, for the following Crown Land reserves:

- (i) Macauley Street reserve.
- (ii) Rotary Park (plantation) reserve.
- (iii) Maude Road Soil Conservation Area reserve.
- (iv) Mayrung Hall reserve.
- (v) Wanganella Common reserve.
- (vi) Wanganella Tennis Courts reserve, and
- (vii) Wanganella Cemetery.

**CARRIED**

**10.11 FOOTPATH SWEEPING - DENILIQUN CBD****RESOLUTION 2020/187**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council;

1. approve the commencement of a trial relating to a possible increase in service to provide footpath sweeping in Deniliquin CBD,
2. note that a further report will be presented to Council considering the results from these trials.

**CARRIED****10.12 RATES HARMONISATION PROJECT - RECOMMENDED RATE STRUCTURE****RESOLUTION 2020/188**

Moved: Cr Peter McCrabb

Seconded: Cr Norm McAllister

That Council endorses

1. the preferred rate structure, as set out in 'Attachment 1&2 - *Preferred Rate Structure – Option 8*', for the purposes of commencing community information and engagement.
2. The Community Engagement Plan as set out in Attachment 3.

**CARRIED****10 NOTICES OF MOTIONS**

Nil

**11 QUESTIONS WITH NOTICE**

Nil

**12 CONFIDENTIAL MATTERS****RESOLUTION 2020/189**

Moved: Cr Pat Fogarty

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:

**13.1 Sale and Development of Lots 33,34, 35 and 36 Saleyards Road, Deniliquin**

This matter is considered to be confidential under Section 10A(2) - c and 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**CARRIED**

**13.1 SALE AND DEVELOPMENT OF LOTS 33,34, 35 AND 36 SALEYARDS ROAD, DENILIQUN**

**RESOLUTION 2020/190**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council

1. Authorise the General Manager to negotiate the sale of the Lots 33,34, 35 and 36 Saleyards Road, Deniliquin to Rhys Tremble Concreting and Engineering for at least \$275,000 including GST.
2. Require the Contract of Sale to be conditional on a development application being submitted with 12 months of signing the contract for the purposes of industrial use and development.
3. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Lots 33,34, 35 and 36 Saleyards Road, Deniliquin

**MOTION**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That this report be brought back to the next Council Meeting with further clarity.

**CARRIED**

**RESOLUTION 2020/191**

Moved: Cr Norm McAllister

Seconded: Cr Peta Betts

That Council moves out of Closed Council into Open Council.

**CARRIED**

**13 CLOSE OF MEETING**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2020.

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**CHAIRPERSON**