



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

17 December 2020

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE RFS BUILDING, MACKNIGHT DRIVE, DENILIKUIN
ON THURSDAY, 17 DECEMBER 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 Nick Metcalfe, Cr Mac Wallace

IN ATTENDANCE: Philip Stone (General Manager), Suni Campbell (Director Corporate Services), Mark Dalzell (Acting Director Infrastructure), Michelle Cobb (Manager Community & Economic Development), Amanda Barber (Manager Finance) Tiffany Carroll (Communications Advisor), Matthew Begg (Help Desk), Belinda Perrett (Executive Assistant).

1 OPENING 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

Nil

5 CONFIRMATION OF MINUTES

RESOLUTION 2020/220

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That the minutes of the Ordinary Council Meeting held on 19 November 2020 be confirmed.

CARRIED

6 DISCLOSURES OF INTERESTS

13.1 General Manager Philip Stone declared a less than significant pecuniary interest.

7 MAYORAL MINUTE(S)

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**10.1 COMMUNITY GARDEN COMMITTEE MEETING****RESOLUTION 2020/221**

Moved: Cr Pat Fogarty

Seconded: Cr Mac Wallace

That Councillors note the minutes of the Community Garden Committee Meeting held Wednesday 2 December 2020.

CARRIED**10.2 CONARGO MEMORIAL HALL COMMITTEE MEETING****RESOLUTION 2020/222**

Moved: Cr Marg Bull

Seconded: Cr Peter McCrabb

That Councillors note the minutes of the Conargo Memorial Hall Committee Annual General Meeting held 9 November 2020.

CARRIED**10.3 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2020/223**

Moved: Cr Peta Betts

Seconded: Cr Peter McCrabb

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

CARRIED**10.4 RESOLUTIONS OF COUNCIL****RESOLUTION 2020/224**

Moved: Cr Marg Bull

Seconded: Cr Pat Fogarty

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

CARRIED

10.5 INVESTMENT REPORT NOVEMBER 2020**RESOLUTION 2020/225**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That Council:

1. Note and receive the November report on Investments totalling \$46,114,842 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of November 2020 was \$62,641;
3. Note that accrued interest earned to 30 November 2020 but not yet received was \$80,929;
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.
5. Note that the December 2020 Investment Report will be presented together with the January 2021 report at the February 2021 Council meeting.

CARRIED

10.6 PRESENTATION OF AUDITED FINANCIAL STATEMENTS AND AUDIT REPORT 2019-20**RESOLUTION 2020/226**

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council

1. Note the presentation of the Audited Financial Statements and Auditors Report for 2019-20 financial year to the public in accordance with Section 419(1) of the Local Government Act 1993, refer **Attachment 1 and 2**

CARRIED

10.7 REQUEST FOR WATER TRANSFER**RESOLUTION 2020/227**

Moved: Cr Nick Metcalfe

Seconded: Cr Marg Bull

That Council

- 1) Approve providing a water transfer to the Racecourse Reserve of 30 megalitres.
- 2) Provide the water to the Racecourse free of charge and only pass on administrative charges as incurred in establishing the water transfer
- 3) 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

10.8 REQUEST FROM DENI PLAY ON THE PLAINS FESTIVAL LTD**RESOLUTION 2020/228**

Moved: Cr Pat Fogarty

Seconded: Cr Norm McAllister

That Council allocate \$25,000 as a cash contribution and up to \$15,000 of in-kind contributions to the Deni Play on the Plains Festival Ltd for an event in March 2021 in lieu of funding included in the 2020/21 Operational Plan for the October 2020 Ute Muster.

CARRIED

10.9 ENVIRONMENTAL SERVICES REPORT**RESOLUTION 2020/229**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That Council note the Environmental Services Report for November 2020

CARRIED

10.10 ROAD CLOSURES FOR UPCOMING ROADWORKS**RESOLUTION 2020/230**

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

That Council approve the implementation of the traffic control plans for works at the intersection of Wood Street and Edwardes Street, and at the intersection of Russell Street and Wilkinson Street, subject to the endorsement of the traffic control plans by all members of the Edward River Council Local Area Traffic Committee.

CARRIED

10.11 MAJOR PROJECTS PROGRAM - DECEMBER 2020 PROGRESS REPORT**RESOLUTION 2020/231**

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

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

CARRIED

Amanda Barber (Manager Finance) left the room at 9.31am and did not return.

10 NOTICES OF MOTIONS

Nil

11 QUESTIONS WITH NOTICE

Nil

12 CONFIDENTIAL MATTERS**RESOLUTION 2020/232**

Moved: Cr Marg Bull

Seconded: Cr Peta Betts

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 Contract C2021/05 - Poitiers Street Reconstruction 20/21

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.

13.2 Barham Road Site

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.

13.3 C2021/04 - Construction of Memorial Park Changerooms and Public Amenities

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**13.1 CONTRACT C2021/05 - POICTIERS STREET RECONSTRUCTION 20/21****RESOLUTION 2020/233**

Moved: Cr Ashley Hall

Seconded: Cr Norm McAllister

That Council:

1. Accepts the tender submitted by Deni Civil & Construction for Contract C2021/05 – Poitiers Street Reconstruction 20/21 for the lump sum tender price of \$937,804.00 +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 C2021/05 – Poitiers Street Reconstruction 20/21.
3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site.

CARRIED

13.2 BARHAM ROAD SITE**RESOLUTION 2020/234**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council:

1. Note the letter received from DAX Legal Pty Ltd on behalf of the Deniliquin Ethanol Plant Pty Ltd regarding the sale of Lot 3 DP1213955, known as the Barham Road site,
2. Advise DAX Legal Pty Ltd that Council are currently reviewing its operational requirements regarding Lot 3 DP1213955, and;
3. Advise DAX Legal Pty Ltd that, following the operational review for the land, Council may undertake an open process regarding further use or sale of the land.

CARRIED

13.3 C2021/04 - CONSTRUCTION OF MEMORIAL PARK CHANGEROOMS AND PUBLIC AMENITIES**RESOLUTION 2020/235**

Moved: Cr Peta Betts

Seconded: Cr Nick Metcalfe

That Council

1. Accepts the tender from B Green Constructions for Contract C2021/04 Construction of Memorial Park Changerooms & Public Amenities for the total lump sum price of \$464,743.69 + 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 C2021/04 Construction of Memorial Park Changerooms & Public Amenities; and
3. Authorise the General Manager to approve variations to the contract to cover contingencies of up to 20% of the contract amount.

CARRIED

RESOLUTION 2020/236

Moved: Cr Peta Betts

Seconded: Cr Mac Wallace

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 18 February 2021.

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CHAIRPERSON