



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

15 October 2020

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE RFS DENILQUIN AIRPORT
ON THURSDAY, 15 OCTOBER 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 Nick Metcalfe, Cr Mac Wallace

IN ATTENDANCE: Philip Stone (General Manager), Oliver McNulty (Director Infrastructure), Suni Campbell (Director Corporate Services), Marie Sutton (Acting Manager Environmental Services), Mark Dalzell, (Manager Engineering and Assets), Michelle Cobb (Manager Community & Economic Development), Tiffany Carroll (Communications Advisor), 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

RESOLUTION 2020/192

Moved: Cr Norm McAllister
Seconded: Cr Nick Metcalfe

That the apology received from Cr McCrabb be accepted and leave of absence granted.

CARRIED

5 CONFIRMATION OF MINUTES

RESOLUTION 2020/193

Moved: Cr Ashley Hall
Seconded: Cr Mac Wallace

That the minutes of the Ordinary Council Meeting held on 24 September 2020 be confirmed.

CARRIED

6 DISCLOSURES OF INTERESTS

Nil

7

MAYORAL MINUTE**RESOLUTION 2020/194**

Moved: Cr Norm Brennan

Seconded: Cr Nick Metcalfe

That report number 10.7 – Request for Extraordinary Meeting be removed and replaced with Supplementary Report number 10.16. This is necessary following updated advice.

CARRIED**8 REPORTS OF COMMITTEES****9.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 24 SEPTEMBER 2020****RESOLUTION 2020/195**

Moved: Cr Norm McAllister

Seconded: Cr Peta Betts

That Council:

1. Receive and note the Minutes of the Audit Risk and Improvement Committee Meeting held on 24 September 2020, contained at Attachment A.
2. Reviews the policy regarding the financial treatment of residual value of road assets.
3. Reviews the policy on the financial treatment of Grant Funding due to the changes in accounting standards

CARRIED**9 REPORTS TO COUNCIL****10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2020/196**

Moved: Cr Marg Bull

Seconded: Cr Pat Fogarty

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

CARRIED

10.2 RESOLUTIONS OF COUNCIL**RESOLUTION 2020/197**

Moved: Cr Pat Fogarty
Seconded: Cr Mac Wallace

That Council note the information in the Resolutions of Council as at 7 October 2020.

CARRIED

10.3 COUNCILLOR APPOINTMENT TO COMMITTEES 2020 - 2021**RESOLUTION 2020/198**

Moved: Cr Pat Fogarty
Seconded: Cr Nick Metcalfe

Council reviewed the current Councillor appointments to committees and the additional committees created during the 2019-2020 and determined to include:-

- a) Cr McCrabb on the Edward River Council Airport Advisory Committee
- b) Health Action Group to be included with representation to include the Mayor and Cr Betts.

CARRIED

10.4 TABLING - ANNUAL WRITTEN RETURNS OF INTEREST REGISTER**RESOLUTION 2020/199**

Moved: Cr Peta Betts
Seconded: Cr Marg Bull

That Council note the General Manager's tabling of the annual Written Returns of Interest Register.

CARRIED

10.5 ANNUAL CODE OF CONDUCT STATISTICAL RETURN 2020**RESOLUTION 2020/200**

Moved: Cr Pat Fogarty
Seconded: Cr Mac Wallace

That Council

1. Receive and note the Code of Conduct Annual Statistical Report for the period 1 September 2019 to 31 August 2020
2. Provide the Code of Conduct Annual Statistical Report to the Office of Local Government by 31 December 2020.

CARRIED

10.6 RATES HARMONISATION COMMUNITY ENGAGEMENT MATERIAL**RESOLUTION 2020/201**

Moved: Cr Pat Fogarty

Seconded: Cr Ashley Hall

1. That Council approve the content for the rates harmonisation community engagement material contain in:
 - (a) The Message from the Mayor (attachment 1)
 - (b) Frequently Asked Questions (attachment 2)
 - (c) Questions for the phone survey (attachment 3)
2. That Council note the timing and location of the rates harmonisation community engagement meetings (as per the Community Engagement Plan).

CARRIED**10.16 REQUEST FOR EXTRAORDINARY MEETINGS****RESOLUTION 2020/202**

Moved: Cr Nick Metcalfe

Seconded: Cr Marg Bull

That Council:

1. Accept the request to hold an Extraordinary Meeting of Council on the 22nd October 2020 to consider the Waring Gardens DA.
2. Accept the request to hold an Extraordinary Meeting of Council on the 5th November 2020 to consider the Annual Financial Statements and Auditors Report.
3. Pursuant to section 9 of the *Local Government Act 1993*, provide public notice of the date, time and venue of the Extraordinary Meeting scheduled for 10.00am on Thursday 22 October 2020 and 10am Thursday 5 November 2020.

CARRIED

10.8 PLANNING PROPOSAL NO 10 - LOT 2 DP1220715, HARFLEUR STREET,**RESOLUTION 2020/203**

Moved: Cr Marg Bull

Seconded: Cr Pat Fogarty

That Council:

1. **Endorse the Planning** Proposal provided as Attachment 1 .
2. That Council request the Department of Planning, Industry and Environment to prepare the draft amendment to the Deniliquin Local Environmental Plan 2013 and provide Council with an Opinion that the Plan can be made.
3. That Council request Parliamentary Counsel to prepare the draft Amendment to the Deniliquin Local Environmental Plan 2013 under section 3.36 (1) of the Environmental Planning and Assessment Act 1979

CARRIED

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

Against: Nil

CARRIED 8/0**10.9 ENVIRONMENTAL SERVICES REPORT (SEPTEMBER 2020)****RESOLUTION 2020/204**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council note the Environmental Services report for September 2020

CARRIED

10.10 RIVERINA HIGHWAY RECONSTRUCTION PROJECT**RESOLUTION 2020/205**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council;

1. Endorse the Pricing Request Sheet submitted to Transport for New South Wales for the reconstruction of 0.5 km of road along the Riverina Highway,
2. Council undertake this work on the state highway network as a contractor on behalf of TfNSW as part of the Road Maintenance Contract,
3. Note that Councils operations team will deliver this project from October 2020 through to February 2021,
4. Note that the finished surface will be reworked and resealed for section 1 (700m) that was completed in May 2020, at an estimated cost of \$100,000 to the project, funded through project contingency.

CARRIED

10.11 DENILIQVIN SWIM CENTRE - FEES AND CHARGES FOR 2020-21 SEASON**RESOLUTION 2020/206**

Moved: Cr Mac Wallace

Seconded: Cr Nick Metcalfe

That Council endorses the proposed entrance fees to the Deniliquin Swim Centre for the 2020-21 season.

CARRIED

10.12 PLAN OF MANAGEMENT FOR MULTIPLE RESERVES**RESOLUTION 2020/207**

Moved: Cr Marg Bull

Seconded: Cr Nick Metcalfe

That Council adopts the Plan of Management, contained in Attachment 1 to this report, for the following Crown Land reserves with minor corrections to the Conargo Hall Reserve Plan of Management.

- (i) Cobb Highway Sandpit reserve.
- (ii) Booroorban Sports Ground reserve.
- (iii) North Conargo reserve.
- (iv) Conargo Hall reserve.
- (v) Pretty Pine Sportsground reserve.
- (vi) Booroorban Cemetery reserve,
- (vii) Blighty Hall and Football Ground reserve,
- (viii) Edward River reserve,
- (ix) Pretty Pine Waste Depot reserve,
- (x) Booroorban Hall reserve, and
- (xi) Woodbury Woodlot reserve.

CARRIED

10.13 ASSET MANAGEMENT PLAN UPDATE**RESOLUTION 2020/208**

Moved: Cr Mac Wallace

Seconded: Cr Peta Betts

That Council:

1. Notes this report regarding the Asset Management Plans, and;
2. Receives a further report in December 2020 regarding the Asset Management Plans.

CARRIED

10.14 PLAN OF MANAGEMENT - MURRAY VALLEY INDUSTRY PARK**RESOLUTION 2020/209**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That adopts the Plan of Management for the Murray Valley Industry Park , contained in Attachment 1 to this report.

CARRIED

10.15 MAJOR PROJECTS PROGRAM - OCTOBER 2020 PROGRESS REPORT**RESOLUTION 2020/210**

Moved: Cr Pat Fogarty
Seconded: Cr Mac Wallace

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

CARRIED

10 CONFIDENTIAL MATTERS**RESOLUTION 2020/211**

Moved: Cr Mac Wallace
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:

13.1 Contract C2021/01 - Russell 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 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 CONTRACT C2021/01 - RUSSELL STREET RECONSTRUCTION 20/21**RESOLUTION 2020/212**

Moved: Cr Nick Metcalfe

Seconded: Cr Peta Betts

That Council:

1. Accepts the tender submitted by Miller Pipe & Civil Pty Ltd for Contract C2021/01 – Russell Street Reconstruction 20/21 for the lump sum tender price of \$443,496.00 + 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 C2021/01 – Russell 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 SALE AND DEVELOPMENT OF LOTS 33,34, 35 AND 36 SALEYARDS ROAD, DENILIQUN**RESOLUTION 2020/213**

Moved: Cr Norm McAllister

Seconded: Cr Nick Metcalfe

That Council

1. Authorise the General Manager to accept the current offer of \$250,000 inc. GST the sale of the Lots 33,34, 35 and 36 Saleyards Road, Deniliquin to Rhys Tremble Concreting and Engineering.
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 and include a buy back clause.
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

CARRIED

RESOLUTION 2020/214

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 10.57am

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 November 2020.

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CHAIRPERSON