



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

19 April 2018

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIKUIN
ON THURSDAY, 19 APRIL 2018 AT 9.00AM**

PRESENT: Cr Norm Brennan (Mayor), Cr Pat Fogarty (Deputy Mayor), Cr Ashley Hall, Cr Norm McAllister, Cr Peter McCrabb, Cr Nick Metcalfe, Cr Mac Wallace

IN ATTENDANCE: Adam McSwain (General Manager), Caroline Wallis (Director Corporate Services), John Harvie (Director Economic Development & Business), Oliver McNulty (Director Infrastructure)

1. 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."

2. 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 REQUESTS FOR LEAVE OF ABSENCE

2018/57 RESOLUTION

Moved: Cr Mac Wallace
Seconded: Cr Peter McCrabb

That the apologies received from Cr Peta Betts and Cr Marg Bull be accepted and leave of absence granted.

CARRIED

DISCLOSURE OF INTEREST

2018/58 RESOLUTION

Cr Fogarty declared an interest in Item 11.21 due to close friendship with those involved.

2018/59 CONFIRMATION OF MINUTE FROM PREVIOUS MEETING

RESOLUTION

Moved: Cr Mac Wallace

Seconded: Cr Ashley Hall

That the minutes of the Ordinary Council Meeting held on 15 March 2018 be confirmed.

CARRIED

2018/60 LEAVE OF ABSENCE CR MARGARET BULL

RESOLUTION

Moved: Cr Mac Wallace

Seconded: Cr Peter McCrabb

That Councillor Margaret Bull be granted a leave of absence from the April 19 and May 17, 2018 Edward River Council meetings.

CARRIED

**2018/61 MINUTES OF THE EDWARD RIVER COUNCIL TIDY TOWNS COMMITTEE MEETING
HELD TUESDAY 10 APRIL, 2018**

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Peter McCrabb

That the resolutions of the Edward River Council Tidy Towns Committee meeting held 10 April 2018 be accepted.

CARRIED

2018/62 RESOLUTIONS OF COUNCIL

RESOLUTION

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council note the information in the Resolutions of Council March 2018 update.

CARRIED

2018/63 MAYOR AND GENERAL MANAGER MEETINGS

RESOLUTION

Moved: Cr Nick Metcalfe

Seconded: Cr Ashley Hall

That Council note the information.

CARRIED

2018/64 ORGANISATION STRUCTURE

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Norm McAllister

That Council

1. Adopt the updated organisational structure
2. Approve the reduction from three Senior Staff Director positions to two Senior Staff Director positions within the structure

CARRIED

2018/65 DENILIQVIN & DISTRICT HISTORICAL SOCIETY DONATION**RESOLUTION**

Moved: Cr Pat Fogarty

Seconded: Cr Mac Wallace

That Council

1. Donate the former Waring Gardens fountain which has recently been replaced to the Deniliquin & District Historical Society.
2. Edward River Council request the Deniliquin & District Historical care for the Memorial Gates until a decision has been made regarding plans for the Waring Gardens.

CARRIED

2018/66 DENILIQVIN CHAMBER BUSINESS AWARDS SPONSORSHIP**RESOLUTION**

Moved: Cr Ashley Hall

Seconded: Cr Pat Fogarty

That Edward River Council support The Deniliquin Business Chamber Gala Business Awards Friday 22 June 2018 in a **Sponsorship be up to a level of Platinum.**

CARRIED

2018/67 INVESTMENT REPORT AS AT 31 MARCH 2018**RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council

1. Note and receive the report on investments totalling \$41,825,863 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of March 2018 was \$43,908.
3. Note that accrued interest earned to 31 March 2018 but not yet received was \$572,123.

CARRIED

2018/68 LEGISLATIVE COMPLIANCE POLICY**RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council adopts the Legislative Compliance Policy

CARRIED

2018/69 OPEN AND PUBLIC SPACE STRATEGIES**RESOLUTION**

Moved: Cr Pat Fogarty
Seconded: Cr Norm McAllister

That Council place the draft Deniliquin Public Space Strategy and the draft Edward River Open Space Strategy on exhibition for a minimum period of 28 days and upon completion of the exhibition period, report back to Council on the outcome.

CARRIED

2018/70 OPEN AND PUBLIC SPACES STRATEGIC WORKING GROUP MINUTES**RESOLUTION**

Moved: Cr Ashley Hall
Seconded: Cr Peter McCrabb

That Council note the minutes from the meeting of the Open and Public Spaces Strategic Working Group held on 26 March 2018.

CARRIED

2018/71 FLOODPLAIN RISK MANAGEMENT COMMITTEE MINUTES**RESOLUTION**

Moved: Cr Mac Wallace
Seconded: Cr Nick Metcalfe

That Council note the minutes from the meeting of Floodplain Risk Management Committee held on 19 March 2018.

CARRIED

2018/72 SALE OF COUNCIL LAND POLICY**RESOLUTION**

Moved: Cr Norm McAllister
Seconded: Cr Mac Wallace

That Council formally adopt the 'Sale of Council Land Policy'.

CARRIED

2018/73 COMMUNITY ENGAGEMENT POLICY

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Peter McCrabb

That Council resolves to;

1. Formally adopt the Community Engagement Policy and
2. Formally adopt the Community Engagement Matrix.

CARRIED

2018/74 COMMUNITY GRANTS POLICY

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council

1. Formally adopt the Grants Policy and
2. Formally adopt the Grants Program Framework

CARRIED

2018/75 ENVIRONMENTAL SERVICES REPORT - MARCH 2018**RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council notes the Environmental Services report for March 2018.

CARRIED

2018/76 SPECIAL EVENT APPLICATION - ANZAC DAY MARCH**RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Mac Wallace

That Council approves the Special Event application from the Deniliquin RSL Sub-branch for the 2018 Anzac Day march, to be held on 25 April 2018 subject to the endorsement of the voting members of the Edward River Council Local Traffic Committee.

CARRIED

2018/77 COUNCIL ASSET FAIR VALUE ASSESSMENT**RESOLUTION**

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council:

1. Commits to a process of reviewing and updating the condition rating and valuations for all its assets as part of the 2018/19 and 2019/20 Operational Plans;
2. Allocate unspent funds from the Asset Management Plan project in the 2017/18 Operational Plan to the Asset Condition Rating project as part of the 2018/19 Operational Plan; and
3. Provides funding in the 2019/20 Operational Plans to undertake a revaluation of all of Council's assets.

CARRIED

2018/78 DENILIQUN SENIOR HOUSING DEVELOPMENT**RESOLUTION**

Moved: Cr Norm McAllister

Seconded: Cr Ashley Hall

That Council in line with Clause 178 of the Local Government (General) Regulation 2005:

1. Decline to accept any of the tenders submitted for contract no 2.19.247 for *construction of Deniliquin Senior Housing Development* as the tender submitted did not offer fair value for the works outlined
2. Enter negotiations with suitable qualified contractors to complete the proposed works within an agreed timeframe
3. Note that negotiations will only proceed with contractors pending an extension of time for the funding agreement

CARRIED

2018/79 DENILQUIN CHILDRENS CENTRE BOUNDARY REALIGNMENT**RESOLUTION**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council

1. Support the Deniliquin Children's Centre Inc application to get a licence for use of part 7307 DP1147655 for recreation purposes
2. That Council seek public comment of the proposed licence for 28 days
3. Receive a further report following the public consultation period

CARRIED

2018/80 PLANNING PROPOSAL 10 AUGUSTUS STREET**RESOLUTION**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That Council

1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to insert an additional permitted use for Lot 114 DP756310, 227 Augustus Street, Deniliquin;
2. Forward the planning proposal to the Minister for Planning and Infrastructure in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979.
3. Request that the local plan making functions in relation to this planning proposal be delegated to Council.

Declared interest

Relationships stated Mayor – infrequent friendship, Cr Fogarty weekly friendship

At 10.15 am, Cr Pat Fogarty left the meeting.

RESOLUTION

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

Against: Nil

CARRIED 8/0

At 10.25 am, Cr Pat Fogarty returned to the meeting.

2018/81 LATE REPORT – LAGOON AND CBD MASTERPLAN TENDER**RESOLUTION**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That Council accept and consider in confidential the late report for the Lagoon and CBD Masterplan Tender.

CARRIED

2018/82 CONFIDENTIAL MATTERS**RESOLUTION**

Moved: Cr Peter McCrabb

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:

16.1 Contract 2.19.240 - Construction of NSW Rural Fire Service Mid Murray Zone Fire Control Centre

16.2 Lagoon and CBD Masterplan late report

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

2018/83 CONTRACT 2.19.240 - CONSTRUCTION OF NSW RURAL FIRE SERVICE MID MURRAY ZONE FIRE CONTROL CENTRE**RESOLUTION**

Moved: Cr Pat Fogarty

Seconded: Cr Peter McCrabb

That Council:

1. Accepts the tender from Decentralised Demountables Pty Ltd for Contract 2.19.240 – Construction of NSW Rural Fire Service Mid Murray Zone Fire Control Centre for the total lump sum of \$4,395,232 including 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 2.19.240 – Construction of NSW Rural Fire Service Mid Murray Zone Fire Control Centre; and
3. **Authorise the General Manager to approve variations to the contract to cover contingencies of up to 5% of the contract amount.**

2018/84 LAGOON & CBD MASTERPLAN

RESOLUTION

Moved: Cr Peter McCrabb

Seconded: Cr Ashley Hall

That Council

1. Awards Tender 2.19.246 for the Deniliquin CBD, Riverfront, Lagoon and Town Entrance Masterplan to Group GSA for the total lump sum of \$193,930 excluding GST

2. Authorise the Mayor and General Manager to sign and affix the Common Seal of Edward River Council to the contract documentation for Tender 2.19.246 for the Deniliquin CBD, Riverfront, Lagoon and Town Entrance Masterplan.

CARRIED

2018/85 RESOLUTION

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council moves out of Closed Council into Open Council at 10.28.

CARRIED

CLOSE OF MEETING

The Meeting closed at 10.41.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 May 2018.

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CHAIRPERSON