



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

23 May 2019

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIQUIN
ON THURSDAY, 23 MAY 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 Nick Metcalfe, Cr Mac Wallace

IN ATTENDANCE: Adam McSwain (General Manager), Oliver McNulty (Director Infrastructure)
Trish Kirkland (Corporate Services Director), Cian Middleton (Governance & Communications Officer), Julie Rogers, (Manager Environmental Services)
Rindayi Matienga (Manager Finance), Belinda Perrett (Executive Assistant).

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF PURPOSE

APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2019/05/102

Moved: Cr McAllister
Seconded: Cr Wallace

That the apology from Cr Peter McCrabb be accepted.

CARRIED

DISCLOSURE OF INTEREST

Cr Bull 11.17 Depot Expansion

CONFIRMATION OF MINUTE FROM PREVIOUS MEETING

RESOLUTION 2019/05/103

Moved: Cr Peta Betts
Seconded: Cr Mac Wallace

That the minutes of the Ordinary Council Meeting held on 18 April 2019 be confirmed.

CARRIED

DEPUTATIONS

Mr Graeme McKindlay, Deniliquin Sports Park Incorporated

RESOLUTION 2019/05/104

Moved: Cr Fogarty

Seconded: Cr Betts

That the late report entitled 2QN – Upgrade of Nature Strip – George Street be accepted.

CARRIED

2QN - UPGRADE OF NATURE STRIP - GEORGE STREET**RESOLUTION 2019/05/105**

Moved: Cr Norm McAllister

Seconded: Cr Ashley Hall

That Council

1. Approve the removal of the two trees out the front of 368 George Street, Deniliquin due to safety concerns
2. Fund the removal the two trees from Councils tree pruning operational budget.
3. Request the building owner or tenant provide a funding contribution of \$2,250 to fund the proposed removal of topsoil and reinstatement of cracker dust on the nature strip of 368 George Street, Deniliquin.

CARRIED

MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS**RESOLUTION 2019/05/106**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

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

CARRIED

INVESTMENT REPORT AS AT 30 APRIL 2019**RESOLUTION 2019/05/107**

Moved: Cr Pat Fogarty

Seconded: Cr Ashley Hall

That Council:

1. Note and receive the Report on Investments totalling \$47,225,004 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of April 2019 was \$80,095.
3. Note that accrued interest earned to 30 April 2019 but not yet received was \$338,489.

CARRIED**QUARTERLY BUDGET REVIEW STATEMENT FOR THE PERIOD 1 JANUARY 2019 TO 31 MARCH 2019****RESOLUTION 2019/05/108**

Moved: Cr Norm McAllister

Seconded: Cr Mac Wallace

That Council

1. Authorise the itemised budget variations as shown in Attachment 1, which include the following results in the 31 March 2019 Quarterly Review of the 2018/19 Budget:
 - a. General Fund – \$771K change to estimated unrestricted cash
 - b. General Fund – \$4.7M increase in reserves
 - c. Water Fund - \$25K decrease in reserves
 - d. Sewerage Fund \$12K decrease in reserves
2. Adopt the revised General Fund Estimated Unrestricted Cash Result of \$10.3M for the 2018-19 financial year as at 31 March 2019.

CARRIED**DRAFT COMBINED DELIVERY PROGRAM 2018-2021 AND OPERATIONAL PLAN 2019-2020****RESOLUTION 2019/05/109**

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That Council:

1. Place the draft combined Delivery Program 2018-2021 and Operational Plan 2019-2020, including the Statement of Revenue Policy (containing the annual budget and fees and charges), at Attachment A, on public exhibition for a period of 28 days in accordance with section 405 of the *Local Government Act 1993*.

CARRIED

Rindayi Matienga left the Chambers at 9.30am and did not return.

ADVOCACY STRATEGY**RESOLUTION 2019/05/110**

Moved: Cr Marg Bull
Seconded: Cr Pat Fogarty

That Council:

1. Adopt the draft Advocacy Strategy, contained at Attachment A.
2. Repeal the Advocacy Strategy adopted 19 July 2018.

CARRIED

JUNE ORDINARY MEETING**RESOLUTION 2019/05/111**

Moved: Cr Norm McAllister
Seconded: Cr Mac Wallace

That Council:

1. Defer its Ordinary Meeting scheduled to be held at 9.00am on Thursday, 20 June 2019 to 9.00am on Thursday, 27 June 2019.
2. Pursuant to section 9 of the *Local Government Act 1993*, provide public notice of the date, time and venue of the Ordinary Meeting scheduled for 9.00am on Thursday, 27 June 2019.

CARRIED

LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REVIEW AND COUNCILLOR ANNUAL FEES FOR 2019/2020**RESOLUTION 2019/05/112**

Moved: Cr Norm McAllister
Seconded: Cr Mac Wallace

That Council:

1. Receive and note the Local Government Remuneration Tribunal 2019 Annual Report and Determination, contained at Attachment A.
2. Pursuant to section 248 of the *Local Government Act 1993*, fix and determine the annual fee payable to the Councillors of Edward River Council for the 2019/2020 financial year effective from 1 July 2019, at the maximum allowable limit for a Rural Council.
3. Pursuant to section 249 of the *Local Government Act 1993*, fix and determine the annual fee payable to the Mayor of Edward River Council for the 2019/2020 financial year effective from 1 July 2019, at the maximum allowable limit for a Rural Council.

CARRIED

NAPIER STREET STREETScape WORKS - RETAIL TRADER ASSISTANCE PROGRAM**RESOLUTION 2019/05/113**

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council

1. Approve the Napier Street Streetscape Works – Retail Trader Assistance Program as outlined in this report
2. Approve the Program Guidelines at attachment four
3. Note that through recommendation **[2019/68]** Council approved a budget of \$60,000 for this program
4. Update the 2018/19 Edward River Council Operational Plan to include an action 'To undertake a Retail Trader Assistance Program to assist retail traders in Napier Street, between George and Cressy Street, Deniliquin, throughout the Napier Street Streetscape works. That part of this program will involve the provision of retail trader assistance payments and that these payments will be undertaken in line with the Financial Assistance provisions of the Local Government Act 1993
5. Place the updated Operational Plan 2018-2019, on public exhibition for a period of 28 days in accordance with section 405 of the *Local Government Act 1993*.

CARRIED

ENVIRONMENTAL SERVICES MONTHLY REPORT (APRIL 2019)**RESOLUTION 2019/05/114**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council note the Environmental Services Monthly Report (April 2019).

ICARRIED

ROADSIDE GRAZING**RESOLUTION 2019/05/115**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council

1. Note the report on roadside grazing; and
2. Grant concurrence in accordance with Section 78 of the Local Land Services Act for the issuing of roadside grazing permits.

CARRIED

DRAFT COMPLIANCE AND ENFORCEMENT POLICY**RESOLUTION 2019/05/116**

Moved: Cr Pat Fogarty
Seconded: Cr Norm McAllister

That Council:

1. Repeal the former Deniliquin Council Enforcement Policy (attachment 1); and
2. Adopt the draft Compliance and Enforcement Policy (attachment 2).

CARRIED

SCOTT'S PARK - ALCOHOL PROHIBITED AREA**RESOLUTION 2019/05/117**

Moved: Cr Pat Fogarty
Seconded: Cr Nick Metcalfe

That Council:

1. Exhibit a proposal to establish an alcohol prohibited area at Scott's Park as shown in attachment 1 for a period of 30 days; and
2. Receive a report on the outcome of the exhibition.

CARRIED

DOGS IN THE ISLAND SANCTUARY**RESOLUTION 2019/05/118**

Moved: Cr Ashley Hall
Seconded: Cr Nick Metcalfe

That Council:

1. Remove the 'dog prohibited' signs from the entries of the Island Sanctuary thereby allowing dogs to be walked through on a lead; and
2. Install appropriate signs at the entries of the Island Sanctuary regarding responsible dog ownership as required by the Companion Animals Act 1998.

CARRIED

DRAFT MEMORIAL PARK MASTERPLAN

RESOLUTION 2019/05/119

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council:

1. Exhibit the draft Memorial Park Masterplan for 28 days; and
2. Receive a report on the outcome of the exhibition.

CARRIED

Julie Rogers left the Chambers at 10.02am and did not return

STRONGER COMMUNITIES FUND - MAJOR PROJECTS PROGRAM AND THE STRONGER COMMUNITIES PROGRAM - MAY PROGRESS REPORT

RESOLUTION 2019/05/120

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That Council note the Stronger Communities Fund- Major Projects Program and the Stronger Country Communities Program- Progress Report for May 2019

.CARRIED

Cr McAllister left the Chambers at 10.08am.

Cr McAllister returned to the Chambers at 10.10am

MODIFY SPECIFICATION FOR RURAL ROADS UTILITY VEHICLES

RESOLUTION 2019/05/121

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

That Council

1. Approve the increase in budget from \$30,000 to \$40,000 for each of four rural roads utility vehicles included in the 2018/19 budget,
2. Approve the change in specifications for the purchase of the utility vehicles to include four wheel drive and bull bars,
3. Approve that the \$40,000 will be funded from savings made from the purchase of the new rear loading compactor truck that came in under budget by \$111,724.

ICARRIED

Cr Bull left the Chambers at 10.11am as per disclosure of interest

DEPOT EXPANSION PROJECT - DEMOLITION OF HOUSES WANDERER STREET

RESOLUTION 2019/05/122

Moved: Cr Mac Wallace
Seconded: Cr Norm McAllister

That Council

1. Approve the allocation of \$40,000 from the Depot Refurbishment Budget towards the demolition and removal of the houses at 219 Wanderer Street and 221 Wanderer Street.
2. Approve the appointment of Murray Construction to carry out the demolition works for one or both of the houses.
3. Note that the income of \$40,000 noted in the 2018/19 budget will not now be generated

CARRIED

PURCHASE OF PLANT - FORKLIFT

RESOLUTION 2019/05/123

Moved: Cr Nick Metcalfe
Seconded: Cr Mac Wallace

That Council note the report on the purchase of a forklift and the use of Council's existing telehandler.

CARRIED

Cr Bull returned to the Chambers at 10.16am

RESOLUTIONS OF COUNCIL

RESOLUTION 2019/05/124

Moved: Cr Pat Fogarty
Seconded: Cr Ashley Hall

That Council note the information in the Resolutions of Council to 1 May 2019.

CARRIED

CONFIDENTIAL MATTERS**RESOLUTION 2019/05/125**

Moved: Cr Ashley Hall
Seconded: Cr Mac Wallace

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:

15.1 Purchase of a bogie drive tipper

This matter is considered to be confidential under Section 10A(2) - c 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.

15.2 Deniliquin Sports Stadium

This matter is considered to be confidential under Section 10A(2) - c 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.

Council moved into Confidential Business at 10.18am

CARRIED

PURCHASE OF A BOGIE DRIVE TIPPER**RESOLUTION 2019/05/126**

Moved: Cr Norm McAllister
Seconded: Cr Nick Metcalfe

That Council

1. Accept the tender submitted by Wagga Trucks for the purchase of a Hino FS 2848 PROSHIFT fitted with a CBB Body for the contract price of \$189,324.55 excluding GST with optional extras of a dash cam and scales fitted to truck for in cab weight readout bringing total value ex GST to \$192,14.55
2. Approve the trade in of the existing truck FM6 to Wagga Trucks for \$44,000 including GST.

CARRIED

DENILIQVIN SPORTS STADIUM

RESOLUTION 2019/05/127

Moved: Cr Norm McAllister

Seconded: Cr Nick Metcalfe

That Council

1. Approve the change in scope for the redevelopment of Deniliquin Sports Stadium to;
 - (a) Exclude the air-conditioning from the project
 - (b) Include the end bay in the project
 - (c) Replace the existing timber floor with a new suspended timber floor
 - (d) Include an allowance of \$25,000 for design and contingency
2. Approve the allocation of \$395,000 from unallocated funds within the Stronger Communities Grant towards the extension of the Deniliquin Sports Stadium
3. Inform the committee for Deniliquin Sports Park Incorporated of this decision
4. Inform the committee for Deniliquin Sports Park Incorporated that any additional costs above the amended budget must be covered by the committee.
5. All variations must be reviewed by Council and monthly site meetings attended by a Council representative.
6. Any cost overruns are the responsibility of the Deniliquin Sports Stadium Incorporated. This will be written into the Deniliquin Sports Stadium Incorporated agreement.

CARRIED

RESOLUTION 2019/05/128

Moved: Cr Peta Betts

Seconded: Cr Marg Bull

That Council moves out of Closed Council into Open Council.

ICARRIED

1 CLOSE OF MEETING

The Meeting closed at 11am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 June 2019.

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CHAIRPERSON