



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

17 May 2018

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIQUIN
ON THURSDAY, 17 MAY 2018 AT 9.00AM**

PRESENT: Cr Norm Brennan (Mayor), Cr Pat Fogarty (Deputy Mayor), Cr Peta Betts, Cr Ashley Hall, Cr Nick Metcalfe

IN ATTENDANCE: Adam McSwain (General Manager), Caroline Wallis (Director Corporate Services), Mark Dalzell (Manager Engineering Assests), Julie Rogers (Manager Environmental Development)

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.

2018/92 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION

Moved: Cr Nick Metcalfe

Seconded: Cr Peta Betts

That the apologies tendered for non-attendance from Councillor Margaret Bull, Councillor Peter McCrabb, Councillor Norm McAllister and Councillor Mac Wallace be accepted.

CARRIED

DISCLOSURE OF INTEREST

Nil

2018/93 CONFIRMATION OF MINUTE FROM PREVIOUS MEETING

RESOLUTION

Moved: Cr Ashley Hall
Seconded: Cr Nick Metcalfe

That the minutes of the Ordinary Council Meeting held on 19 April 2018 and the Extraordinary Council Meeting held on 3 May 2018 be confirmed.

CARRIED

2018/94 RESOLUTIONS OF COUNCIL

RESOLUTION

Moved: Cr Nick Metcalfe
Seconded: Cr Pat Fogarty

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

CARRIED

2018/95 MAYOR AND GENERAL MANAGER MEETINGS

RESOLUTION

Moved: Cr Pat Fogarty
Seconded: Cr Nick Metcalfe

That Council note the information.

CARRIED

2018/96 RURAL DOCTORS NETWORK BUSH BURSARY PROGRAM

RESOLUTION

Moved: Cr Pat Fogarty
Seconded: Cr Peta Betts

That Edward River Council participate in the Rural Doctors Network Bush Bursary Program in 2018/19 and provide a scholarship of \$3,300.00 gst inclusive.

CARRIED

2018/97 DRAFT BUSHFIRE PRONE LAND MAP RE-CERTIFICATION**RESOLUTION**

Moved: Cr Pat Fogarty
Seconded: Cr Nick Metcalfe

That Council endorse the Draft Bushfire Prone Land Map 2018 for certification by the Commissioner of the NSW Rural Fire Service (RFS).

CARRIED

2018/98 INVESTMENT REPORT AS AT 30 APRIL 2018**RESOLUTION**

Moved: Cr Peta Betts
Seconded: Cr Nick Metcalfe

That Council

1. Note and receive the Report on Investments totaling \$40,341,724 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of April 2018 was \$53,303.
3. Note that accrued interest earned to 30 April 2018 but not yet received was \$600,771

CARRIED

2018/99 QUARTERLY BUDGET REVIEW FOR THE PERIOD 1 JANUARY TO 31 MARCH 2018**RESOLUTION**

Moved: Cr Pat Fogarty
Seconded: Cr Peta Betts

That Council receives the March 2018 financial review of the Operational Plan as adopted at the Council Meeting on 29 June 2017.

CARRIED

2018/100 APPOINTMENT OF CHAIR TO AUDIT, RISK AND IMPROVEMENT COMMITTEE**RESOLUTION**

Moved: Cr Nick Metcalfe
Seconded: Cr Pat Fogarty

That Council endorses the appointment of Peter Rae to the position of Chair of the Audit, Risk and Improvement Committee for a 12-month period.

CARRIED

2018/101 DEVELOPMENT APPLICATION 59/17- BOOROORBAN FIRE SHED**RESOLUTION**

Moved: Cr Peta Betts

Seconded: Cr Nick Metcalfe

That Council resolves to:

1. In accordance with section 4.16 of the Environmental Planning and Assessment Act **APPROVE** development application 59/17 for the construction of a new fire station shed and 22,000 litre rain water tank on Lot 11, Section 15, DP758913 (Reserve No: 97439), Wargam Road, Booroorban dated 12 September 2017 as shown on plans numbered DA59/17#1 – 3 inclusive and described in details accompanying the Development Application and subject to the following conditions:

Conditions of consent:**1. General / Miscellaneous**

- 1.1 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. 59/17 and the conditions of consent.
Reason: To clarify the extent of the consent.
- 1.2 An application for a Construction Certificate is to be submitted to and approved by Council to demonstrate compliance with the provisions of the National Construction Code Volume 1.
Reason: Prescribed condition under the Environmental Planning and Assessment Act and Regulations.
- 1.3 No filling of the land over the existing watercourse or drainage easement without consent from the Council's Infrastructure Directorate.
Reason: To maintain existing drainage capacity.
- 1.4 The land may be subject to flooding and the development has been assessed using best available information concerning the likelihood of flooding at the date of determination. If the land is flooded, Council will not, pursuant to Section 733 of the Local Government Act 1993, incur any liability in respect of the granting of this consent.
Reason: To outline Council's position with respect to liability from damage to the building in the event of flooding.
- 1.5 The garage/shed is approved for use as a fire station and associated storage/vehicle area.
Reason: To ensure the garage is not used for any unauthorised purpose.
- 1.6 All vehicles must enter and exit the development in a forward direction to avoid possible conflict with through traffic on Wargam Road.
Reason: To minimise possible accidents with traffic on the adjacent road.
- 1.7 An all-weather vehicular access is to be provided with a minimum access width of 4m.
Reason: To ensure access to the property at all times.
- 1.8 For the purposes of safety and preventing obstruction, all vehicles being loaded and/or unloaded are to stand wholly within the site.
Reason: To ensure obstruction of roads does not occur.
- 1.9 All stormwater from the roof of the proposed building, including the overflow from any rainwater tanks, if any, shall be discharged by piping to the table drain in Wargam Road.
Reason: To ensure adequate disposal of stormwater in a manner that will not cause a nuisance to neighbouring properties.
- 1.10 The finished floor level for the proposed building must not be less than the floor level for the existing RFS shed.
Reason: To ensure that the building is accessible and can operate during times of

flood and other emergencies.

Note: this condition reflects the function of the proposed building as an emergency response facility.

- 1.11 The finished surface level for the access shall not be less than the existing level along Wargam Road at the access point.

Reason: To ensure adequate access to the building during times of flood and other emergencies.

Note: this condition reflects the function of the proposed building as an emergency response facility.

2. Prior to commencement of work

- 2.1 The erection of the building the subject of this development consent MUST not be commenced until:

(a) detailed plans/specifications of the building have been endorsed with a construction certificate by:

- (i) the Council, or
- (ii) an accredited certifier, and

(b) the person having the benefit of the development consent:

- (i) has appointed a principal certifying authority, and
- (ii) has notified the Council of the appointment, and

(c) the person having the benefit of the development consent has lodged a notice of commencement form with Council. This is to be lodged at least two days prior to commencing the building work.

Reason: These are requirements of the Environmental Planning and Assessment Act and associated Regulations.

- 2.2 Prior to any works being undertaken in the road reserve a road opening permit is to be obtained from Council.

Reason: To ensure compliance with the Roads Act, which requires the road authority to give permission for an activity within the road reserve.

- 2.3 Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilization has been completed.

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

3. During construction

- 3.1 The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979 to ensure compliance with the Building Code of Australia.

- 3.2 **Council has been appointed the Principal Certifying Authority for the work. 48 hours notice prior shall be given to Council requesting that the following inspections being conducted:**

- a) after excavation of foundations prior to the placement of any footings,
- b) prior to pouring any in-situ reinforced concrete building element, and
- c) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

Please note that failure to comply with this condition may result in the Occupation Certificate not being granted.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and associated Regulations.

- 3.3 The builder/developer is to provide on-site waste bins for waste materials generated during construction and a bin with a tight-fitting lid for food scraps or they are to remove waste from the site to an EPA approved waste depot on a daily basis.

Reason: To protect public health and protect the amenity of the area.

- 3.4 Any spoil deposited on public roads during the cartage of materials from or to the site shall be removed on the same day. The cartage of spoil shall cease, as directed by Council, if the Council determines that excessive deposition of spoil onto

the road is taking place.

Reason: To ensure erosion control measures have been implemented.

- 3.5 Suitable waste containers shall be provided within or external to the building whilst it is being used for the proposed development. Container bays shall be effectively screened or housed from view.

Reason: To avoid a public health nuisance.

- 3.6 The hours of operation for demolition or building works on the site shall be limited to the daylight hours, between 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays without the prior written consent of the Council.

Reason: To ensure compliance with the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

- 3.7 Any waste or excavated material removed from the site is to be taken to an authorised site for disposal. No fill is to be deposited on other land without the prior consent of Council.

Reason: To ensure the responsible disposal of surplus landfill.

- 3.8 If the work involved in the erection or demolition of a building:

- (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (ii) involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning / fence is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

- 3.9 A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (i) Showing the name, address and telephone number of the principal certifying authority for the work, and
- (ii) Showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work had been completed.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

- 3.10 Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before the commencement of construction works.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

4. Prior to occupation certificate

- 4.1 Use of the site for the proposed development shall not take place until all conditions required prior to commencement of work for this approval have been satisfied.

Reason: To ensure compliance to all requirements.

- 4.2 The use of the building is not to commence until such time as an "Occupation Certificate" is issued by Council / the Principal Certifying Authority responsible for the work.

Reason: This is a requirement of the Environmental Planning and Assessment Act

1979.

- 4.3 Prior to the issue of a Final Occupation Certificate any damage to kerb and gutter, road surfaces, infrastructure or landscaping outside of the property boundary that is a result of the proposed work, must be reinstated at total cost to the person having the benefit of the consent and to the satisfaction of Edward River Council.

Reason: To ensure that all Council assets located outside the property boundaries are maintained.

5. Department of Primary Industries – Crown Lands

- 5.1 Prior to the commencement of work you must apply to the Department of Industries – Crown Lands for authority for the NSW Rural Fire Service to occupy and undertake works on the Crown Land. Crown land cannot be occupied prior to this authority being granted.

Reason: To comply with the requirements of DPI – Crown Lands.

- 5.2 NSW Rural Fire Service is required to enter into a licence agreement with Council as Reserve Trust Manager to occupy the land prior to construction works occurring. The licence must include the proposed construction work and will require Ministers consent under S102 of the Crown Lands Act 1989.

Reason: To comply with the requirements of DPI – Crown Lands.

In Favour: Crs Norm Brennan, Pat Fogarty, Peta Betts, Ashley Hall and Nick Metcalfe

Against: Nil

CARRIED 5/0

2018/102 OPEN AND PUBLIC SPACES STRATEGIC WORKING GROUP - ADDING ADDITIONAL MEMBERS FOR THE NEXT STAGE OF THE PROJECT

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council in relation to the Open and Public Spaces Strategic Working Group:

1. Amend the charter to increase the community representatives from four to seven allowing representation from a Napier Street business owner, the Lagoons Group and a community person who has a special interest in the riverfront;
2. Call for expressions of interest from the community to fill the positions for the Napier Street business owner and the riverfront and receive a further report on the outcomes of the expressions of interest; and
3. Invite the Lagoons Group to provide one representative on the working group.

CARRIED

2018/103 JOINT REGIONAL PLANNING PANELS

RESOLUTION

Moved: Cr Peta Betts
Seconded: Cr Pat Fogarty

That Council nominate Mr Michael Keys and Mr David Christy as its representatives on the Western Region Joint Regional Planning Panel and the Panel be notified of Council's decision.

CARRIED

2018/104 TERMINATION OF STRATA PLAN 15513 - 456 CRESSY STREET

RESOLUTION

Moved: Cr Nick Metcalfe
Seconded: Cr Peta Betts

That Council authorise its seal and signature to be affixed to the Termination of Strata Scheme.

CARRIED

2018/105 DEVELOPMENT APPLICATION 13/18 - RESIDENTIAL STORAGE SHED**RESOLUTION**

Moved: Cr Pat Fogarty

Seconded: Cr Ashley Hall

That in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979, **approve** subject to conditions, Development Application 13/18 for the construction of a residential storage shed as shown on the plans ERC-001, ERC-002, ERC-003, ERC-004, Site Plan 1.

Conditions of consent:**General / Miscellaneous****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.13/18 and the conditions of consent.

Reason: To clarify the extent of the consent.

2. Construction Certificate Required

An application for a Construction Certificate is to be submitted to and approved by Council or an accredited Private Certifier prior to any building work commencing. The construction certificate plans are to be consistent with the approved development consent and shall include detailed plans and specifications to demonstrate compliance with the provisions of the National Construction Code Volume 2 2017 - Building Code of Australia (BCA).

Reason: Prescribed condition under the Environmental Planning and Assessment Act and Regulations.

3. Restrict Garage/Shed use

The garage/shed is approved for use for domestic storage / vehicle parking only and shall not be used for any habitable, commercial or industrial use at any time without the separate prior consent of Council.

Reason: To ensure the garage is not used for any unauthorised purpose.

4. 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.

5. Vehicle Loading / Unloading Onsite

For the purposes of safety and preventing obstruction, all vehicles being loaded and/or unloaded are to stand wholly within the site.

Reason: To ensure obstruction of roads does not occur.

6. Stormwater connection

All stormwater from the roof of the proposed building, including the overflow from any rainwater tank, if any, shall be discharged by piping to the street gutter.

Reason: To ensure adequate disposal of stormwater in a manner that will not cause a nuisance to neighbouring properties.

PRIOR TO THE COMMENCEMENT OF THE USE**7. Notice of Commencement**

The erection of the building the subject of this development consent must not be commenced until the person having the benefit of the development consent has lodged a notice of commencement form with Council as the Principal Certifying Authority for the work. This is to be lodged at least two days prior to commencing the building work.

Reason: These are requirements of the Environmental Planning and Assessment Act and associated Regulations.

8. Road Opening Permit

Prior to any works being undertaken in the road reserve a road opening permit is to be

obtained from Council.

Reason: To ensure compliance with the Roads Act, which requires the road authority to give permission for an activity within the road reserve.

9. Site Protection

Prior to the commencement of works, the principal contractor is to ensure that the site has been appropriately protected and secured by a fence or hoarding to prevent access from the street and to prevent the possibility of any unauthorised access in accordance with WorkCover requirements.

Reason: To protect the safety of the public by restricting unauthorised access to the land.

10. Erosion and Sediment Control

Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilization has been completed.

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

DURING CONSTRUCTION

11. Comply with the BCA

The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: This is a prescribed condition of the Environmental Planning & Assessment Act 1979 to ensure compliance with the Building Code of Australia.

12. Inspections Class 1 & 10 Buildings

Council has been appointed the Principal Certifying Authority for the work. 48 hours notice prior shall be given to Council requesting that the following inspections being conducted:

- i) at the commencement of building work, and
- ii) after excavation of foundations prior to the placement of any footings, and
- iii) prior to pouring any in-situ reinforced concrete building element and
- iv) prior to covering of the frame work for any floor, wall, roof or other building element
- v) Prior to covering all hot and cold-water plumbing and sewer plumbing and drainage.
- vi) prior to waterproofing in any wet areas, and
- vii) prior to covering any stormwater drainage connections, and
- viii) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

Please note that failure to comply with this condition may result in the Occupation Certificate not being granted.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and associated Regulations.

13. Waste Bins for Construction

The builder / developer is to provide on-site waste bins for waste materials generated during construction and a bin with a tight-fitting lid for food scraps or they are to remove waste from the site to an EPA approved waste depot daily.

Reason: To protect public health and protect the amenity of the area.

14. Hours of Operation (Demolition and Construction)

The hours of operation for demolition or building works on the site shall be limited to the daylight hours, between 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays without the prior written consent of the Council.

Reason: To ensure compliance with the requirements of the Protection of the Environment Operations Act 1997 and Regulations.

15. Removal of Spoil

Any spoil deposited on public roads during the cartage of materials from or to the site shall be removed on the same day. The cartage of spoil shall cease, as directed by Council, if the

Council determines that excessive deposition of spoil onto the road is taking place.

Reason: To ensure erosion control measures have been implemented.

16. Excavation and Backfilling Safety

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Regulation 2000.

17. Worksite Safety

If the work involved in the erection or demolition of a building:

- i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- ii) involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning / fence is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

18. Sign to be Erected on Building & Demolition Site

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- i) Showing the name, address and telephone number of the principal certifying authority for the work, and
- ii) Showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work had been completed.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

PRIOR TO OCCUPATION CERTIFICATE

19. Satisfy Conditions of Approval

Use of the site for the proposed development shall not take place until all conditions required prior to commencement of work for this approval have been satisfied.

Reason: To ensure compliance to all requirements

20. No Use Until Occupation Certificate Issued

The use of the building is not to commence until an "Occupation Certificate" is issued by Council / the Principal Certifying Authority responsible for the work.

Reason: This is a requirement of the Environmental Planning and Assessment Act 1979.

21. Repair of Damage to Council Infrastructure

Prior to the issue of a Final Occupation Certificate any damage to kerb and gutter, road surfaces, infrastructure or landscaping outside of the property boundary that is a result of the proposed work, must be reinstated at total cost to the person having the benefit of the consent and to the satisfaction of Edward River Council.

Reason: To ensure that all Council assets located outside the property boundaries are maintained.

22. Driveway

A concrete / paved driveway complying with Council's Standard Drawing DC-SD1 as outlined in Council's Development Manual and AS 2890 must be installed from the back of the kerb to the garage / carport prior to the issue of a Final Occupation Certificate.

Reason: To ensure safe vehicular movement to & within the site, to minimise the risk of vehicles being damaged from grounding at the kerb crossover & to prevent deposition of soil

into Council gutters, stormwater drainage system and roadways.

In Favour: Crs Norm Brennan, Pat Fogarty, Peta Betts, Ashley Hall and Nick Metcalfe

Against: Nil

CARRIED 5/0

2018/106 ENVIRONMENTAL SERVICES REPORT - APRIL 2018

RESOLUTION

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That Council notes the Environmental Services report for April 2018.

CARRIED

2018/107 EDWARD RIVER COUNCIL DRAFT ECONOMIC DEVELOPMENT STRATEGY

RESOLUTION

Moved: Cr Pat Fogarty

Seconded: Cr Peta Betts

That Council

1. Adopt the Draft Edward River Council Economic Development Strategy 2018-2021
2. Place the Draft plan on public exhibition, opening on Friday 18 May 2018 and concluding at 5pm on Sunday 17 June 2018

CARRIED

2018/108 CLOSURE OF CROWN ROAD RESERVE - RUSSELLS ROAD

RESOLUTION

Moved: Cr Ashley Hall

Seconded: Cr Pat Fogarty

That Council write to NSW Department of Industry advising that it has no objections to the closure of the crown road reserve known as Russells Road, from the intersection with Mayrung Road to the end of the crown road reserve, subject to the following conditions:

1. A legal 'Right of Way' be created over the section of closed road in favour of Lots 28, 30, 33 and 40 in DP 756344 and Lots 105 and 109 in DP756305; and
2. The ownership of all Council assets within the section of closed road, including the road formation known as Russells Road, be transferred to the owner of the section of closed road at no cost to Council.

CARRIED

2018/109 DENILQUIN PONY CLUB CROSS COUNTRY HORSE TRIALS - SPECIAL EVENT**RESOLUTION**

Moved: Cr Pat Fogarty
Seconded: Cr Nick Metcalfe

That Council resolves to approve the Special Event Application for the 2018 Denilquin Pony Club Cross Country Horse Trials, to be held 24 June 2018 and the closure of Smart Street from Albert Street (Hay Road) to Chippenham Park Road, to enable this event to proceed, subject to the following conditions:

1. That the members of the Edward River Council Local Traffic Committee provide in writing their agreement for the special event to proceed prior to the event commencing

CARRIED

2018/110 CAPITAL WORKS UPDATE**RESOLUTION**

Moved: Cr Peta Betts
Seconded: Cr Nick Metcalfe

That Council note this report on the Capital works update for 2017/18

CARRIED

2018/111 CONFIDENTIAL MATTERS**RESOLUTION**

Moved: Cr Pat Fogarty
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:

16.1 Mobile Blackspot Program funding

This matter is considered to be confidential under Section 10A(2) - e 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, prejudice the maintenance of law.

16.2 Deniliquin Ethanol Plant

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.

16.3 Mayoral Minute - General Manager Annual Review

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

Council moved into Closed Council at 10.12am

2018/112 MOBILE BLACKSPOT PROGRAM FUNDING**RESOLUTION**

Moved: Cr Nick Metcalfe
Seconded: Cr Pat Fogarty

That Council approves funding the mobile blackspot program contribution of \$20,000 as approved by the former Conargo Council, from unrestricted reserve funds.

CARRIED

2018/113 DENILQUIN ETHANOL PLANT**RESOLUTION**

Moved: Cr Pat Fogarty

Seconded: Cr Ashley Hall

That Council:

1. Approve the sale of lots two and three of the land Council hold title over in Gheringhap for \$300,000
2. Approve the Mayor and General Manager signing and applying the Council seal to sell lots two and three in Gheringhap
3. Recover from Dongmun the \$18,000 currently held in trust
4. Do not proceed with the sale of lot one of the land in Gheringhap until 30 June 2018
5. Following 30 June 2018 if the loan provided to Dongmun Greentech (inclusive of all associated costs) is not re-paid in full proceed with the sale of the remaining land in Gheringhap

Against: Cr Betts

CARRIED

2018/114 MAYORAL MINUTE - GENERAL MANAGER ANNUAL REVIEW**RESOLUTION**

Moved: Cr Nick Metcalfe

Seconded: Cr Peta Betts

That it be noted the Council's Performance Review Committee on 10 May 2018 undertook the annual review of the General Manager's performance for the period ending 17 April 2018 and resolved as follows:

1. That the presentation by the General Manager on the year in review be noted, along with notation of the results of the Councillor survey conducted, and the results of the 360-degree review conducted.
2. That the Committee assign an overall rating of C+ for the performance of the General Manager in the 12-month period to April 2018, such rating described as "outcomes sometimes above competent performance – (numerical rating of 8 out of 10)"
3. That the Committee adopt the following statement relating to the performance of the General Manager, Adam McSwain in the twelve (12) months to April 2018:
Adam has exceeded our expectations and after 8 months into our term of office we are far more advanced than expected and we congratulate and thank Adam for his generous contribution to the Edward River organisation and community.
4. That in recognition of Adam's outstanding performance in the first year as General Manager the Council apply a 2.5% increase to the General Manager's Total Remuneration Package from the anniversary of his commencing in the role in accordance with Clause 8.3 of his Contract of Employment:
Council may, on only one occasion during each year of this contract, approve an increase in the total remuneration package where the employee's performance has been assessed in accordance with a performance review as being of a better than satisfactory standard

CARRIED

2018/115 RESOLUTION

Moved: Cr Peta Betts
Seconded: Cr Pat Fogarty

That Council moves out of Closed Council into Open Council at 10.35am

CARRIED

CLOSE OF MEETING

The Meeting closed at 10.36am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 June 2018.

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CHAIRPERSON