



MINUTES

Ordinary Council Meeting

21 August 2018

CONFIRMED

**MINUTES OF NARRANDERA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON TUESDAY, 21 AUGUST 2018 AT 2PM**

The Mayor declared the meeting opened at **2pm** and welcomed the Councillors, Staff, Media and Members of the Gallery.

1 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land. I would also like to pay respect to their people both past and present and extend that respect to other Aboriginal Australians who are present

2 HOUSE KEEPING

Advice provided of Council's Work, Health and Safety (WHS) Evacuation Plan and location of the Amenities.

3 DISCLOSURE OF POLITICAL DONATIONS

Advice provided to those present, of the legislative requirement for Disclosure of Political Donations:

The Environmental Planning and Assessment Act 1979, Section 147 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, \$1,000. The Disclosure Statement forms are available on Councils website or from the Customer Service Centre and must be lodged in accordance with the Act.

There were no Disclosure of Political Donations received by the Chairperson.

4 PRESENT

Cr Neville Kschenka, Cr David Fahey, Cr Narelle Payne, Cr Kevin Morris, Cr Tracey Lewis, Cr Wesley Hall, Cr Tammy Galvin, Cr Barbara Bryon, Cr Jenny Clarke

In Attendance

Julian Geddes (Deputy General Manager Infrastructure), Martin Hiscox (Deputy General Manager Corporate & Community), George Cowan (General Manager), Tiffany Thornton (Minute Taker), Edwina Foley (CO)

5 APOLOGIES

Nil

6 DECLARATIONS OF INTEREST

Cr Neville Kschenka declared a Significant Non Pecuniary Interest in item 16.1 Request for Financial Assistance- Rockin on East under the Local Government Act as *I am the Vice President of Rockin on East* and will leave the meeting during debate or discussion on the matter.

Cr Wesley Hall declared a Non-Significant Non Pecuniary Interest in item 24.1 Legal Professional Advice under the Local Government Act as *Subject is a customer of my private business* and will remain and take part in discussion and voting.

General Manager George Cowan declared a Non-Significant Non Pecuniary Interest in item 24.2 GM Performance Appraisal under Local Government Act as *Personal Matter* and will leave meeting during discussion and voting on this matter.

7 PUBLIC QUESTION TIME

SUSPENSION OF STANDING ORDERS

RESOLUTION 18/152

Moved: Cr Narelle Payne

Seconded: Cr Barbara Bryon

A motion was moved that Council suspend standing orders.

CARRIED

8 PRESENTATIONS BY THE PUBLIC

8.1 PRESENTATION - MR MICHAEL JONES OF PLAINS WATER LTD

PRESENTATION

Mr Michael Jones of Plains Water Ltd is responding to an invitation by Council to provide updated information in relation to the Droughtmaster Project.

A further report on this topic is listed within the Business Paper Agenda titled Droughtmaster Project.

9 PRESENTATIONS BY STAFF AND CONTRACTORS

9.1 PRESENTATION - COMMUNITY TRANSPORT

PRESENTATION

Council's Community Transport & Home Support Manager; Mrs Stacie Mohr, gave a presentation on the Narrandera / Leeton Community Transport Services.

Deferred to September Meeting

9.2 PRESENTATION - WORKS PROJECTS

PRESENTATION

Council's Deputy General Manager Infrastructure; Mr Julian Geddes and Manager of Works; Mr Krishna Shrestha gave a presentation on the Bridges Project.

Deferred to September Meeting

RESUMPTION OF STANDING ORDERS

RESOLUTION 18/153

Moved: Cr David Fahey

Seconded: Cr Narelle Payne

A motion was moved that Council resume standing orders.

CARRIED

10 CONFIRMATION OF MINUTES

RESOLUTION 18/154

Moved: Cr Narelle Payne

Seconded: Cr Barbara Bryon

That the minutes of the Ordinary Council Meeting held on 17 July 2018 be confirmed.

Insert word awareness in Domestic Violence awareness where necessary

CARRIED

11 MAYORAL REPORT

11.1 MAYORAL MONTHLY REPORT AUGUST 2018

RESOLUTION 18/155

Moved: Cr Neville Kschenka

Seconded: Cr Narelle Payne

That Council receive and note the Mayoral Monthly Report for August 2018.

CARRIED

11.2 MAYORAL REPORT - COUNTRY MAYORS ASSOCIATION CONFERENCE**RESOLUTION 18/156**

Moved: Cr Neville Kschenka

Seconded: Cr Narelle Payne

That Council receive and note the report on the Country Mayors Association meeting held in Sydney on 3 August 2018.

CARRIED**12 NOTICES OF RESCISSION**

Nil

13 NOTICES OF MOTION**13.1 NOTICE OF MOTION - DROUGHT RELIEF - WATER TO FARMERS****RESOLUTION 18/157**

Moved: Cr Jenny Clarke

Seconded: Cr Tracey Lewis

That Council write to the relevant State and Federal Ministers for Water urging the Government to make water available to farmers that would be otherwise reserved for Environmental Flows during periods of severe drought.

CARRIED**13.2 NOTICE OF MOTION - ALLOCATION OF FUNDS - GARDEN AWARDS****RESOLUTION 18/158**

Moved: Cr Jenny Clarke

Seconded: Cr Narelle Payne

That Council:

1. Allocate \$1,000 in the Annual Budgets for all costs including prize money for the Narrandera Shire Garden Awards to be conducted each October by the newly created Parks and Gardens Advisory Committee.
2. Endorse the Inaugural 2018 Awards to be funded from Council revenues.

CARRIED

13.3 NOTICE OF MOTION - DROUGHT RELIEF EVENT

RESOLUTION 18/159

Moved: Cr Jenny Clarke

Seconded: Cr Wesley Hall

1. That Council endorse the Drought Relief Event as outlined by Economic Development Manager to show support for Narrandera Shires farming communities.
2. Write to State Government seeking the declaration of a state of emergency for those communities affected by the Drought.

CARRIED

14 COUNCILLOR REPORTS

Nil

15 COMMITTEE REPORTS

15.1 MINUTES - PARKSIDE COTTAGE MUSEUM COMMITTEE - 16 MAY 2018

RESOLUTION 18/160

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council

1. That the Minutes of the Parkside Cottage Museum Committee held on Wednesday 16 May 2018 be received and noted.

Minutes contain no committee resolutions for Council endorsement.

CARRIED

15.2 MINUTES - PARKSIDE COTTAGE MUSEUM COMMITTEE - 20 JUNE 2018

RESOLUTION 18/161

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council

1. That the Minutes of the Parkside Cottage Museum Committee held on Wednesday 20 June 2018 be received and noted.

Minutes contain no committee resolutions for Council endorsement.

CARRIED

15.3 MINUTES - ECONOMIC TASKFORCE COMMITTEE (OPEN) - 23 JULY 2018**RESOLUTION 18/162**

Moved: Cr Jenny Clarke

Seconded: Cr David Fahey

That Council

1. Receive and note the Non-Confidential Minutes of the Economic Taskforce Committee meeting held 23 July 2018, together with the updated Economic Development Strategy (non-confidential).
2. contact the Chinese Ambassador at the Chinese Embassy Canberra to progress the Narrandera Sesquicentenary Moon Gate project.

CARRIED**15.4 MINUTES - LAKE TALBOT ENVIRONS ADVISORY COMMITTEE - 26 JULY 2018****RESOLUTION 18/163**

Moved: Cr Narelle Payne

Seconded: Cr Tammy Galvin

That Council

1. Receive and note the Minutes of the Extraordinary Lake Talbot Environs Advisory Committee held on Thursday 26 July 2018.
2. Endorse the nominated Lake Talbot Environs Advisory Committee at the September Council Meeting.

CARRIED**15.5 MINUTES - LAKE TALBOT ENVIRONS ADVISORY COMMITTEE - 26 JULY 2018****RESOLUTION 18/164**

Moved: Cr Narelle Payne

Seconded: Cr Wesley Hall

That Council

1. Receive and note the Minutes of the Lake Talbot Environs Advisory Committee held on Thursday 26 July 2018.

Minutes contain no committee resolutions for Council endorsement.

CARRIED

15.6 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE - 10 AUGUST 2018**RESOLUTION 18/165**

Moved: Cr Wesley Hall

Seconded: Cr Tammy Galvin

That Council

1. Receive and note the Minutes of the Audit, Risk and Improvement Committee held on Friday 10 August 2018.
2. The Committee accepted the risk-based Strategic Internal Audit Plan (SIAP), as a firm program of review work in the current 2018 year and as a potential platform for a rolling three-year plan, with regular Committee review of priorities and annual updating.
3. The Committee agreed to receive updated information on the draft 2017-18 Financial Statement out-of-session, in the week prior Council consideration of their submission for audit on 21 August 2018.
4. The Committee recommends that Council engage Keith Coates Auditing to provide internal auditing services to Council for another three years to September 2021.
5. The Committee recommends there be scope for an increase in Internal Audit budgeted resources where required.

CARRIED

16 OUR COMMUNITY

At 3:47 pm, Cr Neville Kschenka, after earlier declaring an Interest in Item 16.1, vacated the Chambers during discussions and voting on the matter.

16.1 REQUEST FOR FINANCIAL ASSISTANCE - ROCKIN ON EAST**RESOLUTION 18/166**

Moved: Cr Narelle Payne

Seconded: Cr Tracey Lewis

That Council:

1. Approves the request for \$1,921 from the Rockin on East Committee for the 2018 event from the Events Activities and Promotion Expense budget.

CARRIED

At 3:48 pm, Cr Neville Kschenka returned to the meeting.

16.2 APPLICATION TO WAIVER FEES - GOLDEN BOOT TOUCH FOOTBALL CARNIVAL

RESOLUTION 18/167

Moved: Cr Wesley Hall
 Seconded: Cr Barbara Bryon

That Council:

1. Approve the request to fund the ground hire charge of \$461.00 for use of the Narrandera Sportsground for the 2018 Police Charity Golden Boot Touch Football Carnival from the Mayor and General Manager Financial Assistance funding.

CARRIED

16.3 SECTION 355 COMMITTEE PROPOSED TERMS OF REFERENCE

RESOLUTION 18/168

Moved: Cr Narelle Payne
 Seconded: Cr Tammy Galvin

That Council

1. Adopt the amended terms of reference for the Grong Grong Community Section 355 Committee

CARRIED

17 OUR ENVIRONMENT

17.1 DROUGHTMASTER PROJECT

RESOLUTION 18/169

Moved: Cr Narelle Payne
 Seconded: Cr Tracey Lewis

That Council:

1. Receive and note the updated information on the Droughtmaster Project as presented.
2. Provide a letter of in principle support for the Droughtmaster Project concept, on the basis there is no financial commitment from Narrandera Shire Council.

CARRIED

18 OUR ECONOMY

Nil

19 OUR INFRASTRUCTURE**19.1 RMS GRANT FUNDING FOR PEDESTRIAN ACCESS AND MOBILITY PLAN AND CYCLEWAY PROGRAM 2018/2019****RESOLUTION 18/170**

Moved: Cr Narelle Payne

Seconded: Cr Wesley Hall

That Council:

1. confirms acceptance of the RMS funding of \$8,000 for the 2018/2019 financial year for the PAMP project being Twynam Street/ Cadell Street blisters in Narrandera;
2. reduces the nominated 100% grant funded expenditure for PAMP - Cadell Street / Twynam Street Intersection works from \$119,432 to zero.
3. reduces the expenditure for Shared Cycleway project – Marie Bashir Park along Douglas Street from \$50,000 to zero, the RMS contribution be reduced from \$25,000 to zero, and reduction in the use of General Revenue by \$25,000;
4. reallocates \$25,000 from the Shared Cycleway project to the following footpath projects:
 - Twynam Street footpath from East St to No. 4 Twynam St.
 - Elwin Street from the TAFE to Adams Street.
5. approves the changes to be included in the next Quarterly Budget Review for completeness.

CARRIED

19.2 TRANSFER OF 4 CROWN ROADS TO COUNCIL

RESOLUTION 18/171

Moved: Cr Wesley Hall

Seconded: Cr Narelle Payne

That Council

1. advise the NSW Roads and Maritime Services that it will consent to the transfer of the following section of Crown Road on the understanding that there are to be no costs incurred by Council through the process:
 - (a) That area of approximately 140 metres of Narran Street, Grong Grong from its intersection with Berrembed Street, Grong Grong west to the intersection with Bunganbil Street, Grong Grong.
2. initiate the transfer of road authority from Crown road to Council as the road authority for the following 3 roads:
 - (a) Woolscour Road, Narrandera – from the intersection with Irrigation Way to the intersection with Bamblett Street, Narrandera;
 - (b) Hankinson Street – from the intersection with Woolscour Road, Narrandera to the intersection with Sugden Street, Narrandera;
 - (c) Unnamed roadway – from the intersection with Woolscour Road, Narrandera to the southern bank of the Main Irrigation Canal.

CARRIED

19.3 APPLICATION TO WAIVER FEES - 2018 MURRUMBIDGEE SHEEP DOG TRIALS

RESOLUTION 18/172

Moved: Cr Barbara Bryon

Seconded: Cr Tracey Lewis

That Council:

1. Approve the request and make a donation of \$1,383.00 to cover the cost of ground hire for the Narrandera Sportsground for the 2018 Murrumbidgee Championship Sheep Dog Trails. The funds to be drawn from the Mayor and General Managers Financial Assistance Fund.

CARRIED

20 OUR CIVIC LEADERSHIP

20.1 RIVERINA AND MURRAY JOINT ORGANISATION

RESOLUTION 18/173

Moved: Cr David Fahey

Seconded: Cr Narelle Payne

That Council:

1. Receive and note the report and

2. Note the draft budget and member contributions and
3. Consider the Draft Codes of Practice and Charter and provide any feedback considered relevant.
4. Identify the strategic issues Council would like the Mayor to bring forward to RAMJO:
 - a) Yanco Creek Weir issue
 - b) Development contributions from Solar farm to Shire
 - c) Flood repair funding
 - d) Gradual withdrawal of State facilities coming out of regional areas
 - e) Decentralisation Policy with regard to towns and villages with populations of 10,000 or less
 - f) Crown Lands Act cost shifting to Council

CARRIED

20.2 MEMORANDUM OF UNDERSTANDING ALSO LEASES FOR VARIOUS COUNCIL PROPERTIES

RESOLUTION 18/174

Moved: Cr David Fahey
Seconded: Cr Narelle Payne

That Council:

1. Endorse the proposed Memorandum of Understanding with Murrumbidgee Local Health District Aboriginal Health for use of part of the Emergency Operations Centre from 1 September 2018 to 31 August 2020 and retain the current hire fee at \$66 (incl GST) per clinic; also that the Mayor and General Manager be authorised to sign and execute this document.
2. Endorse the proposed Leases with Milbrae Quarries Pty Ltd, Rialec Pty Ltd and G J Mathieson and that the Mayor and General Manager be authorised to sign and execute these documents
3. Endorse the proposed Lease with CVGT Australia Limited and that the Mayor and General Manager be authorised to sign and execute this document
4. Approval is given to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to these matters.

CARRIED

MOTION

RESOLUTION 18/175

Moved: Cr David Fahey
Seconded: Cr Narelle Payne

That Council:

1. writes to State and Federal Members expressing its concerns on the ramifications of the proposed works on Yanco Creek outlined in report on proposed regulator.
2. seeks to have a Council representative on YACT Advisory Council.

CARRIED

20.3 2017-2021 DELIVERY PROGRAM - 30 JUNE 2018 QUARTERLY REVIEW**RESOLUTION 18/176**

Moved: Cr Narelle Payne

Seconded: Cr Kevin Morris

That Council

1. Endorse the 2017-2021 Delivery Program quarterly review dated 30 June 2018 as presented and publish the report to the community.

CARRIED**21 STATUTORY AND COMPULSORY REPORTING – DEVELOPMENT SERVICES REPORTS****21.1 JULY DEVELOPMENT SERVICES ACTIVITIES****RESOLUTION 18/177**

Moved: Cr Narelle Payne

Seconded: Cr Tracey Lewis

That Council

1. Receive and note the Development Services Activities Report for July 2018.

CARRIED**22 STATUTORY AND COMPULSORY REPORTING – FINANCIAL / AUDIT REPORTS****22.1 JULY STATEMENT OF INVESTMENTS****RESOLUTION 18/178**

Moved: Cr Wesley Hall

Seconded: Cr Narelle Payne

That Council

1. Receive and note the information contained in the Statement of Investments report as at 31 July 2018.

CARRIED**22.2 DRAFT COUNCIL FINANCIAL STATEMENTS 2017-2018 - REFERRAL FOR AUDIT****RESOLUTION 18/179**

Moved: Cr Tracey Lewis

Seconded: Cr Wesley Hall

1. That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council

hereby declares that it has prepared the General Purpose Financial Statements for the 2017/2018 financial year ending 30 June 2018 and has formed an opinion, based on the advice of Council officers, that these reports;

- (a) Have been prepared in accordance with;
 - (i) The Local Government Act 1993 (as amended) and the Regulations made thereunder;
 - (ii) The Australian Accounting Standards and professional pronouncements; and
 - (iii) The Local Government Code of Accounting Practice and Financial Reporting.
 - (b) Present fairly the operating result and financial position of the Narrandera Shire Council for the year ended 30 June 2018; and
 - (c) Accords with Council's accounting and other records and policies.
2. That the Special Purpose Financial Statements have been drawn up in accordance with the Local Government Code of Accounting Practice and Financial Reporting.
 3. That the General and Special Purpose Financial Statements be certified by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer, in accordance with Section 413(2)(c) of the Local Government Act.
 4. That pursuant to the provisions of Section 413 of the Local Government Act 1993, Council hereby declares that the Financial Statements (including General Purpose and Special Purpose Reports) for the year ending 30 June 2018 be referred for audit.
 5. That Tuesday, 16 October 2018 be fixed as the date for the public meeting to receive and issue the final set of Financial Statements, as required by the NSW Audit Office.
 6. That Tuesday 20 November 2018 be fixed as the date for the public meeting to present the audited financial statements and auditor's reports for the year ended 30 June 2018, as required by Section 419 of the Local Government Act and that the Council's external auditors be present.
 7. That the following net amounts be transferred to/(from) Internally Restricted Reserves;

(a) Plant and Equipment	\$888,271
(b) Carryover Works (Revenue only)	\$788,488
(c) Building Maintenance and Repair	(\$6,000)
(d) Community Activities	\$25,409
(e) Construction of Buildings	(\$8,762)
(f) Office equipment	(\$119,405)
(g) Property Development	(\$15,545)
(h) Other Reserves	(\$289,900)
(i) Financial Assistance Grant	\$2,330,016
Total Net Internal Reserve Movement	\$3,592,572

That Council resolves to revote expenditure \$1,655,203 for those projects listed as carryovers, in the attached schedule, for the purpose of the projects as listed.

CARRIED

22.3 JULY STATEMENT OF BANK BALANCES**RESOLUTION 18/180**

Moved: Cr Narelle Payne

Seconded: Cr Wesley Hall

That Council

1. Receive and note the information contained in the Statement of Bank Balances report as at 31 July 2018

CARRIED

22.4 JULY STATEMENT OF RATES AND RECEIPTS**RESOLUTION 18/181**

Moved: Cr Narelle Payne

Seconded: Cr Tracey Lewis

That Council:

1. Receive and note the information contained in the Statement of Rates and Receipts report as at 31 July 2018.

CARRIED

22.5 JULY INCOME STATEMENT**RESOLUTION 18/182**

Moved: Cr Tracey Lewis

Seconded: Cr Tammy Galvin

That Council

1. Receive and note the information contained in the Income Statement report for the period ending 31 July 2018.

CARRIED

22.6 JULY CAPITAL WORKS PROGRAM**RESOLUTION 18/183**

Moved: Cr David Fahey

Seconded: Cr Narelle Payne

That Council

1. Receive and note the information contained in the Capital Works report as at 31 July 2018.

CARRIED

22.7 REVIEW OF POLICY CS40 INVESTMENTS

RESOLUTION 18/184

Moved: Cr Narelle Payne
 Seconded: Cr Wesley Hall

That Council

1. Amend Policy CS40 Investments to Increase the maximum BBB counterparty risk from 10% to 20% and the maximum available limits for BBB rated institutions from 20% to 30%.

CARRIED

23 STATUTORY AND COMPULSORY REPORTING – OTHER REPORTS

Nil

24 CONFIDENTIAL BUSINESS PAPER REPORTS

24.1 LEGAL PROFESSIONAL ADVICE

MOTION

Moved: Cr Barbara Bryon
 Seconded: Cr Tracey Lewis In Favour: Crs Neville Kschenka, David Fahey, Narelle Payne, Kevin Morris, Tracey Lewis, Tammy Galvin, Barbara Bryon and Jenny Clarke

Against: Cr Wesley Hall

CARRIED 8/1

That Council:

1. Receive and note this report and the Legal Advice contained within.
2. Have no further involvement in the matter of effluent disposal and alleged contamination from Lot 1 DP 802343 Newell Motor Inn.

At 4:55 pm, General Manager George Cowan , after earlier declaring an Interest in Item 24.2, vacated the Chambers during discussions and voting on the matter.

At 4:55pm, Deputy General Manager Infrastructure Julian Geddes left the meeting.

At 4:55pm, Deputy General Manager Corporate and Community Martin Hiscox left the meeting.

24.2 MAYORAL REPORT - GM ANNUAL PERFORMANCE REVIEW

RESOLUTION 18/185

Moved: Cr Wesley Hall
 Seconded: Cr Narelle Payne

That Council

1. Receive and note the General Manager's Annual Performance Review report as prepared by Local Government Management Solutions.

CARRIED

At 4.57pm, General Manager George Cowan returned to the meeting.

At 4.57pm, Deputy General Manager Infrastructure Julian Geddes returned to the meeting.

At 4.57pm Deputy General Manager Corporate and Community Martin Hiscox returned to the meeting.

RESOLUTION 18/186

Moved: Cr David Fahey

Seconded: Cr Barbara Bryon

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*:

24.1 Legal Professional Advice

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

24.2 Mayoral Report - GM Annual Performance 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).

24.3 Minutes - Economic Taskforce Committee - 23 July 2018

This matter is considered to be confidential under Section 10A(2) - di, dii and diii 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, information that would, if disclosed, confer a commercial advantage on a competitor of the council and information that would, if disclosed, reveal a trade secret.

CARRIED

24.3 MINUTES - ECONOMIC TASKFORCE COMMITTEE - 23 JULY 2018

RESOLUTION 18/187

Moved: Cr Kevin Morris

Seconded: Cr Barbara Bryon

That Council

1. Receive and note the Confidential Minutes of the Economic Taskforce Committee held on Monday 23 July 2018, together with the updated Economic Development Strategy (confidential).

CARRIED

RESOLUTION 18/188

Moved: Cr David Fahey
Seconded: Cr Narelle Payne

That Council moves out of Closed Council into Open Council.

CARRIED

The Meeting closed at 5.06pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 September 2018.



.....
GENERAL MANAGER



.....
CHAIRPERSON