



Minutes

Ordinary Council Meeting

21 March 2017



Minutes to the 21 March 2017 Ordinary Meeting of Council

CONFIRMED

At the 18 April 2017 Ordinary Meeting of Council

The Mayor declared the meeting opened at **5pm** and welcomed the Councillors, Staff, Media and Members of the Gallery.

Acknowledgement of Country by Mayor

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.

Meeting Commencement Housekeeping by CEO

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

Disclosure of Political Donations by CEO

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.*

PRESENT

Councillors Cr Kschenka (Mayor), Cr Fahey OAM (Deputy Mayor), Cr Bryon, Cr Clarke, Cr Galvin, Cr Hall, Cr Lewis, Cr Morris, Cr Payne

Also in attendance were the Chief Executive Officer – J Charlton; the Deputy General Manager Infrastructure – Julian Geddes; the Acting Deputy General Manager Corporate and Community – S Killham; the Corporate Community Administration Officer – E Foley and the Personal Assistant to Mayor & Chief Executive Officer – V Maher.

APOLOGIES

 *No Apologies – All in Attendance*

PUBLIC QUESTION TIME

 *No Requests for Public Question Time*

DECLARATIONS OF INTEREST

*** *Cr Galvin declared a Non-Significant Non Pecuniary Interest in Item 6.2, Weir Park Road Boundary Adjustment as she is related to one of the party (Menzies) and a business client with the other (Broad) and will leave the Chambers during discussions and voting on this matter.*

*** *Cr Hall declared a Non Significant Non Pecuniary Interest in Item 6.2 Weir Park Road Boundary Adjustment as he has a Client/ Accountant relationship with an interested landowner and will remain in the Chambers and take part in discussions and voting on this matter.*

*** *Mayor Kschenka declared a Non-Significant Non Pecuniary Interest in Item 8.7, Financial Assistance Program as he is a member of the Narrandera Business Group and will leave the Chambers during discussions and voting on this matter.*

*** *Cr Galvin declared a Pecuniary Interest in Item 8.7, Financial Assistance Program as she is a member of the Rural Women's Gathering Committee and will leave the Chambers during discussions and voting on this matter.*

*** *Cr Hall declared a Non Significant Non Pecuniary Interest in Item 8.7 Financial Assistance Program as his wife is the President of the Narrandera Pre School and will leave the Chambers during discussions and voting on this matter.*

*** *Chief Executive Officer; J Charlton declared a Pecuniary Interest in Item 5.1, Riverina Regional Tourism Future Options, as she is a board member of Destination Riverina Murray and will leave the Chambers during discussions and voting on this matter.*

*** *Chief Executive Officer; J Charlton declared a Significant Non Pecuniary Interest in Item 8.7, Financial Assistance Program as she is a member of the Soroptimists and will leave the Chambers during discussions and voting on this matter.*

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CONFIRMATION OF MINUTES

17/60 RESOLVED

That the Minutes of the Ordinary Meeting of Narrandera Shire Council held on 21 February 2017 and as contained in the minute numbers 17/23 to 17/55 (a copy having been circulated to Councillors) are hereby **Confirmed**.

Moved: Cr Hall

Seconded: Cr Payne

CARRIED

17/61 RESOLVED

That the Minutes of the Extraordinary Meeting of Narrandera Shire Council held on 14 March 2017 and as contained in the minute numbers 17/56 to 17/59 (a copy having been circulated to Councillors) are hereby **Confirmed**.

Moved: Cr Lewis

Seconded: Cr Payne

CARRIED

BLOCK RESOLUTION

 *No Block Voting allocated for this meeting*

MAYORAL REPORT - 1

ITEM No: 1.1
SUBJECT: MAYOR'S REPORT

17/62 RESOLVED

That the March Mayor's Report be received and that the contents throughout be noted.

Moved: Cr Kschenka

Seconded: Cr Payne

CARRIED

NOTICES OF MOTION - 2

 *No Reports Listed for Section 2*

COMMITTEE REPORTS - 3

ITEM NO: 3.1
SUBJECT: STATUTORY AND SECTION 355 COMMITTEES -
MINUTES AS INFORMATION THAT REQUIRE COUNCILS
ENDORSEMENT

17/63 RESOLVED

That Council receive and note, for information, the Minutes of the following Committee Meetings:

3.1-1	Narrandera Parkside Cottage Museum	13 February 2017
3.1-2	Local Emergency Management	14 February 2017
3.1-3	John O'Brien Festival	27 February 2017
3.1-4	Narrandera Stadium	28 February 2017
3.1-5	Audit Risk Improvement	8 March 2017

Moved: Cr Hall

Seconded: Cr Payne

CARRIED

ITEM NO: 3.2
SUBJECT: MINUTES - NARRANDERA ARTS AND COMMUNITY
CENTRE COMMITTEE
MEETING DATE: 13 February 2017

17/64 RESOLVED

That Council receive and note the Minutes of the Arts and Community Centre Committee Meeting of 13 February 2017 and adopt the following recommendations:

RECOMMENDATION ITEM 10

That Council adopt the Sponsorship Prospectus.

RECOMMENDATION ITEM 11

That Council proceed with an application for a club grant total of \$103,000.

Moved: Cr Galvin

Seconded: Cr Fahey

CARRIED

ITEM NO: 3.3
SUBJECT: MINUTES - AUSTRALIA DAY PLANNING COMMITTEE
MEETING DATE: 20 February 2017

17/65 RESOLVED

That Council receive and note the Minutes of the Australia Day Planning Committee Meeting of 20 February 2017.

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RECOMMENDATION Item 7

That Council waive the hire fee for the Narrandera Arts and Community Centre to be used for Australia Day 2018 Ambassador Welcome Dinner.

RECOMMENDATION Item 8

That Council request the Australia Day Committee identify other ways to increase the activities on Australia Day without increasing the budget.

Moved: Cr Payne

Seconded: Cr Bryon

CARRIED

ITEM NO: 3.4
SUBJECT: MINUTES - LAKE TALBOT ENVIRONS ADVISORY COMMITTEE
MEETING DATE: 1 March 2017

17/66 RESOLVED

That Council receive and note the Minutes of the Lake Talbot Environs Advisory Committee Meeting of 1 March 2017 and adopt the following recommendations:

RECOMMENDATION Item 1 - PM1

Staff make representation to GHD to remove the wetland zoning prior to releasing the report for stake holder exhibition.

That sufficient hydrological structures should be considered to increase water exchange between Lake Talbot and the Channel.

RECOMMENDATION GB - Item 1

That the walking / bike track be re listed on the agenda to discuss funding opportunities and ongoing maintenance options.

Moved: Cr Payne

Seconded: Cr Lewis

CARRIED

SECTION 4

A Strong and Resilient Community and Sustainable Environment – Reports

ITEM NO: 4.1
SUBJECT: JOHN O'BRIEN FESTIVAL ORGANISING COMMITTEE MEMBER ENDORSEMENT

17/67 RESOLVED

That Council endorse the following people as members of the John O'Brien Festival Organising Committee:

- Jing Chen
- Joan Graham
- Cameron Lander
- Pam Mayne

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- Jan McGilvray
- Poss Steele

Moved: Cr Bryon

Seconded: Cr Lewis

CARRIED

SECTION 5

A Growing Economy – Reports

*** At this point, time being 5.14pm, Chief Executive Officer; Judy Charlton after earlier declaring an Interest in Item 5.1 vacated the Chambers during discussions and voting on the matter.*

ITEM NO: 5.1
SUBJECT: RIVERINA REGIONAL TOURISM FUTURE OPTIONS

17/68 RESOLVED

That Council:

1. Receive and note the report on the Future Options for Riverina Regional Tourism.
2. That Council endorse Option 2: Wind up RRT and leave LGAs to do their own marketing and liaise direct with Destination Riverina Murray.

Moved: Cr Fahey

Seconded: Cr Payne

CARRIED

*** At this point, time being 5.16pm, Chief Executive Officer; Judy Charlton returned to the Chambers and re-joined the meeting.*

ITEM NO: 5.2
SUBJECT: TENDER FOR LEASE TO OPERATE THE BARELLAN MEMORIAL POOL COMPLEX

17/69 RESOLVED

That Council:

1. Accept the tender received from Whitepool Pty Ltd to operate the Barellan Memorial Pool Complex for a five (5) year lease with a total value of \$369,970.91 excluding GST.
2. Approve the lease term be five (5) years commencing on 19th April 2017 and concluding 18th April 2022.
3. Approve the General Manager to sign the Deed of Lease and Contract and make any minor variations as required.
4. Approve to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to this matter.

Moved: Cr Morris

Seconded: Cr Payne

CARRIED

SECTION 6

Quality and Sustainable Infrastructure – Reports

ITEM NO: 6.1

SUBJECT: MARIE BASHIR PARK PERFORMANCE STAGE

MOVED

That Council:

1. Receive the report on the Marie Bashir Park Performance Stage and note the stakeholder feedback.
2. Confirm the location of the stage is as per the landscape Masterplan being the Twynam Street and Adams Street corner of Marie Bashir Park.
3. Confirm concept design option one as the preferred stage concept.

Moved: Cr Hall

Seconded: Cr Clarke

The following Amendment was Moved:

That Council receive a report which includes a third location option before making a firm commitment on this project.

Moved: Cr Lewis

Seconded: Cr Morris

LOST

The Amendment when **Put** to the meeting was **Lost**

The following Amendment was Moved:

That Council put the options and estimated costings on public exhibition and receive a further report on the submissions received.

Moved: Cr Fahey

Seconded: Cr Lewis

LOST

The Amendment was **Put** and **Lost** on the Casting Vote of the Mayor.

The Original Motion was then **Put** to the meeting and **Carried**.

17/70 RESOLVED

That Council:

1. Receive the report on the Marie Bashir Park Performance Stage and note the stakeholder feedback.

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2. Confirm the location of the stage is as per the landscape Masterplan being the Twynam Street and Adams Street corner of Marie Bashir Park.
3. Confirm concept design option one as the preferred stage concept.

Moved: Cr Hall

Seconded: Cr Clarke

CARRIED

NOTE – To Record the Vote as Against the Motion was requested by Cr Lewis

*** At this point, time being 5.31pm, Cr Galvin, after earlier declaring an Interest in Item 6.2, vacated the Chambers during discussions and voting on the matter.*

*** Cr Hall, after earlier declaring an Interest in Item 6.2, remained in the Chambers during discussions and voted on the matter.*

ITEM NO: 6.2
SUBJECT: WEIR PARK ROAD BOUNDARY ADJUSTMENT

17/71 RESOLVED

That Council:

1. Note the boundary adjustment on survey plan (Surveyor's Ref: RP8127) and dated 07/11/2016, relating to area 1 with a total area of 639.7m².
2. Endorse the proposed boundary adjustment area 2 as indicated on survey plan (Surveyor's Ref: RP8127) and dated 07/11/2016 with a total area of 1463m².
3. Applies to DPI Lands for a road closure to enable area 1 & 2 as marked on the survey plan to be acquired by the owners of Lot 2 DP1010971 after independent valuation.
4. Notifies neighbouring properties of the impending road closure as part of the road closure process with DPI Lands.
5. Approve to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to this matter.

Moved: Cr Lewis

Seconded: Cr Hall

CARRIED

*** At this point, time being 5.32pm, Cr Galvin returned to the Chambers and re-joined the meeting.*

ITEM NO: 6.3
SUBJECT: PACKED TOWER AERATOR TENDER

17/72 RESOLVED

That Council:

1. Not accept the tenders as supplied for a Packed Tower Aerator for the Narrandera Water Treatment Plant due to the received submissions not meeting the project's allocated budget, and non-conformance.
2. Enter direct negotiations with Jord International and CRS Water with a view of entering into a contract in accordance with Councils procurement manual and the Local Government (General) Regulations.
3. Not invite fresh tenders due to time constraints involved with the tender process.
4. Give approval to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to this matter.

Moved: Cr Hall

Seconded: Cr Morris

CARRIED

SECTION 7

Efficient and Responsive Service – Reports

 *No Reports Listed for Section 7*

SECTION 8

Trusted and Effective Government – Reports

ITEM NO: 8.1

SUBJECT: REVISED CODE OF MEETING PRACTICE

17/73 RESOLVED

That Council:

1. Adopt the revised Code of Meeting Practice Option 1 as exhibited.
2. Place the revised Code of Meeting Practice in the Public Policy Register and update the policy section of the website.
3. Include another section under Part 8 Miscellaneous:
“Councillors are prohibited, during a Council meeting, from communicating with any other person/persons via any electronic means on any matter dealt with in the meeting”
4. Revert all the changes that say Chief Executive Officer back to General Manager.

Moved: Cr Fahey

Seconded: Cr Payne

CARRIED

CONFIRMED

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ITEM NO: 8.2
SUBJECT: ENDORSEMENT OF TWO LICENCE AGREEMENTS

17/74 RESOLVED

That Council resolve to place the Common Seal of Council, also the signatures of the Mayor and the Chief Executive Officer to the following 2 licence agreements:

1. Licence to NSW State Emergency Service – a new licence for infrastructure space on the Council owned communications tower located at 3 Ngurang Road, Narrandera;
2. Licence to AXICOM Pty Limited – this is the 2nd option of 3 options of 5 years each for use of 75m² of land being part of Lot 1 DP 611805 located adjacent to the high level water reservoir off Watermain Street, Narrandera. AXICOM own the concrete monopole adjacent the water reservoir with the current 1st lease option of 5 years expiring 30 April 2017. The acceptance of the 2nd option is for the period 1 May 2017 to 30 April 2022.

Moved: Cr Hall

Seconded: Cr Galvin

CARRIED

ITEM NO: 8.3
SUBJECT: TRANSFER OF MANAGEMENT OF TWO CROWN ROADS TO COUNCIL

17/75 RESOLVED

That Council:

1. Seek a formal commitment from the developers of the proposed residential subdivision that the development will proceed;
2. Upon receipt of the commitment, Council make application to the Department of Primary Industries - Lands to transfer the management of two Crown roads to Council. The first roadway being that Crown road from the eastern boundary of Lot 3 DP 129551 to the intersection with River Street; also that section of River Street from the intersection with Watermain Street to the intersection with Saw Mill Road.

Moved: Cr Payne

Seconded: Cr Hall

CARRIED

ITEM NO: 8.4
SUBJECT: CONCURRENCE TO THE ISSUING OF A SHORT TERM LICENCE OVER CROWN LAND

17/76 RESOLVED

That Council:

1. Concur with the issuing of a short term licence to UMWELT (Australia) Pty Ltd for the purpose of site investigation of native flora only and that UMWELT (Australia) Pty Ltd must adhere at all times to the conditions imposed by the Department of Industry and the Murray-Darling Basin Authority;

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2. Concurrence is granted on the basis that the role of Council as Trust Manager for the Narrandera Flora and Fauna Reserve is in no way diminished and that community access to the Reserve is not restricted.

Moved: Cr Bryon

Seconded: Cr Galvin

CARRIED

ITEM NO: 8.5
SUBJECT: POLICY REVIEW TS250 - RECOVERY OF PART OF COST OF KERB, GUTTER & FOOTPATH CONSTRUCTION

17/77 RESOLVED

That Council:

1. Note the report.
2. Endorse the changes to Policy TS250 Recovery of Part of Cost of Kerb, Gutter & Footpath Construction as attached to this report.
3. Place on public exhibition for 28 days policy TS250 and subject to no submissions being received adopt the amended policy.

Moved: Cr Payne

Seconded: Cr Galvin

CARRIED

ITEM NO: 8.6
SUBJECT: POLICY REVIEW - DISPOSAL OF OBSOLETE PLANT EQUIPEMENT AND MATERIALS

17/78 RESOLVED

That Council:

1. Note the report.
2. Endorse the changes to Policy TS40 Disposal of Obsolete Plant, Equipment and Materials as attached to this report.
3. Update the policy register.

Moved: Cr Hall

Seconded: Cr Bryon

CARRIED

*** At this point, time being 5.47pm, Mayor Kschenka, Cr Galvin, Cr Hall and CEO J Charlton after earlier declaring an Interest in Item 8.7, vacated the Chambers during discussions and voting on the matter. Deputy Mayor Cr Fahey assumed the Mayoral Chair for Item 8.7.*

ITEM NO: 8.7
SUBJECT: FINANCIAL ASSISTANCE PROGRAM 2017-2018

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17/79 RESOLVED

That Council:

1. Endorse an increase budget allocation of \$1,000 for the 2017-2018 Financial Assistance Program from \$19,000 to \$20,000;
2. Endorse the proposed distribution for 2017-2018 financial assistance as follows:

Rural Women's Gathering Committee	\$ 1,000
Narrandera Amateur Swimming and Life Saving Club	\$ Nil
Barellan & District Progress Association	\$ 1,000
Lions Club of Narrandera	\$ 500
Narrandera District Community Radio Station	\$ 500
Narrandera/Leeton Veterans Week of Golf	Nil
Kamarah Hall	Nil
Narrandera Landcare	Nil
Narrandera Show Society	Nil
Barellan Aged Care Support Group	Nil
Narrandera Imperial Football Netball Club Inc.	Nil
Earlies Rod & Custom Run	\$ 1,000
Narrandera Rodeo	\$ 1,000
Narrandera Business Group	\$ 710
Numeralla Wildlife Group	\$ 500
Soroptimist International of Narrandera	\$ 600
The Cad Factory	\$ 750
Narrandera Juniors Rugby League Club	\$ Nil
Australia Air League Narrandera-Leeton Squadron	\$ 250
Grong Grong Hall Committee	\$ Nil
Narrandera Pre-School	\$ 750
Narrandera Public School	\$ 750
Groups listed as per policy i.e. schools	\$ 6,960
Mayor & General Manager fund	\$ 3,730
TOTAL	\$20,000

Moved: Cr Payne

Seconded: Cr Bryon

CARRIED

*** At this point, time being 5.47pm, Deputy Mayor Cr Fahey vacated the Mayoral Chair. Mayor Kschenka, Cr Galvin, Cr Hall and CEO J Charlton returned to the Chambers and re-joined the meeting. Cr Kschenka resumed the Mayoral Chair.*

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ITEM NO: 9.2.4
SUBJECT: FEBRUARY INCOME STATEMENTS

17/84 RESOLVED

That Council receive and note the information contained in the Income Statement report as at 28 February 2017.

Moved: Cr Bryon

Seconded: Cr Galvin

CARRIED

ITEM NO: 9.2.5
SUBJECT: FEBRUARY CAPITAL WORKS PROGRAM

17/85 RESOLVED

That Council receive and note the information contained in the Capital Works report as at 28 February 2017.

Moved: Cr Morris

Seconded: Cr Payne

CARRIED

9.3. Other

 *No Reports Listed for Section 9.3*

There being no further business the Mayor declared the meeting closed at 5.54pm.

Chairman of the Meeting of the Narrandera Shire Council held on **Tuesday 21 March 2017**, at which meeting the signature hereon was inscribed.



Judith Charlton
Chief Executive Officer



Cr Neville Kschenka
Mayor