



MINUTES

Ordinary Council Meeting

19 October 2021

**MINUTES OF NARRANDERA SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS
ON TUESDAY, 19 OCTOBER 2021 AT 2PM**

The Mayor declared the Public Forum opened at **1.30pm** and welcomed the Councillors, Staff, and those following on the Live Streaming.

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.

Public Forum

Cr Jenny Clarke presented an Olympic Torch to Mayor. This torch was carried by her daughter Heidi Clarke (deceased) for the 2000 Olympics held in Sydney. The Torch will be placed on display at the Library together with an interpretive sign.

The Mayor declared the Ordinary Meeting opened at **2pm**.

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 OAM, Cr Narelle Payne, Cr Jenny Clarke OAM, Cr Kevin Morris, Cr Tracey Lewis, Cr Barbara Bryon

In Attendance

George Cowan (General Manager), Shane Wilson (Deputy General Manager Infrastructure), Martin Hiscox (Deputy General Manager Corporate & Community), Vicki Maher (Minute Taker), Amanda Collins (Observer)

5 APOLOGIES

Nil

6 DECLARATIONS OF INTEREST

Cr Neville Kschenka declared a Non Pecuniary Non Significant interest in Item 15.1 under the Local Government Act as *Friends with one of the residents who has made a submission to this project* and will remain and take part in the discussion and voting.

Cr Barbara Bryon declared a Non Pecuniary Non Significant interest in Item 15.1 under the Local Government Act as *Husband John was part of the original organising committee* and will remain and take part in the discussion and voting.

Cr Jenny Clarke declared a Non Pecuniary Non Significant interest in Item 15.1 under the Local Government Act as *Distant relation of one of the writers of the letters* and will remain and take part in the discussion and voting.

Cr Tracey Lewis declared a Non Pecuniary Non Significant interest in Item 11.1 under the Local Government Act as *Chairperson NACNET and member of the Arts and Cultural Committee* and will leave the meeting during discussion and voting.

7 CONFIRMATION OF MINUTES**RESOLUTION 21/232**

Moved: Cr Narelle Payne

Seconded: Cr Barbara Bryon

That the minutes of the Ordinary Council Meeting held on 21 September 2021 be confirmed.

CARRIED

8 MAYORAL REPORT**8.1 MAYORAL REPORT SEPTEMBER / OCTOBER 2021****RESOLUTION 21/233**

Moved: Cr Neville Kschenka

Seconded: Cr Jenny Clarke OAM

That Council:

1. Receives and notes the Mayoral Report for September / October 2021.

CARRIED

9 QUESTION WITH NOTICE

Nil

10 NOTICES OF RESCISSION

Nil

11 NOTICES OF MOTION

At 2.06pm, Cr Tracey Lewis, after earlier declaring an Interest in Item 11.1, vacated the Chambers during discussions and voting on the matter.

11.1 NOTICE OF MOTION - ART ON SHOW**RESOLUTION 21/234**

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council:

1. Resolves to support the Narrandera Arts and Cultural Advisory Committee in partnership with NACNET to promote local artists through an ongoing series of exhibitions activating the gallery area of the Narrandera Arts & Community Centre when it is not otherwise booked during the 12-month relocation of the Visitor Information Centre.
2. Resolves to waive hire fees for the gallery room when it is utilised by the Narrandera Arts and Cultural Advisory Committee in partnership with NACNET-over the period of the Visitor Information Centre's tenure at the Narrandera Arts & Community Centre.
3. Notes that artists whose work is to be exhibited will be required to sign an agreement prior to exhibition indemnifying Council against loss and damage and will be responsible for display and hanging of works.
4. Notes that the Arts and Cultural Committee in partnership with NACNET will contribute to the project through co-ordination and promotion of exhibitions and assistance to artists with hanging and display.

- Notes that this project to showcase local art and artists may provide a range of benefits, including increased patronage for the Visitor Information Centre, activation of the gallery space, an ongoing opportunity to increase visitor participation and to promote Narrandera as an arts and cultural destination.

CARRIED

At 2.11pm, Cr Tracey Lewis returned to the meeting.

12 COUNCILLOR REPORTS

Nil

13 COMMITTEE REPORTS

13.1 MINUTES - ECONOMIC TASKFORCE COMMITTEE (OPEN) - 14 SEPTEMBER 2021

RESOLUTION 21/235

Moved: Cr Kevin Morris

Seconded: Cr Jenny Clarke OAM

That Council receives and notes the:

- Minutes of the Economic Taskforce Committee meeting held 14 September 2021.
- Tourism Stimulus Projects (non-confidential) as at September 2021.
- Economic Stimulus Projects (non-confidential) as at September 2021.
- Economic Development Strategy (non-confidential) as at September 2021.

CARRIED

13.2 MINUTES - NARRANDERA DOMESTIC VIOLENCE ADVISORY COMMITTEE - 7 OCTOBER 2021

RESOLUTION 21/236

Moved: Cr Tracey Lewis

Seconded: Cr Barbara Bryon

That Council:

- Receives and notes the Minutes of the Narrandera Domestic Violence Advisory Committee held on Thursday 7 October 2021.

CARRIED

13.3 MINUTES - AUSTRALIA DAY PLANNING COMMITTEE - 28 SEPTEMBER 2021

RESOLUTION 21/237

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council:

1. Receives and notes the Minutes of the Australia Day Planning Committee held on Tuesday 28 September 2021.

CARRIED

13.4 MINUTES - NARRANDERA FLOODPLAIN RISK MANAGEMENT COMMITTEE - 6 OCTOBER 2021

RESOLUTION 21/238

Moved: Cr Narelle Payne

Seconded: Cr David Fahey OAM

1. That the Minutes of the Narrandera Floodplain Risk Management Committee held on Wednesday 6 October 2021 be received and noted.

CARRIED

14 OUR COMMUNITY

Nil

15 OUR ENVIRONMENT**15.1 DA-008-2021-2022 LATTICE BRIDGE DEVELOPMENT PROPOSAL****MOTION**

Moved: Cr Barbara Bryon

Seconded: Cr David Fahey OAM

That Council:

1. Approves the deferred commencement for DA-008-2021-2022 being the Railway Lattice Bridge Conversion subject to the Conditions of Consent in accordance with section 4.16 of the Environmental Planning and Assessment Act (subject to concurrence from Heritage NSW) for the following reasons:
 - The development complies with the Narrandera LEP 2013 and the Environmental Planning and Assessment Act 1979.
 - Submissions identifying potential impacts have been mitigated by the inclusion of appropriate conditions.
 - Heritage impacts have been assessed and are subject to Heritage NSW approval.
2. Conducts a Division to record the voting of Councillors.

In Favour: Crs Jenny Clarke OAM and Barbara Bryon

Against: Crs Neville Kschenka, David Fahey OAM, Narelle Payne, Kevin Morris and Tracey Lewis

LOST 2/5

RESOLUTION 21/239

Moved: Cr David Fahey OAM

Seconded: Cr Tracey Lewis

That Council:

1. Refuse, DA-008-2021-2022 being the Railway Lattice Bridge Conversion in accordance with section 4.16 of the Environmental Planning and Assessment Act (subject to concurrence from Heritage NSW) for the following reasons:
 - The potential impacts on amenity (loss of privacy) on the adjoining properties are unable to be adequately mitigated by the use of screening or alike.
 - The conditions identify an increased operational expense to Council which is not fully known and could cause undesired financial impacts.
 - Council has no tenure over the land or the bridge.
 - Attracting visitors to this area may impact the Aboriginal heritage on the surrounding lands.

Conducts a Division to record the voting of Councillors.

In Favour: Crs Neville Kschenka, David Fahey OAM, Narelle Payne, Kevin Morris and Tracey Lewis

Against: Crs Jenny Clarke OAM and Barbara Bryon

CARRIED 5/2

CARRIED

15.2 DA-017-2018-2019 SERVICE STATION REDEVELOPMENT

RESOLUTION 21/240

Moved: Cr Tracey Lewis

Seconded: Cr Narelle Payne

That Council:

1. Approves DA-017-2018-2019 for redevelopment of a service station on Lot 1 DP1246875 224 Irrigation Way Narrandera subject to the Conditions of Consent in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 for the following reasons:
 - The development complies with the Narrandera LEP 2013, Narrandera DCP and the Environmental Planning and Assessment Act 1979.
 - Submissions raising potential impacts have been mitigated by the inclusion of appropriate conditions
2. Conducts a Division to record the voting of Councillors.

In Favour: Crs Neville Kschenka, David Fahey OAM, Narelle Payne, Jenny Clarke OAM, Kevin Morris, Tracey Lewis and Barbara Bryon

Against: Nil

CARRIED 7/0

CARRIED

16 OUR ECONOMY

Nil

17 OUR INFRASTRUCTURE**17.1 TENDER T-21-22-01 SUPPLY OF MODULAR BRIDGE COMPONENTS****RESOLUTION 21/241**

Moved: Cr David Fahey OAM

Seconded: Cr Narelle Payne

That Council:

1. Approves the tender for the supply and delivery of modular bridge components for Sommerset Park Bridge from InQuik Bridging Systems for \$275,660.00 including GST in accordance with Section 55 of the Local Government Act 1993.
2. Approves the tender for the supply and delivery of modular bridge components for Mollys Lagoon Bridge from InQuik Bridging Systems for \$308,330.00 including GST in accordance with Section 55 of the Local Government Act 1993.

CARRIED

17.2 NARRANDERA SPORTSGROUND - EXISTING CLUBROOMS OPTIONS**MOTION**

Moved: Cr Tracey Lewis

Seconded: Cr Narelle Payne

That Council:

1. Resolves to undertake community and user consultation, to consider the broader views and options for the existing clubrooms at the Narrandera Sportsground.

LOST

Cr Lewis recorded vote as Against the motion

RESOLUTION 21/242

Moved: Cr David Fahey OAM

Seconded: Cr Narelle Payne

That Council:

1. Resolves to not seek further community input and make a decision based on the information at hand today to demolish the building using funds allocated for that purpose.

CARRIED

Cr Lewis recorded vote as Against the motion

17.3 UPDATE ON NARRANDERA BUSINESS CENTRE MASTER PLAN - BOLTON STREET

RESOLUTION 21/243

Moved: Cr David Fahey OAM

Seconded: Cr Narelle Payne

That Council:

1. Notes the report detailing the proposed implementation of Stage 1 of the Narrandera Business Centre Master Plan, being Bolton Street from Cadell Street to East Street.

CARRIED

17.4 POLICY REVIEW - POL120 PROJECT MANAGEMENT POLICY

RESOLUTION 21/244

Moved: Cr David Fahey OAM

Seconded: Cr Barbara Bryon

That Council:

1. Endorse the rewritten POL120 Project Management Policy as presented.
2. Deems POL120 Project Management Policy as adopted should no submissions be received at the conclusion of the exhibition period.

CARRIED

18 OUR CIVIC LEADERSHIP

18.1 ANNUAL DISCLOSURE OF PECUNIARY INTEREST RETURNS FOR COUNCILLORS AND DESIGNATED PERSONS

RESOLUTION 21/245

Moved: Cr David Fahey OAM

Seconded: Cr Narelle Payne

That Council:

1. Acknowledge the annual Disclosure of Pecuniary Interest Returns lodged by both Councillors and designated persons and that these documents have been tabled for information.

CARRIED

18.2 FIVE-YEAR EXTENSION OF LICENCE AGREEMENT WITH RBA HOLDINGS - NGURANG ROAD COMMUNICATIONS TOWER**RESOLUTION 21/246**

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council:

1. Endorses the acceptance of the final five-year option to extend the licence agreement with RBA Holdings Pty Ltd from 30 January 2022 to 29 January 2027 for use of space at the Ngurang Road, Narrandera communications tower; and
2. Endorses the continued NIL annual rental based on the business purpose of RBA Holdings Pty Ltd, and includes within each organisational Annual Report the amount of the annual rental foregone to inform the community of the contribution of Council to this service; and
3. Provides delegated authority to the Mayor and the General Manager to execute the document and place the Seal of Council on this and any other document relating to this matter if required.

CARRIED

18.3 RENEWAL OF LEASE OF LAND - NARRANDERA-LEETON AIRPORT PRIVATE AIRCRAFT HANGAR**RESOLUTION 21/247**

Moved: Cr Jenny Clarke OAM

Seconded: Cr Narelle Payne

That Council:

1. Endorses the acceptance of a three-year lease agreement with Graeme John Mathieson for the term 1 July 2021 to 30 June 2024 for the lease of land for a private aircraft hangar at the Narrandera-Leeton Airport; and
2. Provides delegated authority to the Mayor and the General Manager to execute the document and place the Seal of Council on this and any other document relating to this matter if required.

CARRIED

18.4 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT**RESOLUTION 21/248**

Moved: Cr Tracey Lewis

Seconded: Cr Barbara Bryon

That Council:

1. Endorses the draft policy Councillor Induction and Professional Development.
2. Authorises the General Manager to engage suitable consultants to prepare and deliver the first stages of the program.

CARRIED

19 STATUTORY AND COMPULSORY REPORTING – DEVELOPMENT SERVICES REPORTS

19.1 SEPTEMBER 2021 DEVELOPMENT SERVICES ACTIVITIES

RESOLUTION 21/249

Moved: Cr Narelle Payne

Seconded: Cr David Fahey OAM

That Council:

1. Receives and notes the Development Services Activities Report for September 2021.

CARRIED

20 STATUTORY AND COMPULSORY REPORTING – FINANCIAL / AUDIT REPORTS

20.1 SEPTEMBER STATEMENT OF RATES AND RECEIPTS

RESOLUTION 21/250

Moved: Cr Tracey Lewis

Seconded: Cr Narelle Payne

That Council:

1. Receives and notes the information contained in the Statement of Rates and Receipts report as at 30 September 2021.

CARRIED

20.2 SUBMISSIONS GENERAL PURPOSE FINANCIAL STATEMENTS AND AUDITORS REPORT

RESOLUTION 21/251

Moved: Cr David Fahey OAM

Seconded: Cr Barbara Bryon

That Council:

1. Notes that there were no submissions received in regard to the General Purpose Financial Statements and Auditors Report for the period ending 30 June 2021.
2. Concludes the 2020/2021 financial reporting process in accordance with the Local Government Act, 1993.

CARRIED

20.3 LOAN FUNDING BARELLAN SEWER PROJECT

RESOLUTION 21/252

Moved: Cr David Fahey OAM

Seconded: Cr Kevin Morris

That Council:

1. Receives and notes the loan funding options available to Council along with the associated costs.
2. Under Section 621 LG Act 1993, borrows \$1,620,000 for the Barellan Sewer Project to be funded by the NSW Treasury Corporation on a 15-year term at an indicative rate of 2.45% interest per annum with quarterly repayments of approximately \$32,346.
3. Acknowledges that the proposed loans are included in Council's Long-Term Financial Plan with provision to meet repayments.
4. Acknowledges that the proposed loans are within the 2020-21 loan borrowing request submitted to the Office of Local Government
5. Notifies the Director General (OLG) of the borrowings within seven days of Council borrowing money under the loan contract.
6. Notes under Local Government (General) Regulations 2021 Sec 229 that the repayment of money borrowed by Council, and the payment of any interest on that money, is a charge on the income of Council.
7. Acknowledges that the proposed borrowing complies with the Ministerial Borrowing Order issued under Section 624 LG Act 1993.

CARRIED

20.4 SEPTEMBER INCOME STATEMENT**RESOLUTION 21/253**

Moved: Cr Narelle Payne

Seconded: Cr Barbara Bryon

That Council:

1. Receives and notes the information contained in the Income Statement report for the period ending 30 September 2021.

CARRIED

20.5 SEPTEMBER STATEMENT OF BANK BALANCES**RESOLUTION 21/254**

Moved: Cr Narelle Payne

Seconded: Cr David Fahey OAM

That Council:

1. Receives and notes the information contained in the Statement of Bank Balances report as of 30 September 2021.

CARRIED

20.6 SEPTEMBER STATEMENT OF INVESTMENTS**RESOLUTION 21/255**

Moved: Cr Narelle Payne

Seconded: Cr Tracey Lewis

That Council:

1. Receives and notes the information contained in the Statement of Investments report as at 30 September 2021.

CARRIED

20.7 SEPTEMBER CAPITAL WORKS PROGRAM**RESOLUTION 21/256**

Moved: Cr Barbara Bryon

Seconded: Cr Narelle Payne

That Council:

1. Receives and notes the information contained in the Capital Works report as of 30 September 2021.

CARRIED

21 STATUTORY AND COMPULSORY REPORTING – OTHER REPORTS

21.1 PROPOSED SALE OF LAND FOR OVERDUE RATES AND CHARGES

RESOLUTION 21/257

Moved: Cr Narelle Payne

Seconded: Cr David Fahey OAM

That Council:

1. Resolves to sell the nine (9) identified properties detailed within the confidential memorandum addressed to Councillors in accordance with Section 713 (2)(a) of the Local Government Act, 1993.
2. That the General Manager, be granted delegated authority to review and withdraw, where deemed appropriate, those properties where payment of all overdue rates and charges is received or a satisfactory payment arrangement has been formalised by an interested party for the payment of all rates and charges.
3. Approval is given to affix the Common Seal of Council, if required, to any future documentation necessary relating to this matter.

CARRIED

22 CONFIDENTIAL BUSINESS PAPER REPORTS**RESOLUTION 21/258**

Moved: Cr Narelle Payne

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*:

22.1 Economic Development Updates

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.

22.2 Sale of Land - Red Hill Industrial Estate

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.

CARRIED

22.1 ECONOMIC DEVELOPMENT UPDATES**RESOLUTION 21/259**

Moved: Cr Jenny Clarke OAM

Seconded: Cr Barbara Bryon

That Council:

1. Receives and notes the Economic Development Strategy (confidential version) containing updates following the Economic Taskforce Committee meeting held 14 September 2021.

CARRIED

22.2 SALE OF LAND - RED HILL INDUSTRIAL ESTATE**RESOLUTION 21/260**

Moved: Cr Kevin Morris

Seconded: Cr Jenny Clarke OAM

That Council:

1. Accepts the offer to purchase 20,000 square metres of land at part Lot 12

- DP869904 being proposed new allotment identified as Site 1 Paterson Place in the Red Hill Industrial Estate (see plans attached) for \$7.50 per square metre.
2. Accepts the offer to purchase approximately 5,254 square metres (or thereabouts) of land at part Lot 12 DP869904 being proposed new allotment identified as Site 2 Driscoll Road in the Red Hill Industrial Estate (see plans attached) for \$7.50 per square metre.
 3. Notes that the offers at items 1 and 2 above are from the same purchaser.
 4. Notes that Council's agents in this matter, being QPL Real Estate of Narrandera, are entitled to commission in each of the sales that may be concluded in relation to items 1 and 2 above.
 5. Subdivides the required two lots identified as Site 1 being 20,000 square metres and Site 2 being approximately 5,254 square metres, at no cost to the purchaser.
 6. Agrees to a six-month extended settlement, with settlement to occur on or about 29 April 2022.
 7. Authorises the Mayor and General Manager to sign any documents on behalf of Council in relation to this matter.
 8. Reserve the net proceeds of the sale to the Industrial lands reserve
 9. Authorises the placement of the Seal of Council on any documents relating to this matter.

CARRIED

23 OPEN COUNCIL

RESOLUTION 21/261

Moved: Cr Narelle Payne

Seconded: Cr David Fahey OAM

That Council moves out of Closed Council into Open Council and the Mayor advise of the resolutions endorsed in Closed Session.


CARRIED

The Meeting closed at 3.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 November 2021.



.....
GENERAL MANAGER



.....
CHAIRPERSON