



MINUTES

Ordinary Council Meeting

Tuesday, 16 July 2024

I hereby give notice that an Ordinary Council Meeting will be held on:

Date: Tuesday, 16 July 2024

Time: 10:00 AM

**Location: Council Chambers, Estates Building Cressy
Street Deniliquin**

**Gary Arnold
Interim Chief Executive Officer**

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1. OPENING MEETING

Meeting opened at 10am

2. ATTENDANCE

Present: Mayor Cr Peta Betts, Deputy Mayor Cr Marc Petersen, Cr Linda Fawns, Cr Shirlee Burge, Cr Shannon Sampson, Cr Tarrja Moor, Cr Pat Fogarty, Interim Chief Executive Officer Gary Arnold

In attendance: Acting Director Corporate Services, Acting Director Infrastructure, Acting Chief Financial Officer, Acting Manager Governance, Safety & Risk, Executive Assistant

Gallery: 4

3. LIVE STREAMING STATEMENT

Edward River Council wishes to advise members of the public that Council meetings will be recorded and will be available after each meeting on Council's website www.edwardriver.nsw.gov.au All care will be taken to maintain the privacy of those in attendance, however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given in the event your image is broadcast. This includes any filming by television cameras if attendance is approved by the Chief Executive Officer or Mayor.

4. ACKNOWLEDGEMENT OF COUNTRY

The Edward River Council acknowledges and embraces the Traditional Owners of the Lands within the Edward River Council area - the Wamba Wamba/Perrepa Perrepa Peoples – and pay our respects to their elders, past, present, and emerging. The Edward River Council also recognises the diversity of different cultures within our community and their contribution.

5. 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.

6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Moved: Cr Shannon Sampson

Seconder: Cr Tarrja Moore

RESOLUTION 2024/1607/6

That the leave of absence received from Cr Harold Clapham be accepted.

CARRIED

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 17 JUNE 2024

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Linda Fawns

RESOLUTION 2024/1607/7.1

That Council receive and note the draft minutes of the Ordinary Council Meeting held Tuesday 17 June 2024.

CARRIED

7.2. DRAFT MINUTES EXTRAORDINARY COUNCIL MEETING 25 JUNE 2024

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Shannon Sampson

RESOLUTION 2024/1607/7.2

That Council receive and note the draft minutes of the Extraordinary Council Meeting held Tuesday 25 June 2024.

CARRIED

8. DISCLOSURES OF INTERESTS

12.4 Mayor Cr Peta Betts declared a Non-Pecuniary - significant disclosure and will be absent during the debate and voting.

12.4 Cr Shirlee Burge declared a Non-Pecuniary - less than significant disclosure and will remain in the Chambers during the debate and voting.

15.1 Mayor Cr Peta Betts declared a Non-Pecuniary - significant disclosure and will be absent during the debate and voting.

15.2 Cr Tarria Moore declared a Non-Pecuniary - less than significant disclosure and will remain in the Chambers during the debate and voting.

9. MAYORAL MINUTE(S)

Nil

10. URGENT ITEMS OF BUSINESS

Nil

11. REPORTS OF COMMITTEES**11.1. GROWTH STRATEGY - PROJECT ADVISORY COMMITTEE MEETING MINUTES**

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

RESOLUTION 2024/1607/11.1

That Council receive the draft minutes of the Growth Strategy Project Advisory Committee meeting held on 25 June 2024 and endorse the committee's recommendations and resolutions contained therein, specifically that:

1. Changes to the strategy in response to feedback made in the following areas:
 - a. early childhood;
 - b. First Nations;

- c. accommodation;
 - d. consideration of all investment and governance models;
 - e. river health and erosion;
 - f. river health and lagoon system;
 - g. use of Gazetted name of the river;
 - h. poverty and homelessness;
 - i. digital connectivity and renewable energy;
 - j. that feedback will inform project development;
 - k. animal health and livestock;
 - l. waste;
 - m. Island Sanctuary,
2. The time frame for delivery of the final strategy be amended for the purpose of targeted, relevant consultation.

CARRIED

11.2. DRAFT MINUTES OF THE CONARGO HALL COMMITTEE

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

RESOLUTION 2024/1607/11.2

That Council receives the minutes of the Conargo Hall Committee meeting held on Wednesday 26th June 2024, and endorses the recommendations from the Committee contained therein, specifically;

- a) The acceptance of the quotation from David Woodhead \$12,854.00, to remove asbestos from the amenities block in the Conargo Hall Precinct and replace with suitable compliant material to Australia Building Code.
- b) The acceptance of the quotation from David Woodhead \$19,146.00, to remove completely replace, refurbish the interior of the amenities block in the Conargo Hall Precinct with compliant fixtures, furnishings as per attached quote.
- c) The acceptance of the quotation from Menadue Floor just over \$5,000.00. Coverings to replace the floor in the kitchen with compliant flooring.
- d) Consider the Committee's request to have the Defib machine relocated outside of the Hall, and for it to be serviced. The location of the Defib machine outside is requested to be outside the Front doors of the Hall facing Conargo Road.

CARRIED

12. REPORTS TO COUNCIL**12.1. DEVELOPMENT APPLICATION DA2024/0041**

Moved: Cr Shannon Sampson

Seconded: Cr Tarria Moore

RESOLUTION 2024/1607/12.1

That Council resolves to: -

1. APPROVE the development application 2024/0041 for Demolition of existing dwelling and Construction of new Dwelling, on Lot 52 DP1189132, Cemetery Road, Deniliquin dated 09.04.24 as shown on plan numbered AO1-7631, AO2 -7631 and described in detail accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:
 - a. The proposal is compliant with the terms of the Environmental Planning and Assessment Act.
 - b. The proposal is appropriate on the site given the current use of the site.
 - c. The development will have no significant adverse impacts on the natural or built environments.
2. Impose the conditions as shown in attachment 1.

Division

For: Deputy Mayor Cr Marc Petersen, Cr Linda Fawns, Cr Shirlee Burge, Cr Shannon Sampson, Cr Tarria Moore, Cr Pat Fogarty, Mayor Cr Peta Betts

Against: Nil

CARRIED 7/0

12.2. DEVELOPMENT SERVICES ACTIVITY REPORT JUNE 2024

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Pat Fogarty

RESOLUTION 2024/1607/12.2

That Council receive and note the June 2024 Development Services Report.

CARRIED

12.3. PETITION - NEW LIGHTING (CNR BARHAM & MCCRABB ROAD)

Moved: Cr Pat Fogarty

Seconded: Cr Marc Petersen

RESOLUTION 2024/1607/12.3

That the Council

1. Accept the petition and seek the Manager of Transport to undertake a review of the intersection and take appropriate actions to consider and address concerns; and
2. Advise the contact person for the petition of the outcome of the review.

CARRIED

12.4. NAMING OF NORTH DENILIQUN REST AREA

Mayor Cr Peta Betts declared a Non-Pecuniary - Significant disclosure and left the Chambers at 10.13am

Deputy Mayor Cr Marc Petersen took the chair at 10.13am

RECOMMENDATION

That Council adopt the name 'Flo Allen Park' for Crown Reserve 46452, currently known as the North Deniliquin Tennis Club reserve, for the purpose of submitting to the Geographical Names Board of NSW for approval.

Moved: Cr Pat Fogarty

Seconded: Cr Shirlee Burge

RESOLUTION

That the report be deferred until the current policy is investigated to ensure Council is working within policy and that the report comes back to Council in August 2024.

CARRIED

The Mayor returned to the Chambers at 10.39am and resumed the Chair

12.5. INVESTMENT REPORT - JUNE 2024

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

RESOLUTION 2024/1607/12.5

That Council:

1. Note and receive the June 2024 report on Investments totalling \$39,792,022 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of June 2024 was \$117,806.
3. Note that total interest earned for the year to 30 June 2024 is \$1,621,961.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED

12.6. MAJOR PROJECTS UPDATE - JUNE 2024

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/1607/12.6

That Council receive and note the Major Projects Program - Progress Report for June 2024.

CARRIED

12.7. RESOLUTIONS OF COUNCIL

Moved: Cr Pat Fogarty

Seconded: Deputy Mayor Cr Petersen

RESOLUTION 2024/1706/12.7

That Council note the information in the Resolutions of Council as at 5 July 2024

CARRIED

Cr Tarria Moore left the Chambers at 10.53am and returned at 10.56am

12.8. MAYOR, COUNCILLOR, CEO MEETINGS ATTENDED JUNE 2024

Moved: Cr Linda Fawns

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/1607/12.8

That Council

1. Note meetings attended on behalf of Council by the Mayor, Councillors and Interim Chief Executive Officer during the month of June 2024.
2. Continue to advise the Chief Executive Officers' Executive Assistant of their meeting diaries and activities attended.

CARRIED

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE

Nil

15. CONFIDENTIAL MATTERS

Moved Cr Linda Fawns

Seconded: Cr Shannon Sampson

RESOLUTION 2024/1607/15

That Council moved into Confidential items at 10.59am.

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed, or considered in relation to this agenda item is:

- (2) The matters and information are the following
 - (a) personnel matters concerning particular individuals (other than councillors).

CARRIED

Members of the Gallery left the Chambers at 10.59am and did not return.

Mayor Cr Peta Betts left the Chambers at 11am and handed the Chair to the Deputy Mayor Cr Marc Petersen. Cr Tarria Moore, Cr Shannon Sampson and Acting Chief Financial Officer left the Chambers at 11am.

Manager Development Services entered the Chambers at 11.01am

Cr Tarria Moore and Cr Shannon Sampson returned to the Chambers at 11.02am.

15.1. SEWER CONNECTION ISSUE

Acting Chief Financial Officer returned to the Chambers at 11.04am.

Moved: Cr Shirlee Burge

Seconded Cr Shannon Sampson

RESOLUTION 2024/1607/15.1

That Council endorses the actions taken by staff to rectify an incorrectly located sewer line that affected three private properties located within Decimus Street and Liefing Court.

CARRIED

Mayor returned to the Chamber at 11.09am and returned to the Chair.

15.2. LOCAL HERITAGE GRANT PROGRAM

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

RESOLUTION 2024/1607/15.2

That Council funds the following projects as part of the Local Heritage Fund 2024-2025:

(a) 47-49 Napier Street, Deniliquin - Restoration of external doors and windows, funding up to a value of \$7,000,

(b) 217-223 Cressy Street, Deniliquin - Construction of access ramp to building, funding up to a value of \$4,500, and

(c) 115 End Street, Deniliquin - Restoration of heritage facade, funding up to the value of \$3,500.

CARRIED

15.3. ARIC INDEPENDENT MEMBER APPOINTMENT

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

RESOLUTION 2024/1607/15.3

The Council accept the recommendations of the Interview panel and endorse the appointment of the following Audit, Risk and Improvement Committee (ARIC) Independent members subject to successful background checks and completed attestation declarations:

- Theo Canias for a period of up to four years from the date of acceptance of a formal letter of appointment; and
- Carolyn Rosetta-Walsh and Vivek Chopra for a period of up to two years from the date of acceptance of a formal letter of appointment.

That Council delegate the signing of formal letters of appointment to the Interim Chief Executive Officer for ARIC appointments.

CARRIED

Against: Cr Shirlee Burge and Cr Pat Fogarty

16. CLOSE OF MEETING

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

That Council return to open Council at 11.31am and that the Interim Chief Executive Officer read the resolutions.

CARRIED

The meeting closed at 11.33am