



MINUTES

Ordinary Council Meeting

Tuesday, 20 August 2024

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

Date: Tuesday, 20 August 2024

Time: 10:00 AM

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

**Gary Arnold
Interim Chief Executive Officer**

Order of Business

1. OPENING MEETING	3
2. ATTENDANCE	3
3. LIVE STREAMING STATEMENT	3
4. ACKNOWLEDGEMENT OF COUNTRY	3
5. STATEMENT OF PURPOSE.....	3
6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS	3
7. CONFIRMATION OF MINUTES	4
7.1. Draft Minutes Ordinary Council Meeting held 16 July 2024.....	4
8. DISCLOSURES OF INTERESTS	4
9. REPORTS OF COMMITTEES	4
9.1. Draft Minutes of the Blighty Advancement Committee	4
9.2. Draft Minutes of the Conargo Hall Committee.....	4
10. REPORTS TO COUNCIL.....	5
10.1. Performance Improvement Order	5
10.2. Review of Council Committees	5
10.3. Delivery Program Progress Report - January to June 2024	5
10.4. Edward River Council Doctor Incentive Payments	6
10.5. Investment Report - July 2024	6
10.6. Community & Economy Activity Report 2023-24.....	6
10.7. Development Services Activity Report July 2024	6
10.8. Major Projects Report - July 2024.....	7
10.9. Resolutions of Council.....	7
10.10. Mayor, Councillor, CEO Meetings attended July 2024	7
11. CONFIDENTIAL MATTERS	7
11.1. Confidential - Delegation to Negotiate	8
12. CLOSE OF MEETING	8

1. OPENING MEETING

Meeting opened at 10.00am.

The Mayor acknowledged her former Councillors, in particular Cr Pat Fogarty thanking her for her dedication to the community and presenting Cr Fogarty with a floral bouquet.

Deputy Mayor Cr Marc Petersen presented Mayor Cr Peta Betts with a bouquet on behalf of the Councillor body.

Both gestures were supported by acclamation from the meeting.

2. ATTENDANCE

Present: Mayor Cr Peta Betts, Deputy Mayor Cr Marc Petersen, Cr Shirlee Burge, Cr Harold Clapham, Cr Linda Fawns, Cr Pat Fogarty, Cr Tarria Moore, Cr Shannon Sampson.

In Attendance: Interim Chief Executive Officer, Interim Advisor, Director Infrastructure, Acting Director Corporate Services, Acting Manager Governance Safety & Risk, Executive Assistant.

Via Teams: Acting Chief Financial Officer.

Gallery: Two members.

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

Nil

7. CONFIRMATION OF MINUTES**7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING HELD 16 JULY 2024**

Moved: Cr Linda Fawns

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/2008/7.1

That Council receive and note the draft minutes of the Ordinary Council meeting held Tuesday 16 July 2024.

CARRIED

8. DISCLOSURES OF INTERESTS

Item 11.1 Confidential - Delegation to Negotiate. Mayor Cr Peta Betts declared a Non-Pecuniary - Significant interest and will leave the Chambers during the discussion.

9. REPORTS OF COMMITTEES**9.1. DRAFT MINUTES OF THE BLIGHTY ADVANCEMENT COMMITTEE**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

RESOLUTION 2024/2008/9.1

1. That Council receives the draft minutes of the Blighty Advancement Committee meeting held Tuesday 30th July 2024 and notes the Committee's resolutions.

CARRIED

9.2. DRAFT MINUTES OF THE CONARGO HALL COMMITTEE

Moved: Cr Harold Clapham

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/2008/9.2

That Council:

1. Receives the minutes of the Conargo Hall Committee meeting held on Wednesday 24th July 2024, and endorses the recommendations from the Committee contained therein, specifically;

a) The acceptance of the quotation from Top Security Albury, to install the security system and sound system upgrade as per quote supplied, and to undertake an internet service with Optus business to connect the security system with internet connectivity.

b) The decision to support our local whipcracking team of young adults for the national titles with vouchers to the value of \$600.00.

c) It was resolved to order the topping for the Tennis courts and conduct a working bee, hiring the roller to get the courts into top order.

CARRIED

10. REPORTS TO COUNCIL**10.1. PERFORMANCE IMPROVEMENT ORDER**

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

RESOLUTION 2024/2008/10.1

That Council note the attached Performance Improvement Order issued by Minister for Local Government, the Hon. Ron Hoenig MP.

CARRIED

10.2. REVIEW OF COUNCIL COMMITTEES

Moved: Cr Linda Fawns

Seconded: Cr Pat Fogarty

RESOLUTION 2024/2008/10.2

That Council:

1. Receive the Committees Review Report for information.
2. Resolve that the Manager Governance, Safety and Risk write to committees to enable them to engage with Council regarding pending changes to labelling of committees from s355 to Primary Users (where appropriate).
3. Refer the recommendations of the Committees Review Report to the incoming Council for action and resolution.

CARRIED

10.3. DELIVERY PROGRAM PROGRESS REPORT - JANUARY TO JUNE 2024

Moved: Cr Linda Fawns

Seconded: Cr Pat Fogarty

RESOLUTION 2024/2008/10.3

That Council receive and note the six-monthly Delivery Program progress report for the period January to June 2024.

Member of the Gallery left at 10.18am

CARRIED

10.4. EDWARD RIVER COUNCIL DOCTOR INCENTIVE PAYMENTS

Moved: Cr Pat Fogarty

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/2008/10.4

That Council note that assistance has been given to three new medical practitioners through the Doctors and Registered Nurses Attraction Policy.

CARRIED

10.5. INVESTMENT REPORT - JULY 2024

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

RESOLUTION 2024/2008/10.5

That Council:

1. Note and receive the July 2024 report on Investments totalling \$40,326,247 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of July 2024 was \$129,490.
3. Note that total interest earned for the year to 31 July 2024 is \$161,139.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED

10.6. COMMUNITY & ECONOMY ACTIVITY REPORT 2023-24

Moved: Cr Tarria Moore

Seconded: Cr Pat Fogarty

RESOLUTION 2024/2008/10.6

That Council receive and note the 2023/24 Community & Economy Activity Report.

CARRIED

10.7. DEVELOPMENT SERVICES ACTIVITY REPORT JULY 2024

Moved: Cr Harold Clapham

Seconded: Cr Linda Fawns

RESOLUTION 2024/2008/10.7

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

CARRIED

10.8. MAJOR PROJECTS REPORT - JULY 2024

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Marc Petersen

RESOLUTION 2024/2008/10.8

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

CARRIED

10.9. RESOLUTIONS OF COUNCIL

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

RESOLUTION 2024/2008/10.9

That Council note the information in the Resolutions of Council as at 7 August 2024.

CARRIED

10.10. MAYOR, COUNCILLOR, CEO MEETINGS ATTENDED JULY 2024

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Pat Fogarty

RESOLUTION 2024/2008/10.10

That Council

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

CARRIED

11. CONFIDENTIAL MATTERS

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

RESOLUTION 2024/2008/11

That Council move into Confidential Business to consider the matters listed in the confidential section of the agenda in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified as follows:--

(2) The matters and information are the following (a) personnel matters concerning particular individuals (other than councillors),(e) information that would, if disclosed, prejudice the maintenance of law,(f) matters affecting the security of the council, councillors, council staff or council property,(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

At this stage, the time being 11.12am Council closed the meeting to the public and Deputy Mayor Cr Marc Petersen took the Chair.

CARRIED

The Gallery Member and Mayor Cr Peta Betts left the Chambers during the closed meeting.

11.1. CONFIDENTIAL - DELEGATION TO NEGOTIATE

Moved: Cr Harold Clapham

Seconded: Cr Tarria Moore

RESOLUTION 2024/2008/11.1

That Council resolve to authorise and delegate the Interim Chief Executive Officer to negotiate, where appropriate and under the advice of appointed legal representation and in accordance with insurers instructions, in relation to the Federal Court of Australia matter NSD633-2024 Philip Stone vs Edward River Council & Anor.

Against: Cr Shirlee Burge

CARRIED

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

RESOLUTION 2024/2008/11.2

That Council return to Open Council at 11.37 am

CARRIED

12. CLOSE OF MEETING

Mayor Cr Peta Betts returned to the Chambers and closed the meeting at 11.38am.