



MINUTES

Ordinary Council Meeting

Tuesday, 17 December 2024

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

Date: Tuesday, 17 December 2024

Time: 2:00 PM

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

**Gary Arnold
Interim Chief Executive Officer**

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1. OPENING MEETING

The meeting opened at 2pm.

2. ATTENDANCE

Present: Mayor Cr Ashley Hall, Deputy Mayor Cr Kellie Crossley, Cr Ken Bates, Cr Shirlee Burge, Cr Craig Druitt, Cr Linda Fawns, Cr Leanne Mulham, Cr Shannon Sampson, Cr Frank Schofield, Interim Chief Executive Officer, Interim Advisor

In Attendance: Director Infrastructure, Acting Director Corporate Services, Executive Assistant.

Via Teams: Acting Chief Financial Officer

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. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

Noted that Mayor Cr Ashley Hall will be on leave from the 16th January 2025 to 6 February 2025

6. CONFIRMATION OF MINUTES**6.1. DRAFT MINUTES ORDINARY COUNCIL MEETING HELD 26 NOVEMBER 2024**

Moved: Cr Ken Bates

Seconded: Cr Craig Druitt

RESOLUTION 2024/1712/6.1

That Council receive and note the draft minutes of the Ordinary Council meeting held Tuesday 26 November 2024.

UNANIMOUSLY CARRIED

7. DISCLOSURES OF INTERESTS

11.2 Flood Plans and Mitigation Works for Davidson Street Area, Cr Shannon Sampson declared a non-pecuniary - less than significant interest with no further action needed.

11.6 Edward River Community Grants Program, Cr Frank Schofield declared a non-pecuniary - less than significant interest with no further action needed.

8. MAYORAL MINUTE(S)

There is one Mayoral Minute that will be discussed during Confidential Items

9. URGENT ITEMS OF BUSINESS

Nil

10. REPORTS OF COMMITTEES**10.1. AUDIT, RISK AND IMPROVEMENT COMMITTEE - DRAFT MINUTES - 18 NOVEMBER 2024**

Moved: Cr Leanne Mulham

Seconded: Cr Linda Fawns

RESOLUTION 2024/1712/10.1

That Council notes:

1. The draft minutes of the Audit, Risk and Improvement Committee meeting of 18 November 2024.

UNANIMOUSLY CARRIED

11. REPORTS TO COUNCIL**11.1. DRAFT COMMUNITY STRATEGIC PLAN**

Moved: Cr Craig Druitt

Seconded: Cr Frank Schofield

RESOLUTION 2024/1712/11.1

That Council endorse the draft Community Strategic Plan: Edward River - Towards 2035 for public exhibition until midnight on Friday, 31 January 2025.

That Council and our community note that the version that will be put out for public exhibition will have:

- some minor administrative amendments based on progressive review and feedback; and
- updated monitoring our progress measurables.
- Addition of new item to be included in section 1.5 as follows - promoting and developing an environment where the local schools are the communities first choice for education.

UNANIMOUSLY CARRIED

11.2. FLOOD PLANS AND MITIGATION WORKS FOR DAVIDSON ST AREA

Moved: Cr Craig Druitt

Seconded: Cr Frank Schofield

RESOLUTION 2024/1712/11.2

That Council adopt the final report into Data Collection and Analysis of the November 2022 Flood Event Davidson Street and North Deniliquin, prepared by WMA Water.

Council will be provided with further recommendations following investigation into the proposed options.

UNANIMOUSLY CARRIED

11.3. COMMUNICATIONS & COMMUNITY ENGAGEMENT STRATEGY REVIEW

Moved: Cr Linda Fawns

Seconded: Cr Leanne Mulham

RESOLUTION 2024/1712/11.3

That Council review and adopt the updated Communications and Community Engagement Strategy (CCES) 2023-2027 inclusive of proposed changes to the timing of the strategy deliverable dates and realignment of strategy to council elected term.

UNANIMOUSLY CARRIED

11.4. REVIEW OF COUNCILS RESERVES DECEMBER 2024

Moved: Cr Leanne Mulham

Seconded: Cr Craig Druitt

RESOLUTION 2024/1712/11.4

That Council:

1. Adopt Option One which dissolves all internally restricted reserves and absorbs their balances into Councils unrestricted cash apart from:

- Plant and vehicle replacement
- Infrastructure replacement
- Employees leave entitlement
- Deposits, retentions, and bonds
- Conargo Hall Committee Bequest and;
- Incomplete capital works, FAG in advance at the end of each financial year

2. Note the options staff considered in reviewing councils internally restricted reserves, and them recommending option one for council to adopt.

3. Endorse the future work staff will undertake on administering the seven reserves in 1. above and:

4. Endorse the strategy for establishing any future reserves that council may establish.

UNANIMOUSLY CARRIED

11.5. FRAUD AND CORRUPTION CONTROL POLICY

Moved: Cr Shirlee Burge

Seconded: Cr Kellie Crossley

RESOLUTION 2024/1712/11.5

That Council:

1. Adopts the revised Fraud and Corruption Control Policy (Attachment 1).
2. Notes the Fraud and Corruption Control Plan (Attachment 2).
3. Notes that full implementation of the Fraud and Corruption Control Policy and Plan is currently at risk due to ongoing challenges faced by Council in recruiting and retaining staff within the Governance, Risk and Safety teams.
4. Notes that the Audit, Risk and Improvement Committee reviewed the Fraud and Corruption Control Policy and Plan on 18 November 2024, and suggested no amendments.

UNANIMOUSLY CARRIED

11.6. EDWARD RIVER COMMUNITY GRANTS PROGRAM

Moved: Cr Craig Druitt

Seconded: Cr Ken Bates

RESOLUTION 2024/1712/11.6

That Council allocates the full 2024-2025 Community Grants program budget as follows:

1. Rotary Club of Deniliquin \$2,600
2. U3A \$2,983
3. Outback Theatre for Young People \$3,000
4. Deniliquin Genealogy Society \$3,000
5. Deniliquin Film Society \$3,000
6. Deniliquin & District Historical Society \$3,000
7. South West Music \$2,985
8. Deniliquin Amateur Swimming Club \$2,600
9. Motherland \$1,800

CARRIED

11.7. VOLUNTARY PLANNING AGREEMENT FOR YANCO DELTA WINDFARM DEVELOPMENT

Moved: Cr Shirlee Burge

Seconded: Cr Frank Schofield

RESOLUTION 2024/1712/11.7

That Council:

1. Place the draft Voluntary Planning Agreement for the Yanco Delta Windfarm Development on public exhibition for a period of not less than 28 days and invite submissions from the community regarding the agreement, and
2. If no submissions are received, authorise the Interim Chief Executive Officer to sign the draft Voluntary Planning Agreement for the Yanco Delta Windfarm Development on behalf of Council.

CARRIED

11.8. INVESTMENT POLICY REVIEW 2024

Moved: Deputy Mayor Cr Kellie Crossley

Seconded: Cr Leanne Mulham

RESOLUTION 2024/1712/11.8

That Council:

1. Adopt the 2024 Revised Investment Policy

2. Note that ARIC has recommended the 2024 Investment Policy for adoption by council at its meeting, after incorporating the minor changes to the Policy Statement, as noted below.

3. Note the key objectives of the updated Policy continue to be the preservation of capital, taking into consideration the cashflow needs of Council, the level of risk with each investment and its security.

UNANIMOUSLY CARRIED

11.9. GOVERNANCE FRAMEWORK

Moved: Cr Frank Schofield

Seconded: Cr Linda Fawns

RESOLUTION 2024/1712/11.9

That Council adopt the Governance Framework which will enact the following actions:

- Adopted Framework to be uploaded to Council's web page; and
- Staff awareness campaign to commence which will include elearning modules.

UNANIMOUSLY CARRIED

11.10. 2025 SCHEDULE OF ORDINARY MEETINGS

Moved: Cr Frank Schofield

Seconded: Cr Shirlee Burge

RESOLUTION 2024/1712/11.10

That Council adopt the proposed 2025 schedule of Ordinary Council Meetings which schedules meeting for the third Tuesday of each month between February and December 2025 to commence at 2pm in the Council Chambers:

Cr Frank Schofield proposed a revised recommendation:-

That the location of the Council Meeting scheduled for 20 May 2025 be held in the Blighty Town Hall and the Council meeting scheduled for the 16 September 2025 be held in the Conargo Town Hall with meetings to be scheduled at Booroorban, Wanganella and Pretty Pine at a later date in Council's Term.

Further amendment moved by Cr Sampson

That the February meeting will be held at 2pm on the third Tuesday and that a further report will be brought back to Council with suggested options including times, days, and location.

UNANIMOUSLY CARRIED

12. REPORTS FOR NOTING

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12

That the following reports for noting be moved as one. This includes items 12.1 through to item 12.6.

UNANIMOUSLY CARRIED

12.1. ANNUAL CODE OF CONDUCT COMPLAINTS REPORTING

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12.1

That Council

1. receive and note the 2023/2024 annual report on Code of Conduct Complaint Statistics;
2. note that the report will be lodged with the NSW Office of Local Government by 31 December 2024.

UNANIMOUSLY CARRIED

12.2. COUNCILLOR WRITTEN INTEREST RETURNS

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12.2

That Council:

1. Notes the tabling of the first returns of Disclosure of Pecuniary Interests and other matters for newly elected Councillors' at the September 2024 Local Government elections.

UNANIMOUSLY CARRIED

12.3. FUNDED PROJECTS REPORT - NOVEMBER 2024

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12.3

That Council notes the funded projects report for November 2024.

UNANIMOUSLY CARRIED

12.4. DEVELOPMENT SERVICES ACTIVITY REPORT

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/2712/12.4

That Council receive and note the Development Services Report for November 2024.

UNANIMOUSLY CARRIED

12.5. INVESTMENT REPORT - NOVEMBER 2024

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12.5

That Council receive and note the Investment Report for November 2024.

UNANIMOUSLY CARRIED

12.6. RESOLUTIONS OF COUNCIL AS AT 9 DECEMBER 2024

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Kellie Crossley

RESOLUTION 2024/1712/12.6

That Council

1. note the information in the Resolutions of Council as at 9 December 2024.
2. that a further report will be tabled in February 2025 for resolution 2024/1706/12.1 Deniliquin Landfill Gate Fees and resolution 2024/1607/12.4 Naming of North Rest Area.

UNANIMOUSLY CARRIED

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE

Nil

15. CONFIDENTIAL MATTERS

Prior to moving into Confidential Matters, Mayor Cr Ashley Hall took a moment on behalf of Council to thank Interim Chief Executive Officer Gary Arnold as this may be his final Council Meeting. Mayor Hall made reference to the time put in, stability given to Council and the assistance given to the Councillors.

Interim CEO Gary Arnold responded, saying it has been a pleasure, thanking his colleagues, leadership team and all staff. Wishing them all the best in the future.

Moved: Cr Shirlee Burge

Seconded: Cr Craig Druitt

RESOLUTION 2024/1712/15

That Council move into Confidential items 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

- d(i) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

At this stage, the time being 3.10pm Council closed the meeting to the public.

UNANIMOUSLY CARRIED

15.1. CONTRACT 2024-09 CLEAR WATER PUMP REPLACEMENT

Moved: Deputy Mayor Cr Kellie Crossley

Seconded: Cr Craig Druitt

RESOLUTION 2024/1712/15.1

That Council:

1. Accepts the tender submitted by Civil and Earth Australia Pty Ltd for Contract 2024-09 - Clear Water Pumps Replacements, for the lump sum of \$775,656.81+GST,
2. Authorises the Mayor and Interim Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract 2024-09 - Clear Water Pumps Replacements, and
3. Authorises the Contract Superintendent to approve variations on the contract up to a maximum value of 10% of the contract sum.

UNANIMOUSLY CARRIED

15.2. MAYORAL MINUTE**RESOLUTION 2024/1712/15.2**

That Council:

1. That council offers a five year performance based contract to the individual nominated within this report.
2. That the terms of the contract be generally in accordance with the terms advertised and outlined within the report.
3. That the Mayor and Deputy Mayor be authorised to execute the contract under the common seal of the council.
4. That upon acceptance of the council's offer of employment, the council make a formal announcement.

UNANIMOUSLY CARRIED

16. CLOSE OF MEETING

Moved: Cr Shannon Sampson

Seconded: Cr Craig Druitt

That Council move out of Confidential Items at 3.25pm and the Interim Chief Executive Officer read out the resolutions.

UNANIMOUSLY CARRIED

The meeting closed at 3.27pm