



# **MINUTES**

## **Ordinary Council Meeting**

**Monday 17 June 2024**

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

**Date: Monday 17 June 2024**

**Time: 5.30pm**

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

**Gary Arnold  
Interim Chief Executive Officer**

## Order of Business

<b>1. OPENING MEETING</b> .....	<b>4</b>
<b>2. ATTENDANCE</b> .....	<b>4</b>
<b>3. LIVE STREAMING STATEMENT</b> .....	<b>4</b>
<b>4. ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>4</b>
<b>5. STATEMENT OF PURPOSE</b> .....	<b>4</b>
<b>6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS</b> .....	<b>4</b>
<b>7. CONFIRMATION OF MINUTES</b> .....	<b>5</b>
7.1. Draft Minutes Ordinary Council Meeting 21 May 2024 .....	5
<b>8. DISCLOSURES OF INTERESTS</b> .....	<b>5</b>
<b>9. MAYORAL MINUTE(S)</b> .....	<b>5</b>
<b>10. URGENT ITEMS OF BUSINESS</b> .....	<b>5</b>
<b>11. REPORTS OF COMMITTEES</b> .....	<b>6</b>
11.1. Draft Arts & Culture Advisory Committee .....	6
11.2. Audit, Risk And Improvement Committee Draft Minutes - Thursday 16 May 2024 .....	6
11.3. Draft Minutes of Conargo Hall Committee.....	7
11.4. Draft Minutes of the Airport Advisory Committee .....	7
11.5. Draft Minutes of the Blighty Advancement Committee .....	7
11.6. Draft Minutes for Memorial Park Users Group .....	7
11.7. Local Traffic Committee.....	8
<b>12. REPORTS TO COUNCIL</b> .....	<b>8</b>
12.1. Deniliquin Landfill Gate Fees .....	8
12.2. 2024-25 Operational Plan & Budget - updated draft .....	9
12.3. 2024/25 Making of the Rates and Annual Charges.....	9
12.4. Councillor and Mayoral Fees 2024-25 .....	10
12.5. Development Services Activity Report May 2024.....	10
12.6. Investment Report - May 2024.....	10
12.7. Quarterly Budget Review March 2024 .....	11
12.8. Resolutions of Council.....	11
12.9. Mayor, Councillor, CEO Meetings May 2024 .....	11
<b>13. NOTICES OF MOTIONS</b> .....	<b>12</b>
13.1. Notice of Motion - Multi Arts Centre and Sunday School Building .....	12
13.2. Notice of Motion - Former CWA Building .....	12
<b>14. QUESTIONS WITH NOTICE</b> .....	<b>12</b>
<b>15. CONFIDENTIAL MATTERS</b> .....	<b>12</b>

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15.1. Confidential - Saleyards EID Reader Request for Tender .....	13
15.2. Confidential - ARIC Chair Appointment.....	13
15.3. Confidential - Sewer Connection Issue .....	13
15.4. Confidential - Play on the Plains Festival Ltd sponsorship Agreement.....	13
15.5. Confidential - Bulk Fuel Agreement .....	14
<b>16. CLOSE OF MEETING .....</b>	<b>14</b>

## 1. OPENING MEETING

Mayor Cr Peta Betts opened the meeting at 5.30pm and offered Edward River Council's deepest condolences to Mr Lindsay Renwick and family on the passing of Mrs Jan Renwick.

## 2. ATTENDANCE

**Present:** Mayor Cr Peta Betts, Deputy Mayor Cr Marc Petersen, Cr Shirlee Burge, Cr Shannon Sampson, Interim Chief Executive Officer

**Via Teams:** Cr Linda Fawns

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

**Via Teams:** Corporate Performance & Strategy Officer

**Gallery:** One

## 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 [Councils Website](#). 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:

1. Represent the views of the community in considering the matters before us today
2. To vote in a matter I consider to be in the best interest of the community
3. 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 Sampson

Seconded: Deputy Mayor Cr Marc Petersen

### RESOLUTION 2024/1706/6

That the leave of absence requested by Cr Harold Clapham Cr Pat Fogarty and Cr Tarria Moore be accepted, and that Cr Linda Fawns be approved to join the meeting via Teams.

**CARRIED**

## **7. CONFIRMATION OF MINUTES**

### **7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024**

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Linda Fawns

#### **RESOLUTION 2024/1706/7.1**

That Council accept the draft minutes of the Ordinary Council Meeting held Tuesday 21 May 2024 as a true and correct record.

**CARRIED**

## **8. DISCLOSURES OF INTERESTS**

12.2 Deputy Mayor Cr Marc Petersen declared a non-pecuniary - less than significant disclosure due to relatives providing submissions.

12.5 Cr Shirlee Burge declared a non-pecuniary - significant disclosure regarding DA time frames.

## **9. MAYORAL MINUTE(S)**

Nil

## **10. URGENT ITEMS OF BUSINESS**

Nil

**11. REPORTS OF COMMITTEES****11.1. DRAFT ARTS & CULTURE ADVISORY COMMITTEE**

Moved: Cr Linda Fawns

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/11.1**

That Council receive the draft minutes of the Arts & Culture Advisory Committee meeting held Tuesday 23rd April 2024 and endorse the committee's recommendations and resolutions contained therein, specifically that:

1. The committee reviewed the draft 2024-25 Operational Plan and Budget, and resolved to meet and prepare a formal submission to Council in relation to future operation of the Deniliquin Town Hall
2. The committee confirmed their desire to maintain the formal structure of an advisory committee of Edward River Council,

**CARRIED**

**11.2. AUDIT, RISK AND IMPROVEMENT COMMITTEE DRAFT MINUTES - THURSDAY 16 MAY 2024**

Moved: Cr Shirlee Burge

Seconded: Cr Shannon Sampson

**RESOLUTION 2024/1706/11.2**

That Council :

1. Receives the draft Minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 16 May 2024, and endorse the resolutions and recommendations of that meeting, which included:
  - (a) ARIC changing the second internal audit for 2024/25 from Cyber Security as it is already being undertaken and change to Emergency Preparedness including the Business Continuity Plan.

**CARRIED**

**11.3. DRAFT MINUTES OF CONARGO HALL COMMITTEE**

Moved: Cr Linda Fawns

Seconded Cr Shannon Sampson

**RESOLUTION 2024/1706/11.3**

That Council:

1. Receives the minutes of the Conargo Hall Committee meeting held on 14 May 2024, and endorses the recommendations from the Committee contained therein, specifically;

- a) The acceptance of the quotation from Thomson Hay Landscape Architect to develop concept plans for various projects in the Conargo area,
- b) The acceptance of the quotation from Terry Maher for the supply and installation of a generator and associated electrical works,
- c) The acceptance of the quotation from Dave Woodhead for repairs to the drop log stables, and
- d) Consider the Committee's request to partner with Council on the 50/50 basis for the refurbishment of the Conargo Church with the approximate cost of \$127,000.

2. Receives the draft minutes of the Conargo Hall Committee meeting held 27th May 2024 and endorse the recommendations contained therein, specifically;

- a) The acceptance of the request to pause any decisions about the further dispersal of the Bob White Bequest, and to investigate further opportunities to revitalise Conargo.

**CARRIED**

**11.4. DRAFT MINUTES OF THE AIRPORT ADVISORY COMMITTEE**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/11.4**

That Council receive the draft minutes of the Airport Advisory Committee meeting held Wednesday, 22 May 2024, and note the committee's resolutions

**CARRIED**

**11.5. DRAFT MINUTES OF THE BLIGHTY ADVANCEMENT COMMITTEE**

Moved: Cr Shannon Sampson

Seconded: Deputy Mayor Cr Marc Petersen

**RESOLUTION 2024/1706/11.5**

That Council receives the draft minutes of the Blighty Advancement Committee meeting held Tuesday 28th May 2024 and notes the Committee's resolutions.

**CARRIED**

**11.6. DRAFT MINUTES FOR MEMORIAL PARK USERS GROUP**

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/11.6**

That Council receives the draft minutes of the Memorial Park User Group meeting held Wednesday 29th May 2024 with minor amendments and notes the Committee's recommendations.

**CARRIED**

**11.7. LOCAL TRAFFIC COMMITTEE**

Moved: Cr Shirlee Burge

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/11.7**

That Council receive the draft minutes of the Local Traffic Committee meeting held Thursday 30th May 2024 and endorse the Committee's recommendations.

**CARRIED**

**12. REPORTS TO COUNCIL**

**12.1. DENILQUIN LANDFILL GATE FEES**

Moved: Cr Shannon Sampson

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/12.1**

That Council approve and adopt the Waste Fees as per the draft fees exhibited for 2024/25, as per Option 4

1. That Council approves and adopts the waste fees as per option 4 in the table
2. That Council and CWS negotiate a formal agreement to increase the waste fees and charges over a 5 to 10 year period to come in line with the cost to council, thus providing a way forward for both parties, without the sudden "bill shock", with communication and updates to the Councillor Group.

Option	Description	Proposed 2425 C&I Disposal Charge	Anticipated Disposal Volume from CWS	Estimated Revenue from CWS	Anticipated Disposal Volume for all C&I sources.	Estimated Revenue Overall
4	Normal use charge as per budget Large users >1000m2	\$83/m2 \$45/m2	1,500 cu.m	\$67,500	Other sources 3000m2 \$249,000	\$316,500 \$57,000 reduction



Option	Description	Proposed 2425 C&I Disposal Charge	Anticipated Disposal Volume from CWS	Estimated Revenue from CWS	Anticipated Disposal Volume for all C&I sources.	Estimated Revenue Overall
	Local large commercial & Industrial Users over 1,000m2 at a 25% increase over a 5 to 10 year period			(\$57,000 reduction from Option 1)		from Option 1

**CARRIED**

Manager Utilities and Project Manager left the Chambers at 6.21pm

### **12.2. 2024-25 Operational Plan & Budget - updated draft**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

#### **RESOLUTION 2024/1706/12.2**

That Council adopt the 2024-25 Operational Plan and Budget, along with the Long Term Financial Plan (LTFP) as amended based on community consultation.

**CARRIED**

### **12.3. 2024/25 MAKING OF THE RATES AND ANNUAL CHARGES**

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

#### **RESOLUTION 2024/1706/12.3**

That Council

1. Make the Rates and Charges for the 2024/25 rating year as outlined in this report using the land values with a base date valuation of 1 July 2022;
2. Make three (3) ordinary rates, being Business, Farmland and Residential;
3. Continue with the minimum rate / ad-valorem for Business rates and the base rate / ad-valorem basis for Farmland and Residential Rates
4. Approves an increase to overall rates by 4.5%, being the maximum amount allowable as determined by the Independent Pricing & Regulatory Tribunal (IPART)
5. Adopts the overdue Rates & Charges maximum interest rate of 10.5% on all overdue rates and charges, in accordance with section 566 (3) of the Act.

**CARRIED**

**12.4. COUNCILLOR AND MAYORAL FEES 2024-25**

Moved: Cr Shirlee Burge

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/12.4**

That Council:

1. Set the Mayoral annual fee for 2024-25 at \$29,500, the maximum amount allowable, being a 3.75% increase from the previous year's maximum, in line with the annual determination by the Local Government Remuneration Tribunal dated 29 April 2024.
2. Set the Councillor's annual fee for 2024-25 at \$13,520, the maximum amount allowable, being a 3.75% increase from the previous year's maximum, in line with the annual determination by the Local Government Remuneration Tribunal dated 29 April 2024.
3. Notes that the total 2024-25 Councillor and Mayoral fees, should Council adopt the maximum fees, will be \$151,180, an increase of \$5,480 from the 2023-24 actual fees.

**CARRIED**

**12.5. DEVELOPMENT SERVICES ACTIVITY REPORT MAY 2024**

Acting Chief Financial left the Chambers at 6.48pm and returned at 6.49pm

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/12.5**

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

**CARRIED**

**12.6. INVESTMENT REPORT - MAY 2024**

Moved: Cr Linda Fawns

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/12.6**

That Council:

1. Note and receive the May 2024 report on Investments totalling \$36,935,548 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of May 2024 was \$113,035.
3. Note that total interest earned for the year to 31 May 2024 is \$1,486,057.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

**CARRIED**

**12.7. QUARTERLY BUDGET REVIEW MARCH 2024**

Moved: Cr Shirlee Burge

Seconded: Cr Shannon Sampson

**RESOLUTION 2024/1706/12.7**

That Council:-

1. Review and discuss the 31 March 2024 quarterly budget review of the 2023/24 Budget.
2. Note the overall impacts of proposed adjustments, a decrease of \$368k since the December 2023 quarter review, on Council's budgeted operating result for 2023/24 being a surplus of \$21,781,857, and after removing Capital Grants a deficit of \$1,151,920.

**CARRIED**

**12.8. RESOLUTIONS OF COUNCIL**

Moved: Cr Shannon Sampson

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/12.8**

That Council note the information in the Resolutions of Council as at 31 May 2024

**CARRIED**

**12.9. MAYOR, COUNCILLOR, CEO MEETINGS MAY 2024**

Moved: Cr Shannon Sampson

Seconded: Deputy Mayor Cr Marc Petersen

**RESOLUTION 2024/1706/12.9**

That Council

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

**CARRIED**

**13. NOTICES OF MOTIONS****13.1. NOTICE OF MOTION - MULTI ARTS CENTRE AND SUNDAY SCHOOL BUILDING**

Gallery member left the Chambers at 7.19pm

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/13.1**

That Council:

1. Resolve to enter into a peppercorn lease with Edward River Art Society (ERAS) for the occupancy of the Multi Arts Centre and shared occupancy of the Sunday School building for a period of up to one year; and
2. Authorises the Interim CEO to enter into negotiations with ERAS for the permanent use of the Multi Arts Centre and Sunday School building and to bring a report back to Council for consideration.

**CARRIED**

**13.2. NOTICE OF MOTION - FORMER CWA BUILDING**

Moved: Deputy Mayor Cr Marc Petersen

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/13.2**

That Council resolves to call for Expressions of Interest to lease the former CWA Building.

**CARRIED**

**14. QUESTIONS WITH NOTICE**

Nil

**15. CONFIDENTIAL MATTERS**

Moved: Cr Shirlee Burge

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/15**

That Council move into Confidential Matters at 7.26pm.

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 these agenda items is:

(2) The matters and information are the following(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

**CARRIED**

**15.1. CONFIDENTIAL - SALEYARDS EID READER REQUEST FOR TENDER**

Moved: Cr Shannon Sampson

Seconded: Cr Shirlee Burge

**RESOLUTION 2024/1706/15.1**

That Council approve a selective Request for Tender Process to meet the installation deadline of January 2025 set by the NSW Regulatory Authority.

**CARRIED**

**15.2. CONFIDENTIAL - ARIC CHAIR APPOINTMENT**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

**RESOLUTION 2024/1706/15.2**

That Council accept the recommendation of the Interview panel and endorse the appointment of Mr Jesse Jo as to the Chair of the Audit, Risk and Improvement Committee (ARIC) for a period of up to four years from the date of acceptance of a formal letter of appointment.

**CARRIED**

**15.3. CONFIDENTIAL - SEWER CONNECTION ISSUE****RESOLVED**

That the report be held over to the July Council meeting.

**CARRIED**

**15.4. CONFIDENTIAL - PLAY ON THE PLAINS FESTIVAL LTD SPONSORSHIP AGREEMENT**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

**RESOLUTION 2024/1706/15.4**

That Council:

1. Approves the Sponsorship Agreement between Edward River Council and Deni Play on the Plains Festival Ltd (**DPPF**), commencing in 2024, with a total value of \$390,000 over the 3 year life of the agreement comprising of a cash contribution of \$120k and in-kind contribution of \$270k
2. Delegates authority to the Interim Chief Executive Officer to finalise negotiations and execute the Sponsorship Agreement between Edward River Council and Deni Play on the Plains Festival Ltd (**DPPF**)

3. Notes the request from the Deni Play on the Plains Festival Ltd (**DPPF**) for an increase in both council's cash and in-kind contribution, equating to \$5k increase in cash and \$15k increase in in-kind annually for each year of the agreement, and adjusts the 24-25 budget accordingly.

**CARRIED**

### **15.5. CONFIDENTIAL - BULK FUEL AGREEMENT**

Moved: Cr Shirlee Burge

Seconded: Cr Shannon Sampson

#### **RESOLUTION 2024/1706/15.5**

That Council:

1. Endorse the procurement exemption for the purchase of Bulk fuels until a robust procurement process can be undertaken utilising existing LGP contracts to align activity with legislative requirements.

**CARRIED**

### **16. CLOSE OF MEETING**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

That Council move out of Confidential Items at 7.57pm and the Interim Chief Executive Officer read the resolutions.

**CARRIED**

The Ordinary Council Meeting closed at 8pm