



MINUTES

Extraordinary Council Meeting

Friday, 26 August 2022

**Philip Stone
General Manager**

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1. OPENING MEETING

Present: Mayor, Cr Peta Betts; Deputy Mayor, Cr Paul Fellows; Cr Shirlee Burge; Cr Linda Fawns; Cr Pat Fogarty; Cr Tarria Moore; Cr Shannon Sampson

Via Teams: Cr Harold Clapham; Cr Marc Petersen; Interim Finance Manager Alistair Cochrane

In Attendance: General Manager Phil Stone; Director Corporate Services Shelley Jones; Director Infrastructure Mark Dalzell; Executive Assistant Belinda Perrett; Executive Assistant Libby Braybon

The meeting opened at 10.20am

2. 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 General Manager or Mayor.

3. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

4. 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.

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

Nil

6. CONFIRMATION OF MINUTES

Nil

7. DISCLOSURES OF INTERESTS

Nil

8. MAYORAL MINUTE(S)

Nil

9. URGENT ITEMS OF BUSINESS**RESOLUTION 2022/0826/9**

That the rescission motion be considered as an urgent item of business.

Moved Cr Pat Fogarty

Seconded: Cr Shirlee Burge

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Pat Fogarty, Cr Paul Fellows, Cr Tarria Moore, Cr Marc Petersen, Mayor Cr Peta Betts

Against: Cr Shanon Sampson, Cr Linda Fawns

The motion was **carried 7/2**.

CARRIED

MOTION OF RESCISSION**MOTION:**

That the council's resolution Contract C2022/23 - Operation and Management of Deniliquin Swim Centre and Hydrotherapy Pool RESOLUTION 2022/0816/15.3 be rescinded.

Moved: Cr Pat Fogarty

Seconded: Cr Shirlee Burge

RESOLUTION 2022/0826/9.1

That Council move into a committee of the whole.

Moved: Cr Marc Petersen

Seconded: Cr Shirlee Burge

CARRIED UNANIMOUSLY

RESOLUTION 2022/0826/9.2

That Council move out of committee of the whole

Moved: Cr Marc Petersen

Seconded: Cr Pat Fogarty

CARRIED UNANIMOUSLY

THE MOTION WAS PUT

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Paul Fellows, Cr Pat Fogarty,

Against: Cr Linda Fawns, Cr Tarria Moore, Cr Marc Petersen, Cr Shannon Sampson, Mayor Cr Peta Betts

LOST

The motion to rescind resolution number 2022/0816/15.3 was **lost 4/5**.

Two members entered the gallery at 10.40am and left at 11am.

10. REPORTS TO COUNCIL

Nil

11. NOTICES OF MOTIONS

Nil

12. QUESTIONS WITH NOTICE

Nil

13. CONFIDENTIAL MATTERS

RESOLUTION 2022/0826/13

That Council move into Confidential Business to discuss the following agenda item at 11.03am

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

13.1 Participation in Auction, Edwardes Street, Deniliquin.

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:

(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 UNANIMOUSLY

13.1. PARTICIPATION IN AUCTION, EDUARDES STREET, DENILIQVIN**RESOLUTION 2022/0826/13.1**

That Council:

1. Resolves to embargo any decisions or resolutions relating to this matter until after 31st August 2022, or any subsequent date should the auction be postponed, to prevent distorting market conditions,
2. Approves the purchase of Lot 21 DP1282569, located at 22 Edwardes Street, Deniliquin, through participation in an online auction to be held on 31st August 2022,
3. Sets an upper limit of \$350,000+GST for any bids made on behalf of Council,
4. Funds the purchase of Lot 21 DP1282569 from its unrestricted cash reserves,
5. Engages a suitably qualified agent to act on its behalf during the auction and lawyer to provide contract documentation, conveyancing, and other legal advice, and
6. If successful in the purchase of Lot 21 DP1282569, classify the land as Operational upon receiving the Certificate of Title.

Moved: Cr Pat Fogarty

Seconded: Cr Shirlee Burge

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Paul Fellows, Cr Pat Fogarty, Cr Tarrisa Moore, Cr Marc Petersen

Against: Cr Linda Fawns, Cr Shannon Sampson, Mayor Cr Peta Betts

The motion was **carried 6/3**

CARRIED

14. CLOSE OF MEETING**RESOLUTION 2022/0826/14**

Moved: Cr Pat Fogarty

Seconded: Cr Tarrisa Moore

That Council move out of confidential business at 11.35am.

CARRIED UNANIMOUSLY

Meeting closed at 11.37am