



MINUTES

Ordinary Council Meeting

Thursday, 20 January 2022

**Philip Stone
General Manager**

1. OPENING MEETING

The meeting opened at 9.25am following a public forum.

2. ATTENDANCE

PRESENT: Cr Peta Betts (Mayor); Cr Paul Fellows (Deputy Mayor); Cr Shirlee Burge; Cr Harold Clapham; Cr Peter Connell; Cr Linda Fawns; Cr Pat Fogarty; Cr Tarria Moore; Cr Marc Petersen

IN ATTENDANCE: Philip Stone, General Manager; Suni Campbell, Director Corporate Services; Mark Dalzell, Director Infrastructure; Marie Sutton, Manager Development Services, Belinda Perrett, Executive Assistant; Libby Braybon, Executive Assistant; Greg Briscoe-Hough, Senior Governance Advisor

GALLERY: 3

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 General Manager or Mayor.

4. 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.

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 manner 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

Nil

7. CONFIRMATION OF MINUTES

RESOLUTION: 2022/0120/7.0

Moved Cr Pat Fogarty

Seconded Cr Peta Betts

That the minutes of the Ordinary Council Meeting held 2 December 2021 be accepted.

CARRIED

RESOLUTION 2022/0120/7.01

Moved Cr Marc Petersen

Seconded Cr Harold Clapham

That the minutes of the Extraordinary Council Meeting held 11 January 2022 be accepted.

CARRIED

8. DISCLOSURES OF INTERESTS

Cr Shirlee Burge submitted a non-pecuniary interest in items 9.6 Seniors Living Precinct and 9.7 DA 74/21 Conargo Feedlot Expansion

9. REPORTS TO COUNCIL

Procedural Motion - Item 9.7 DA 74/21 - Conargo Feedlot Expansion and Item 9.8 Development Services Report

RESOLUTION: 2022/0120/09

Moved Cr Peter Connell

Seconded Cr Harold Clapham

That Council suspend business in accordance with the Code of Meeting Practice and bring forward the consideration of agenda items 9.7 DA74/21 Conargo Feedlot Expansion and 9.8 Development Services Report so that members of the public gallery in attendance since the earlier public forum are not unduly delayed in the open consideration and determination of this matter.

CARRIED

9.1. RESOLUTIONS OF COUNCIL**RESOLUTION 2022/0120/9.1**

Moved: Cr Linda Fawns

Seconded: Cr Peter Connell

That Council note the information in the Resolutions of Council attachment as at 15 January 2022.

CARRIED

Manager Finance and Financial Accountant entered the Chambers at 9.49am

Council adjourned at 9.52am and reconvened at 10.03am. One member of the gallery left the Chambers at 9.52am.

9.2. INVESTMENTS & RESERVES REPORT DECEMBER 2021**RESOLUTION 2022/0120/9.2**

Moved: Cr Peter Connell

Seconded: Cr Tarria Moore

That Council:

4. Note and receive the December 2021 report on Investments totaling \$45,905,278 inclusive of cash at bank for day-to-day operations.
5. Note that actual interest earned in the month of November 2021 was \$21,880.
6. Note that actual interest earned in the month of December 2021 was \$25,944.

7. Note that accrued interest earned to 30 November 2021 but not yet received was \$92,181.
8. Note that accrued interest earned to 31 December 2021 but not yet received was \$108,629.
9. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED

Manager Finance and Financial Accountant left the Chambers at 10.07am. Senior Governance entered the Chambers.

9.3. NOMINATION OF COUNCILLORS TO COMMITTEES**RESOLUTION 2022/0120/9.3**

Moved: Cr Peter Connell

Seconded: Cr Mark Petersen

That Council suspend standing orders and move into committee of the whole.

CARRIED**RESOLUTION: 2022/0120/9.3.1**

Moved Cr Peter Connell

That Council resume Standing Orders.

Seconded Cr Marc Petersen

CARRIED

Cr Paul Fellows left the Chambers at 10.32am and returned at 10.34am.

RESOLUTION: 2022/0120/9.3.2

Moved Cr Peter Connell

That the following Council representatives are appointed to external and internal committees and organisations.

| Type | Name of Committee | Committee operation / Council Representation |
|------------------------------|--|--|
| Emergency services | Community Safety and Crime Prevention Advisory Committee | Mayor Cr Peta Betts |
| | Deniliquin/Conargo Area Local Emergency Management Committee | Director Infrastructure |
| | NSW Rural Fire Service Liaison Committee (Mid Murray Zone) | Cr Shirlee Burge; Cr Pat Fogarty |
| | Zone Bushfire Management Committee | Cr Paul Fellow; Cr Pat Fogarty |
| Natural Resources Management | ERC Floodplain Risk Management Advisory Committee | Mayor Cr Peta Betts |

| Type | Name of Committee | Committee operation / Council Representation |
|---|--|--|
| | Billabong Yanco Creek System Project | Mayor Cr Peta Betts |
| Operations | Local traffic committee | Cr Shirlee Burge |
| (User Groups) | Deniliquin Regional Airport Users Group | Cr Peter Connell; Cr Linda Fawns |
| | Memorial Park Users Group | Cr Marc Petersen |
| | Rotary Park Users Group | Cr Shirlee Burge |
| | Saleyards User Group | Cr Peter Connell; Cr Shirlee Burge |
| | Multi Arts Centre Users Group (when established) | Cr Pat Fogarty; Cr Marc Petersen |
| | Town Hall Revitalisation Reference Users Group | Mayor Cr Peta Betts; Cr Pat Fogarty; Cr Marc Petersen |
| Audit and other | Audit, Risk and Improvement Committee? | Cr Harold Clapham; Cr Paul Fellows |
| | General Manager's Performance Management Committee | All Councillors |
| Social/Cultural/Heritage | Aboriginal Advisory Committee | Cr Harold Clapham; Cr Linda Fawns |
| | South West Music | Cr Linda Fawns |
| | Edward River Concert Band | N/a |
| | Seniors Living Precinct | Mayor Cr Peta Betts; Cr Shirlee Burge; Cr Peter Connell; Cr Paul Fellows; Cr Marc Petersen |
| | The Long paddock Committee | Cr Shirlee Burge |
| | Australia Day Committee | Mayor Cr Peta Betts; Cr Paul Fellows |
| Village (Advancement) Hall and Recreation Facility Committees | Blighty | Cr Linda Fawns |
| | Booororban | Cr Linda Fawns |
| | Conargo | Cr Harold Clapham |
| | Mayrung | Cr Tarria Moore |
| | Pretty Pine | Cr Pat Fogarty |
| | Wanganella | Cr Marc Petersen |
| Regional development | Country Mayors Association | Mayor and General Manager |
| | Murray Darling Association | Mayor Cr Peta Betts and Cr Linda Fawns |

| Type | Name of Committee | Committee operation / Council Representation |
|------|--|--|
| | Riverina and Murray Joint Organisation (RAMJO) | Mayor, Deputy Mayor, and General Manager |
| | Deniliquin Business Advisory Committee (DBEC) | Cr Marc Petersen |
| | Deniliquin Business Chamber | Cr Tarria Moore |

Seconded Cr Marc Petersen

CARRIED

9.4. STRATEGIC REVIEW OF COMMITTEES AND IMPLEMENTATION OF FINDINGS

RESOLUTION 2022/0120/9.4

Moved: Cr Peter Connell

Seconded: Cr Harold Clapham

That Council notes the report and:

1. Adopts the consultants draft documentation as the basis for the future operation of Council's community committees;
2. Review and adopt the revised implementation schedule to undertake community notification seeking membership from existing and new community members for consideration by Council for confirmation.

CARRIED

9.5. COUNCILLOR/STAFF INTERACTION POLICY

RESOLUTION: 2022/0120/9.5

Moved: Cr Harold Clapham

Seconded: Cr Shirlee Burge

That Council note the contents of the Councillor and Staff Interaction Policy (ECM 33316) and adopt the policy for the current term.

CARRIED

The Senior Governance Officer left the Chambers at 10.48am

9.6. SENIORS LIVING PRECINCT "EDWARD RIVER VILLAGE"

RESOLUTION 2022/0120/9.6

Moved Councillor Connell

Seconded Councillor Fawns

That Council:

1. Note that project documentation has been reviewed in accordance with resolution 2021/173, 21 October 2021

2. Rescind the remainder of resolution 2021/173 to not accept tenders submitted for C2021/08 – Senior Living Precinct Dwelling Construction
3. Delegate to the General Manager the authority to commence negotiation with submitters to tender C2021/08 to determine prices for construction of six dwellings
4. Rescind the remainder of resolution 2021/174 to not accept tenders submitted for C2021/09 – Senior Living Precinct Civil Infrastructure
5. Delegate to the General Manager the authority to commence negotiation with submitters to tender C2021/08 and C2021/09 to determine prices for construction of six dwellings and civil infrastructure for stage 1
6. Receive a further report following negotiation with the tenderers
7. Set the entry price for residency of dwellings at cost, based on construction costs of the full development averaged over each unit; estimated to be at \$428,000 per unit on average
8. Set the weekly contribution for residency of dwellings at \$130 per week per dwelling
9. Set the deferred management fee at 5% per annum for a maximum of 7 years
10. Note that the unit floor plans are set by the planning process, so individual design entry prices will be established during the sales process
11. Adopt the draft Retirement Village Contract for residents as contained in Attachment 1
12. Delegate to the General Manager the development of other governance documents and associated processes

CARRIED

Manager Development Services left the Chambers at 9.49am. Manager Finance and Financial Accountant entered the Chambers at 9.49am

9.7. DA 74/21 - CONARGO FEEDLOT EXPANSION

RESOLUTION 2022/0120/9.7

Moved: Councillor Connell

Seconded Councillor Clapham

That Council resolves to: -

1. **Approve** the development application DA74/21 for expansion of existing feedlot (intensive livestock agriculture), on Lot 5 DP720227, Lots 8, 13, 14, 22, 30, 31, 32, 33, 34, 35, 36, 61, 72 DP756268, Lot 1 DP133987 & Lots 23 & 84 DP756247, "Peppinella" Conargo Road & "Boonoke" Conargo Road dated 20 July 2021 as shown on plans numbered J000557, J000557, Site Plan 01 and described in details 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 proposed development is permissible within the zone under the Conargo Local Environmental Plan 2013 and complies with the provisions of this environmental planning instrument.*
 - b. *The proposed development demonstrates capacity on site for the proposed expansion of livestock numbers; and*
 - c. *The proposed development, subject to the imposition of conditions, is unlikely to have any unreasonable impact on the environment, and where an adverse impact*

has been identified appropriate conditions have been imposed to mitigate the effects.

2. Impose the conditions as detailed in Attachment 1.

DIVISION

Councillor Moore - Against; Councillor Connell - Against; Councillor Fogarty - Against; Councillor Petersen - Against

Councillor Clapham - For; Councillor Burge - For; Councillor Fawns - For; Councillor Fellows - For; Councillor Betts - For

The motion carried 5 to 4.

CARRIED

9.46am two members of the public gallery left the Chambers.

9.8. DEVELOPMENT SERVICES REPORT

RESOLUTION 2022/0120/9.8

Moved: Cr Peter Connell

Seconded: Cr Tarria Moore

That Council receive and note the Development Services Report for December 2021.

CARRIED

9.9. MAJOR PROJECTS PROGRESS REPORT

RESOLUTION 2022/0120/9.9

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

That Council receive and note the Major Projects Program – Progress Report for January 2022.

CARRIED

General Manager left the Chambers at 11.14am and returned at 11.15am

9.10. OPERATIONS PROGRESS REPORT

RESOLUTION 2022/0120/9.10

Moved: Cr Peter Connell

Seconded: Cr Pat Fogarty

That Council receive and note the January 2022 Operations Department update.

CARRIED

10. QUESTIONS WITH NOTICE

Nil

11. QUESTIONS WITHOUT NOTICE

12. CONFIDENTIAL MATTERS

Cr Peter Connell asked if a visit to the Conargo Feedlot could be arranged. *A date will be arranged and all Councillors will be issued with an invitation.*

Cr Pat Fogarty requested a more detailed report be given to Council on current projects and costings. *To February Council Meeting*

13. CLOSE OF MEETING

Meeting closed 11.29am.