



MINUTES

Ordinary Council Meeting

Tuesday, 28 June 2022

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1. OPENING MEETING

Meeting opened at 9:11am

2. ATTENDANCE

PRESENT: Cr Peta Betts (Mayor); Cr Paul Fellows (Deputy Mayor) via teams; Cr Shirlee Burge; Cr Harold Clapham; Cr Linda Fawns; Cr Pat Fogarty; Cr Marc Petersen; Cr Shannon Sampson

IN ATTENDANCE: Philip Stone, General Manager; Mark Dalzell, Director Infrastructure; Libby Braybon, Executive Assistant; Greg Brisco-Hough, Senior Governance Advisor

GALLERY: 5

3. LIVE STREAMING STATEMENT

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:

- 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

RESOLUTION 2022/0628/6

Moved: Cr Linda Fawns

Seconded: Cr Sampson

That the leave of absence requested by Cr Tarria Moore be accepted.

CARRIED

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES EXTRAORDINARY MEETING 7 JUNE 2022

RESOLUTION 2022/0628/7.1

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

That Council approve the draft minutes of the Extraordinary Council Meeting held 7 June 2022.

CARRIED

7.2. DRAFT MINUTES ORDINARY COUNCIL MEETING 17 MAY 2022**RESOLUTION 2022/0628/7.2**

Moved: Cr Marc Petersen

Seconded: Cr Harold Clapham

That Council approve the draft minutes of the Ordinary Council Meeting held 17 May 2022.

CARRIED

8. DISCLOSURES OF INTERESTS

The General Manager, Philip Stone, declared a Pecuniary Interest in Reports to Council 11.1. DA 1/22 - Car Park with Solar Shade Structures - RSL Club. The reason being he is an RSL board member, Philip Stone left the chamber during its consideration.

The Mayor, Councillor Peta Betts, declared a Non-Significant Non-Pecuniary Interest in Reports to Council 11.9. 100 years of Learn to Swim Signage - McLean Beach. The reason being she is distantly related to Hector McLean, Cnr Peta Betts remained in the chamber during its consideration.

RESOLUTION 2022/0628/8

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

CARRIED

9. MAYORAL MINUTE(S)**10. REPORTS OF COMMITTEES****10.1. MINUTES OF COMMITTEES****RESOLUTION 2022/2806/10.1**

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

That the Minutes of the Rotary Park User Group, Memorial Park User Group, Saleyards Advisory Committee, Airport Advisory Committee and Aboriginal Liaison Committee be moved as true and correct record.

CARRIED

11. REPORTS TO COUNCIL**11.1. DA 1/22 - CAR PARK WITH SOLAR SHADE STRUCTURES - RSL CLUB****RESOLUTION 2022/2806/11.1**

Moved: Cr Pat Fogarty

Seconded: Cr Marc Petersen

For: 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 Marc Petersen; Cr Shannon Sampson

Against: Nil

That this development application be deferred until further communication with residents has occurred.

CARRIED

11.2. DEVELOPMENT SERVICES REPORT MAY 2022

RESOLUTION 2022/0628/11.2

Moved: Cr Marc Petersen

Seconded: Cr Pat Fogarty

That Council receive and note the May Development Services update.

CARRIED

11.3. MAYOR, COUNCILLOR, GENERAL MANAGER MEETING ATTENDANCE

RESOLUTION 2022/0628/11.3

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council note the Mayor, Councillors and General Manager meetings attended on behalf of Council during the month of May 2022, undertaken either remotely, or adhering to COVID-19 regulations with the following adjustments:

- Remove Cnr Shirlee Burge from the Naidoc Breakfast on the 31st May 2022.
- Include Cnr Shirlee Burge to the RDA Visa Skilled Migrants meeting held on 3rd of May 2022.
- Include Cnr Marc Petesen to the Memorial Park Committee meeting held on 25th of May 2022.
- Remove Cnr Linda Fawns from the Health Forum - Helen Dalton MP held on 13th May 2022.
- Add 'Sorry Day Morning Tea' held on the 26th of May - Cnr Linda Fawns attended.

CARRIED

11.4. RESOLUTIONS OF COUNCIL

RESOLUTION 2022/0628/11.4

Moved: Cr Harold Clapham

Seconded: Cr Linda Fawns

That Council note the information in the Resolutions of Council as at 10 June 2022.

CARRIED

11.5. INVESTMENTS AND RESERVES REPORT MAY 2022

RESOLUTION 2022/0628/11.5

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

That Council:

1. Note and receive the May 2022 report on Investments totalling \$49,088,404 inclusive of cash at bank for day-to-day operations.

2. Note that actual interest earned in the month of May 2022 was \$24,984.
3. Note that accrued interest earned to 31 May 2022 but not yet received was \$205,296.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report

CARRIED

11.6. INTEGRATED PLANNING & REPORTING - COMMUNITY CONSULTATION OUTCOMES

RESOLUTION 2022/0628/11.6

Moved: Cr Harold Clapham

Seconded: Cr Paul Fellows

That Council:

1. Note the contributions from the public exhibition and community consultation sessions in respect of the Integrated Planning & Reporting suite of documents previously adopted for exhibition at the Council's May meeting, and;
2. Notes the decision of IPART allowing Council to increase its rates by 2.0%.
3. Pursuant to sections 404 and 405 of the *Local Government Act 1993*, adopt the Operational Plan 2022-2023 (as amended), including the 2022-2023 Statement of Revenue Policy incorporating the annual budget and fees and charges and;
4. Pursuant to clause 211(2) of the Local Government (General) Regulation 2021, approve expenditure and vote funds as detailed in the exhibited draft Operational Plan 2022-2023 (or as modified by resolution at this meeting), and;
5. In accordance with sections 533, 534, 535 and 536 of the Local Government Act 1993. Make and levy the following rates and annual charges for the 2022/2023 year:
 - In relation to Ordinary Rates, Council apply the 2.0 per cent rate increase inclusive of an additional special variation as determined by the Independent Pricing and Remuneration Tribunal.
 - Pursuant to section 494 of the Local Government Act 1993, make and levy the following Ordinary Rates for the year 1 July 2022 to 30 June 2023:

Category and Subcategory	Ad Valorem Rate	Minimum Charge	Base Amount	Base Amount %
Business Other	0.00318393	\$ 479.00		
Business Deniliquin	0.02572644	\$ 551.00		
Farmland Dry	0.00234600		\$ 561.00	28.78%
Farmland Irrigable	0.00393210		\$ 561.00	15.81%
Business Lots (Mixed Development)	0.03009000			

Category and Subcategory	Ad Valorem Rate	Minimum Charge	Base Amount	Base Amount %
Residential Lots (Mixed Development)	0.01490118		\$ 362.00	25.25%
Residential Deniliquin Other	0.00738480		\$ 443.00	31.15%
Residential Other	0.007111338		\$ 189.00	36.81%
Residential Deniliquin	0.01043562		\$ 443.00	41.31%

- In relation to water supply charges and pursuant to sections 501 and 502 of the *Local Government Act 1993*, make and levy the following charges on all consumers connected to, or capable of being connected to, the Edward River water supply systems for water supply for the year 1 July 2022 to 30 June 2023:

Description	\$	Unit
Residential - Filtered Water		
Access Charge	\$383.00	Per annum
Usage charge 0-800K	\$1.05/ kl	Per kilolitre
Usage charge >-800K	\$1.49/ kl	Per kilolitre
Residential – Raw Water		
Access Charge	\$193.00	Per annum
Usage Charge	\$0.78/kl	Per kilolitre
Residential - Non-Potable Water		
Access Charge (Conargo, Wanganella, Booroorban)	\$109.00	Per annum
Connection Charge to main supply (Conargo, Wanganella, Booroorban)	\$345.00	Per annum
Usage Charge (Conargo, Wanganella, Booroorban)	\$0.75/kl	Per kilolitre
Non-Residential - Filtered and raw water		
Access Charge -20mm connection size	\$320.00	Per annum
Access Charge-25mm connection size	\$518.00	Per annum

Description	\$	Unit
Access Charge-32mm connection size	\$666.00	Per annum
Access Charge-40mm connection size	\$851.00	Per annum
Access Charge-50mm connection size	\$1,081.00	Per annum
Access Charge-80mm connection size	\$2,102.00	Per annum
Access Charge-100mm connection size	\$2,371.00	Per annum
Raw Water Usage Charge	\$0.78/kl	Per kilolitre
Raw Water Usage Charge – Community Land	\$0.06/kl	Per kilolitre
Filtered Water Usage Charge	\$1.49/ kl	Per kilolitre

- In relation to sewerage service charges and pursuant to sections 501 and 502 of the *Local Government Act 1993*, make and levy the following rates and charges on all residential and non-residential consumers connected to, or capable of being connected to, the Edward River sewer system services for the year 1 July 2022 to 30 June 2023:

Description	\$	Unit
Sewer Access Charges		
Residential Sewer Unconnected Charge	\$463.00	Per annum
Residential Sewer Connected Charge	\$923.00	Per annum
Non-Residential Unconnected Charge	\$463.00	Per annum
Non-Residential Connected Charge	\$923.00	Per annum
Non-Residential Volume Charge	\$1.60/kl	Based on %

- In relation to stormwater management services and pursuant to section 496A of the *Local Government Act 1993*, make and levy the following annual charge on residential, business and industrial lots with impervious surfaces for stormwater management services for the year 1 July 2021 to 30 June 2022:

Description	\$	Unit
Residential property	\$25.00	Per annum Per Occupancy
Residential strata property	\$12.50	Per annum Per occupancy
Business property	\$25.00	Per annum Per occupancy
Business strata property (apportioned by unit entitlement for business strata lot with a minimum charge of \$5 per unit entitlement per annum)	\$5.00	Per annum Per occupancy

- In relation to domestic waste management service charges and pursuant to sections 496, 501, 503(2) and 504 of the *Local Government Act 1993*, make and levy the following annual charge for the provision of waste management collection services on each of the rateable properties for the year 1 July 2022 to 30 June 2023:

Description	\$	Unit
Residential and Non-residential - Domestic Waste Charge	\$383.00	Per Annum Per Property
Residential and Non-residential - Vacant Land Domestic Waste Charge	\$98.00	Per Annum
Residential and Non-residential - Additional Bin Collected	\$383.00	Per Annum Per Property

- In relation to liquid trade waste charges and pursuant to section 501 of the *Local Government Act 1993*, make and levy the following annual fixed and usage charges for all liquid waste other than sewerage of a domestic nature on three categories (based on the level of impact discharges have on Edward River sewerage system) for the year 1 July 2022 to 30 June 2023:

Liquid Trade Waste Fixed Charges		
Description	\$	Unit
Application Fees		
Category 1	\$123.00	Per application
Category 2	\$240.00	Per application
Category 3	\$357.00	Per application
Annual Fees		

Liquid Trade Waste Fixed Charges		
Description	\$	Unit
Category 1 Discharger	\$123.00	Per annum
Category 2 and 2S Discharger	\$123.00	Per annum
Category 3 Discharger	\$123.00	Per annum
Industrial Discharger	\$123.00	Per annum
Pre-Inspection Fee	\$123.00	Per inspection
Liquid Trade Waste Usage Charges		
Description	\$	Unit
Category 1 Discharger with appropriate equipment	\$0.00	Per kilolitre
Category 1 Discharger without appropriate pre-treatment	\$1.85	Per kilolitre
Category 2 Discharger with appropriate equipment	\$1.85	Per kilolitre
Category 2 Discharger without appropriate pre-treatment	\$17.05	Per kilolitre
Non-Compliant Category 3 Discharger	To be Calculated	Per kilolitre
(Ph coefficient 0.38 to be calculated with equation 3 in liquid Trade waste policy) (refer to equation 4 & 5 in Trade Waste policy for other parameters)		
Excess Mass Charges:		
Food Waste	\$24.00	Per kilogram
Aluminum	\$1.00	Per kilogram
Ammonia	\$3.00	Per kilogram
Arsenic	\$86.00	Per kilogram
Barium	\$43.00	Per kilogram
Biochemical Oxygen demand - Up to 600mg/L	\$1.00	Per kilogram
(for greater than 600mg/L refer to Council's Policy for calculation)		
Boron	\$1.00	Per kilogram
Bromine	\$18.00	Per kilogram
Cadmium	\$395.00	Per kilogram

Liquid Trade Waste Fixed Charges		
Chloride	No Charge	Per kilogram
Chlorinated Hydrocarbons	\$43.00	Per kilogram
Chromium	\$29.00	Per kilogram
Cobalt	\$18.00	Per kilogram
Copper	\$18.00	Per kilogram
Fluoride	\$5.00	Per kilogram
Formaldehyde	\$2.00	Per kilogram
Oil and Grease (Total O & G)	\$2.00	Per kilogram
Herbicides/defoliant	\$853.00	Per kilogram
Iron	\$2.00	Per kilogram
Lead	\$43.00	Per kilogram
Lithium	\$9.00	Per kilogram
Manganese	\$9.00	Per kilogram
Mercury	\$2,876.00	Per kilogram
Methylene Blue Active Substance (MBAS)	\$1.00	Per kilogram
Molybdenum	\$1.00	Per kilogram
Nickel	\$29.00	Per kilogram
Total Kjeldahl Nitrogen (TKN)	\$1.00	Per kilogram
Organoarsenic Compounds	\$855.00	Per kilogram
Pesticides General (excludes organochlorines & organophosphates)	\$855.00	Per kilogram
Petroleum Hydrocarbons (non-flammable)	\$3.00	Per kilogram
Phenolic Compounds (non-chlorinated)	\$9.00	Per kilogram
Phosphorus (Total P)	\$2.00	Per kilogram
Polynuclear Aromatic Hydrocarbons (PAHs)	\$18.00	Per kilogram
Selenium	\$60.00	Per kilogram
Silver	\$2.00	Per kilogram
Sulphate (SO ₄)	\$1.00	Per kilogram
Sulphide	\$2.00	Per kilogram
Sulphite	\$2.00	Per kilogram
Suspended Solids (SS)	\$2.00	Per kilogram
Thiosulphate	\$1.00	Per kilogram

Liquid Trade Waste Fixed Charges		
Tin	\$9.00	Per kilogram
Total Dissolved Solids (TDS)	\$1.00	Per kilogram
Uranium	\$9.00	Per kilogram
Zinc	\$18.00	Per kilogram

6. Updates all documentation for the official record and ongoing public display on Council's website and submission of links to the Office of Local Government, and;
7. Where individual submissions have been made, acknowledge same.

CARRIED

11.7. COUNCILLOR AND MAYORAL FEES FOR 2023

RESOLUTION 2022/0628/11.7

Moved: Cr Peta Betts

Seconded: Cr Paul Fellows

That Councillor and Mayoral Fees for 2023 do not increase by 2% and remain the same as 2022.

CARRIED

11.8. SUPPORT FOR BROKEN HILL SUBMISSION

RESOLUTION 2022/2806/11.8

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council:

1. Support the position of Broken Hill City Council with regards to the banning of real estate agents from serving as Councillors.
2. Forward a motion for the next LGNSW Conference on 23-25 October 2022 to rescind resolution number 16, passed at the LGNSW Special Conference on 28 February 2022 - 1 March 2022, to adopt a policy that seeks to preclude real estate agents and their families and close contacts from serving as Councillors.
3. Submits a motion from Edward River Council to the LGNSW Conference in October 2022 as follows:
 - a. That Local Government NSW calls on the Premier of NSW and the Minister for Local Government to not ban Developers and Real Estate Agents from serving as Councillors.
4. Supports the rights of all to represent Local Government if they meet the current Legislative requirements.

CARRIED

11.9. 100 YEARS OF LEARN TO SWIM SIGNAGE - MCLEAN BEACH

RESOLUTION 2022/2806/11.9

Moved: Cr Pat Fogarty

Seconded: Cr Harold Clapham

That Council:

1. Approve and fund the installation of interpretive signage at Mclean Beach to commemorate 100 years of the Deniliquin Learn to Swim program, as an opportunity to showcase the history of Mclean Beach.
2. Allocate \$5000 from the 2022/23 'Our Rivers, Our Region' grant funding to purchase the signage.

CARRIED

11.10. RECONSTRUCTION DNA CLUBROOMS, MEMORIAL PARK - FUNDING DEED RESOLUTION 2022/28/06/11.10

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

That Council approve the allocation of \$325,000 from the Showground Stimulus Phase 2 program to the Deniliquin and District Cricket Association and Deniliquin Netball Association for the reconstruction of the existing clubrooms, subject to both clubs entering an agreement with Council regarding the management of the project.

CARRIED

Cr Fawns left the room at 10:24am and returned at 10:27am.

11.11. MAJOR PROJECTS REPORT - JUNE 2022 RESOLUTION 2022/0628/11.11

Moved: Cr Shirlee Burge

Seconded: Cr Harold Clapham

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

Amendment to the Motion:

Moved Cr Harold Clapham

Seconded: Cr Shirlee Burge

That Council:

1. Receive and note the Major Projects Program – Progress Report for May 2022.
2. Seek a report for the next council meeting, following a review of the colour scheme for the Town Hall building

CARRIED

Phil Stone Left the room at 10:41am and returned at 10:43am.

12. NOTICES OF MOTIONS

Nil

13. QUESTIONS WITH NOTICE

13.1. TREE REMOVAL - END STREET

RESOLUTION 2022/2806/13.1

Moved: Cr Pat Fogarty

Seconded: Cr Marc Petersen

That Council notes the report regarding the removal of street trees along End Street.

CARRIED

Cr Peterson left the room at 10:50am and returned at 10:53am.

Cr Sampson left the room at 10:51am and returned at 10:54am.

Phil Stone left the room at 11:03am and returned at 11:04am.

14. CONFIDENTIAL MATTERS

Nil

15. CLOSE OF MEETING

Meeting Closed at 11:28am