



MINUTES

Ordinary Council Meeting

Tuesday, 18 October 2022

**Philip Stone
General Manager**

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1. OPENING MEETING

Meeting opened at 10.17am

2. ATTENDANCE

In Attendance: Mayor Cr Peta Betts, Deputy Mayor Cr Paul Fellows, Cr Harold Clapham, Cr Linda Fawns, Cr Tarria Moore, Cr Shirlee Burge, Cr Marc Petersen, Cr Pat Fogarty, Cr Shannon Sampson.

Staff in Attendance: The Chief Executive Officer, Director Corporate Services, Acting Chief Financial Officer, Executive Assistant - Office of the General Manager, Senior Governance Officer, Manager Development

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

Edward River Council acknowledges and embraces the First Nations Peoples - the Wamba Wamba Perrepa Perrepa peoples as the Traditional Owners of the Lands within the Edward River Council area and 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:

- 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

Nil. Note that Cr Shannon Sampson was called away from the Chambers at 10.02am and will return as soon as possible.

7. CONFIRMATION OF MINUTES**7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 20 SEPTEMBER 2022****RESOLUTION 2022/1018/7.1**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That the draft minutes of the Ordinary Council Meeting held 20 September 2022 be moved as a true and correct record once 11.1 Minutes of Committees of Council has been updated to reflect Cr Linda Fawns as the mover of the report.

CARRIED UNANIMOUSLY

8. DISCLOSURES OF INTERESTS

The following Disclosure of Conflicts of Interest were registered:-

- Deputy Mayor Cr Paul Fellows registered a pecuniary interest in item 12.1 and will leave the Chambers whilst the item is discussed.
- Cr Shannon Sampson registered a non-pecuniary, less than significant interest in item 12.1 and will remain in the Chambers whilst the item is discussed.
- Cr Tarria Moore registered a pecuniary interest in item 12.1 and will leave the Chambers whilst the item is discussed.
- Cr Shirlee Burge registered a non-pecuniary, less than significant interest in item 12.1 and will remain in the Chambers whilst the item is discussed.
- Cr Pat Fogarty registered a non-pecuniary, significant interest in item 12.1 and will remain in the Chambers whilst the item is discussed.

9. MAYORAL MINUTE(S)

Nil

10. URGENT ITEMS OF BUSINESS

Nil

11. REPORTS OF COMMITTEES**11.1. AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES - 6TH OCTOBER 2022****RESOLUTION 2022/1018/11.1**

Moved: Cr Harold Clapham

Seconded: Cr Paul Fellows

That the minutes of the October 2022 Audit, Risk and Improvement Committee (ARIC) be moved as a true and correct record.

CARRIED UNANIMOUSLY

11.2. SALEYARDS ADVISORY COMMITTEE MEETING - 15TH SEPTEMBER 2022

RESOLUTION 2022/1018/11.2

Moved: Cr Shirlee Burge

Seconded: Cr Harold Clapham

That Council approve the draft Minutes of the Saleyards Advisory Committee Meeting held 15th September 2022.

CARRIED UNANIMOUSLY

11.3. AUSTRALIA DAY COMMITTEE MINUTES

RESOLUTION 2022/1018/11.3

Moved: Cr Paul Fellows

Seconded: Cr Linda Fawns

That Council notes the minutes of the Australia Day Committee meeting held Monday 26 September 2022

CARRIED UNANIMOUSLY

12. REPORTS TO COUNCIL

12.1. 2022-23 COMMUNITY GRANTS PROGRAM - RECOMMENDED FUNDING ALLOCATION

Councillors Paul Fellows and Tarria Moore left the Chambers at 10.23am whilst the item was discussed.

RESOLUTION 2022/1018/12.1

Moved: Cr Clapham

Seconded Cr Fogarty

That Council:

1. Receives the report on the 2022-2023 Community Grants Program - Recommended Funding Allocation
2. Endorse the projects recommended for funding by the Community Grant Assessment Panel with a total funding allocation from the approved operational budget of \$47,362.84, being for:
 - a. St Vincents de Paul Society - \$5,000
 - b. Deniliquin Clay Target Club - \$5,000
 - c. Deniliquin Genealogy Society - \$4998.84
 - d. Deniliquin Boat Club - \$5,000
 - e. Deniliquin Golf Club - \$5,000
 - f. Deniliquin South Public School P&C - \$3,500
 - g. Deniliquin Motor Cycle Association - \$5,000

- h. Deniliquin Historical Society - \$1,000
 - i. Deniliquin Lawn Tennis Club - \$3,500
 - j. U3A - \$2,614
 - k. Mayrung P&C - \$1,050
 - l. Deniliquin Little Athletics - \$2,700
 - m. Deniliquin Racing Club - \$3,000
3. Notes the payment from the 2021-22 grant round of \$1,706 to the Deniliquin Rams Football Netball Club in August 2022 and the consequential reduction of available budget for 2022-23.
4. Approves the reallocation of the remaining \$931.16 from the 2022-23 Community Grants operational budget to the 2022-2023 Quick Response Grants Program

CARRIED UNANIMOUSLY

Councillors Paul Fellows and Tarria Moore returned to the Chambers at 10.26am

**12.2. DA 2022/0075 - SIGNAGE - CIVIC PRECINCT - EDWARD RIVER COUNCIL
RESOLUTION 2022/1018/12.1**

Moved: Cr Tarria Moore

Seconded: Cr Marc Petersen

That Council resolves to: -

1. APPROVE the development application DA 2022/0075, on Lot 1 DP 1173376, Lot 6 DP 667946, Lot 7, Sec 21 DP 758913, Lot 6 DP 668426, Lot X DP 410447, 170,180 & 198 Cressy St, Deniliquin as shown on plans dated Sept 2022 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 application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.
 - b) The application is generally compliant with the key planning provisions contained within the DLEP 2013 and the Deniliquin Development Control Plan 2016.
 - c) The development will have no significant adverse impacts on the natural or built environments.
2. Impose conditions as shown in Attachment 1.

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

Against: Nil

CARRIED UNANIMOUSLY

12.3. DA 2022/0064 - NSW RFS SHED - BIRGANBIGIL ROAD

Cr Sampson returned to Chambers at 10.34am

RESOLUTION 2022/1018/12.3

Moved: Cr Pat Fogarty

Seconded: Cr Tarria Moore

That Council resolves to: -

1. APPROVE the development application DA 2022/0064 for NSW Rural Fire Services (RFS) Shed, on Birganbigil Road (Road Reserve) adjacent to Lot 83 DP 756301 Moonee Swamp Road BIRGANBIGIL as shown on plan titled site plan, layout plan and elevations 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 application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.
 - b. The proposal is appropriate on the site given the existing character of the area.
 - c. The development will have no significant adverse impacts on the natural or built environments.
2. Impose conditions as shown in Attachment 1 - Conditions of Consent for DA 2022/0064.

Division For: Cr Paul Fellows, Cr Tarria Moore, Cr Shirlee Burge, Cr Shannon Sampson, Cr Harold Clapham, Cr Linda Fawns, Cr Marc Petersen, Cr Pat Fogarty, Mayor Cr Peta Betts

Against: Nil

CARRIED UNANIMOUSLY

12.4. DEVELOPMENT SERVICES ACTIVITY REPORT**RESOLUTION 2022/1018/12.4**

Moved: Cr Shannon Sampson

Seconded: Cr Marc Petersen

That Council receive and note the September Development Services update report

CARRIED UNANIMOUSLY

12.5. TOWN HALL LAND**RESOLUTION 2022/1018/12.5**

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

That Council:

1. Commence the process to consolidate Lot 1 in DP1173376, Lots X and Y in DP410447, Lot 9 in DP662508, Lot 6 in DP667946 and Lot 6 in DP668426, and
2. Apply to Crown Lands to undertake a boundary adjustment for Lot 7 Sec 21 DP758913, being the Town Hall land parcel, to allow for the new foyer entrance to the Town Hall.

CARRIED UNANIMOUSLY

12.6. MAJOR PROJECTS - OCTOBER 2022**RESOLUTION 2022/1018/12.6**

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

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

CARRIED UNANIMOUSLY

12.7. RESOLUTIONS OF COUNCIL**RESOLUTION 2022/1018/12.7**

Moved: Cr Marc Petersen

Seconded: Cr Harold Clapham

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

CARRIED UNANIMOUSLY

12.8. INVESTMENTS & RESERVES REPORT SEPTEMBER**RESOLUTION 2022/1018/12.8**

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

That Council

1. Note and receive the September 2022 report on Investments totalling \$47,979,848 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of September 2022 was \$74,211.
3. Note that total interest earned for the year to 30 September 2022 was \$134,677.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED UNANIMOUSLY

Cr Shirlee Burge left the Chambers at 11.09 am and returned at 11.10am.

12.9. MAYOR, COUNCILLOR, CEO MEETINGS

RESOLUTION 2022/1018/12.9

Moved: Cr Shannon Sampson

Seconded: Cr Marc Petersen

That Council note the Mayor, Councillor and Chief Executive Officer meetings attended on behalf of Council during the month of September 2022, undertaken either remotely, or adhering to current health guidelines,

with the following adjustments. Deputy Mayor attended the Deniliquin Police Retired Officers Afternoon Tea, Cr Linda Fawns attended the Westpac/St George Bank Official Opening, Cr Shirlee Burge was unable to attend the Deniliquin Skatepark Design Workshop.

CARRIED UNANIMOUSLY

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE

Nil

15. CONFIDENTIAL MATTERS

RESOLUTION 2022/1018/15

Moved: Cr Marc Petersen

Seconded: Cr Tarria Moore

That Council move into confidential business at 11.20am.

CARRIED UNANIMOUSLY

15.1. CONTRACT C2021/25 DENILIQUN AIRPORT RUNWAY AND LIGHTING UPGRADE**RESOLUTION 2022/1018/15.1**

Moved: Cr Pat Fogarty

Seconded: Cr Marc Petersen

That Council

1. Confirm the scope of the project is to design sufficient strength for the future to allow for larger planes
2. Nominate Bild Infrastructure Pty Ltd as preferred tenderer for the Project,
3. Authorise the Chief Executive Officer to enter into discussions with the preferred tenderer, Bild Infrastructure Pty Ltd, in accordance with Clause 178(3)(e) of the Local Government (General) Regulations,
4. Receives a further report following discussions with the preferred tenderer.

CARRIED UNANIMOUSLY

15.2. C2022/01 DENILIQUN TOWNSHIP ROAD RECONSTRUCTIONS 22/23**RESOLUTION 2022/1018/15.2**

Moved: Cr Harold Clapham

Seconded: Cr Tarria Moore

That Council

1. Accepts the tender submitted by Deni Civil Pty Ltd for Contract C2022/01 – Deniliquin Township Road Reconstructions 22/23 for the lump sum tender price of \$737,106.00 + GST, being for the reconstruction of the carpark at the Deniliquin Regional Sports and Entertainment Stadium and Dick Street between Henry Street and Harfleur Street,
2. Authorise the Chief Executive Officer and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/01 – Deniliquin Township Road Reconstructions 22/23,
3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site, and
4. Consider the reconstruction of Henry Street between Hardinge Street and Macauley Street in future capital works programs.

CARRIED UNANIMOUSLY

16. CLOSE OF MEETING

RESOLUTION 2022/1018/16

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

That Council move out of Confidential Business and the Chief Executive Officer read out the confidential resolutions at 12.20pm.

CARRIED UNANIMOUSLY

The meeting closed at 12.21pm.