



MINUTES

Ordinary Council Meeting

Tuesday, 18 July 2023

Philip Stone
Chief Executive Officer

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1. OPENING MEETING

Meeting opened at 10.02am

2. ATTENDANCE

Mayor Cr Peta Betts; Deputy Mayor Cr Paul Fellows; Cr Shannon Sampson; Cr Shirlee Burge; Cr Tarria Moore; Cr Pat Fogarty

Via Teams: Cr Marc Petersen; Cr Linda Fawns

In Attendance: Chief Executive Officer; Director Infrastructure; Acting Governance Officer, Acting Chief Financial Officer, Executive Assistant; Cameron Templeton Office of Local Government

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:

- 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 2023/0718/6

Moved: Cr Shannon Sampson

Seconded: Cr Tarria Moore

That Council approve Cr Marc Petersen and Cr Linda Fawns attending the meeting via Teams and that the request for leave of absence by Cr Harold Clapham be accepted.

CARRIED UNANIMOUSLY

7. CONFIRMATION OF MINUTES**7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 20 JUNE 2023****RESOLUTION 2023/0718/7.1**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Linda Fawns

That Council accept the Draft Minutes of the Ordinary Council Meeting held 20 June 2023 as a true and correct record.

CARRIED

8. DISCLOSURES OF INTERESTS

Nil

9. MAYORAL MINUTE(S)

Nil

10. URGENT ITEMS OF BUSINESS

NOTE: Business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- a. a motion is passed to have the business considered at the meeting, and
- b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

Only the mover of a motion can speak to the motion before it is put.

A motion of dissent cannot be moved against a ruling by the chairperson.

Nil

11. REPORTS OF COMMITTEES**11.1. MINUTES OF THE ROTARY PARK USER GROUP COMMITTEE****RESOLUTION 2023/0718/11.1**

Moved: Cr Shirlee Burge

Seconded: Cr Linda Fawns

That Council accept the Minutes of the Rotary Park User Group Committee held on Wednesday 14 June 2023 as a true and correct record.

CARRIED UNANIMOUSLY

12. REPORTS TO COUNCIL**12.1. EDWARD RIVER GROWTH STRATEGY ADVISORY COMMITTEE****RESOLUTION 2023/0718/12.1**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Tarria Moore

That Council delay formation of the Edward River Growth Strategy Advisory Committee until the Consultant has been engaged.

CARRIED

12.2. CEO NOMINATION TO CEO PERFORMANCE REVIEW COMMITTEE**RESOLUTION 2023/0718/12.2**

Moved: Cr Marc Petersen

Seconded: Deputy Mayor Cr Paul Fellows

That Council:

1. Notes Cr Shirlee Burge's withdrawal from the CEO Performance Review Committee
2. Endorses the appointment of the Chief Executive Officer-nominated member of the CEO Performance Review Committee as Cr Shannon Sampson.

CARRIED

12.3. MEDIA AND SOCIAL MEDIA POLICIES**Media Policy & Social Media Policy revision****RESOLUTION 2023/0718/12.3**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Tarria Moore

That Council adopt the updated Edward River Council Media Policy and Edward River Council Social Media Policy.

CARRIED UNANIMOUSLY

12.4. ALCOHOL FREE ZONE REINSTATEMENT**RESOLUTION 2023/0718/12.4**

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Paul Fellows

That Council:

1. Establish an Alcohol Free Zone on all public roads and public carparks within the areas outlined in red on the map titled "Proposed Alcohol Free Zone" in the attachment to this report to operate for a period of four years, commencing at 12am, 1 August 2023, in accordance with section 644B of the Local Government Act,

2. Place a notice in the local media advising of Council's decision in accordance with section 644C of the Local Government Act, and
3. Advise all Licensees within or adjoining the proposed Alcohol Free Zone, the Edward River Liquor Accord, the Deniliquin Aboriginal Land Council, Yarkuwa Indigenous Knowledge Centre and the NSW Police, of Council's decision.

CARRIED UNANIMOUSLY

12.5. DEVELOPMENT SERVICES ACTIVITY REPORT MAY 2023

RESOLUTION 2023/0718/12.5

Moved: Cr Marc Petersen

Seconded: Cr Tarria Moore

That Council receives and notes the June 2023 Development Services Activity Report.

CARRIED UNANIMOUSLY

12.6. UPDATE ON RFS ASSETS

RESOLUTION 2023/0718/12.6

Moved Cr Pat Fogarty

Seconded: Cr Linda Fawns

That Council:

1. Note the latest correspondence received on the ownership and recognition of RFS assets
2. Agree with the proposed response to the CMA correspondence
3. Agree to write to Helen Dalton MP, requesting her support with the private members bill

CARRIED UNANIMOUSLY

12.7. INVESTMENT AND RESERVES REPORT - JUNE 2023

RESOLUTION 2023/0718/12.7

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Pat Fogarty

That Council

1. Note and receive the June 2023 report on Investments totalling \$48,417,935 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of June 2023 was \$92,647.
3. Note that total interest earned for the year to 30 June 2023 is \$865,785.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED UNANIMOUSLY

12.8. MAJOR PROJECTS UPDATE

RESOLUTION 2023/0718/12.8

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Paul Fellows

That Council receive and note the Major Projects Program – Progress Report for June 2023

CARRIED UNANIMOUSLY

12.9. RESOLUTIONS OF COUNCIL

RESOLUTION 2023/0718/12.9

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Shirlee Burge

RECOMMENDATION

That Council note the information in the Resolutions of Council as at 7 July 2023.

CARRIED UNANIMOUSLY

12.10. MAYOR, COUNCILLOR, CEO MEETINGS JUNE 2023

RESOLUTION 2023/0718/12.10

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

That Council

1. Note the Mayor, Councillor and Chief Executive Officer meetings attended on behalf of Council during the month of June 2023.
2. Continue to advise the Chief Executive Officer's Executive Assistant of their meeting diaries and activities attendance.

CARRIED UNANIMOUSLY

Deputy Mayor Cr Paul Fellows left the Chambers at 11.08am returned at 11.10am

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE

NIL

15. CONFIDENTIAL MATTERS

RESOLUTION 2023/0718/15

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

That Council move into Confidential Business at 11.11am to discuss the following matters:

15.1. CONTRACT C2023/01 - REGIONAL KERBSIDE COLLECTION SERVICES TENDER

Author: Manager Engineering and Assets

Authoriser: Director Infrastructure

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:

- d (i) commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

15.2. GROWTH STRATEGY TENDER

Author: Manager Community & Economic Development

Authoriser: Director Corporate Services

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:

- d (i) commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.

CARRIED UNANIMOUSLY

15.1. CONTRACT C2023/01 - REGIONAL KERBSIDE COLLECTION SERVICES TENDER

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:

- d (i) commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

RESOLUTION 2023/0718/15.1

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Marc Petersen

That Council:

1. Endorse the provision of additional recycling and food organics and garden organics kerbside collection services, commencing in July 2024,
2. Accepts the tender submitted by JR Richards Pty Ltd for Contract C2023/01 - Regional Kerbside Collection Services, commencing 1 July 2024 until 30 June 2034, for the extended schedule of rates amount of approximately \$12,082,478 including GST over the 10-year period,
3. Authorises the Chief Executive Officer and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2023/01 - Regional Kerbside Collection Services,
4. Undertakes a review of waste management collection charges as part of preparation for the 2024/25 Operational Plan to minimise the impact of waste charges on the community.
5. Notes grant funding from NSW Environmental Protection Authority of approximately \$200,000 to assist with the implementation of the additional food organic and garden organics collection services.

CARRIED

Deputy Mayor Cr Paul Fellows left the Chambers at 11.26 and returned immediately.

Deputy Mayor Cr Paul Fellows left the Chambers at 11.33am and returned at 11.35am

Acting Senior Governance Officer and Cameron Templeton left the Chambers at 11.33am and returned at 11.50am

15.2. GROWTH STRATEGY TENDER

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 *d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

RESOLUTION 2023/0718/15.2

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Paul Fellows

That Council:

1. Accepts the tender submitted by AEC Group Pty Ltd for Contract C2022-06 – Edward River Growth Strategy 2050 for the lump sum amount of \$200,000+GST,
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 C2022-06 – Edward River Growth Strategy 2050,
3. Note the changes to the project timelines allowing for appropriate research and consultation with finalisation of the strategy proposed before 30 June 2024.

CARRIED

RESOLUTION 2023/0718/15.3

Moved: Cr Tarria Moore

Seconded: Cr Pat Fogarty

The Council move out of Confidential Business at 11.57am.

CARRIED UNANIMOUSLY

16. CLOSE OF MEETING

Mayor Cr Peta Betts closed the meeting at 12noon.