



MINUTES

Ordinary Council Meeting

Tuesday, 21 March 2023

Philip Stone
Chief Executive Officer

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1. OPENING MEETING

Meeting opened at 10.00am

2. ATTENDANCE

Present: Mayor Cr Peta Betts, Deputy Mayor Cr Paul Fellows, Cr Linda Fawns, Cr Pat Fogarty, Cr Shirlee Burge, Cr Marc Petersen, Cr Tarrja Moore, Cr Shannon Sampson.

In attendance: Chief Executive Officer, Director Corporate Services, Director Infrastructure, Manager Economic Development and Tourism, Executive Assistant to the CEO, Mayor and Councillors.

Via Teams: Acting Chief Financial Officer, Senior Governance Officer

Gallery members - 6

3. LIVE STREAMING STATEMENT

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

Moved: Cr Tarrja Moore

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/6

That Council accept the leave of absence requested by Cr Harold Clapham.

CARRIED UNANIMOUSLY

7. CONFIRMATION OF MINUTES

7.1. EDWARD RIVER COUNCIL DRAFT MINUTES 21 FEBRUARY 2023

Moved: Cr Marc Petersen

Seconded: Cr Tarrja Moore

RESOLUTION 2023/0321/7.1

That Council accept the Draft Minutes of the Ordinary Council Meeting held 21 February 2023 as a true and correct record.

CARRIED UNANIMOUSLY

8. DISCLOSURES OF INTERESTS

Nil

9. MAYORAL MINUTE(S)

Nil

10. URGENT ITEMS OF BUSINESS

Nil

11. REPORTS OF COMMITTEES**11.1. EDWARD RIVER COUNCIL HEALTH ADVOCACY COMMITTEE MINUTES**

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

RESOLUTION 2023/0321/11.1

That Council

1. Note the minutes of the Health Services Advisory Committee held 27 February 2023.
2. Approve the Committee's recommendation to Council to change the name of the committee from the Edward River Council Health Advocacy Committee to the Edward River Health Services Advisory Committee.
3. Note that the Committee is in the process of revising its terms of reference for future consideration of Council.

CARRIED UNANIMOUSLY

11.2. ABORIGINAL LIAISON COMMITTEE MINUTES 15 FEBRUARY 2023

Moved: Cr Linda Fawns

Seconded: Deputy Mayor Cr Paul Fellows

RESOLUTION 2023/0321/11.2

That Council

1. Note the minutes of the Aboriginal Liaison Committee meeting held 15 February 2023
2. The Committee made a recommendation to Council that the Tyakuwala Cultural Festival becomes an annual event.

CARRIED UNANIMOUSLY

11.3. EDWARD RIVER VILLAGE COMMITTEE MINUTES 14 FEBRUARY 2023

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

RESOLUTION 2023/0321/11.3

That Council note the minutes of the Edward River Village Committee Meeting held 14 February 2023.

CARRIED UNANIMOUSLY

Building and planning approvals - revised drawings and structural compliance. Building surveyor was requested to change the orientation of the building on the map.

11.4. AIRPORT ADVISORY COMMITTEE MEETING MINUTES - 1ST FEBRUARY 2023

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/11.4

That Council receive and note the Minutes of the Airport Advisory Committee, held on the 1st of February 2023.

CARRIED UNANIMOUSLY

Cr Linda Fawns left the Chambers at 10.21am

12. REPORTS TO COUNCIL**12.1. REVISION OF COUNCILLOR & STAFF INTERACTION POLICY**

Cr Linda Fawns returned to the Council Chambers at 10.23am

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

RESOLUTION 2023/0321/12.1

That Council endorse the updated Councillor and Staff Interaction Policy that reflects the Model Councillor and Staff Interaction Policy as issued by the NSW Office of Local Government in April 2022.

CARRIED UNANIMOUSLY**12.2. 22-23 ERC COMMUNITY GRANTS - REQUEST FOR VARIATION - DENILIQIN BOAT CLUB****RECOMMENDATION**

That Council:

1. Notifies the Deniliquin Boat Club that it does not accept its request for variation on the basis that it is in breach of sections 3.1, 3.2 and 3.6(b) of its Community Grant Agreement,
2. Seeks remedy of the breach by requesting the Deniliquin Boat Club either deliver an event in accordance with the Community Grant Agreement within 12 months of this resolution, or reimburses Council within 30 days.

Alternative Motion:-

Moved: Cr Tarria Moore

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/12.2

That Council:

1. Notifies the Deniliquin Boat Club that it does not accept its request for variation on the basis that it is in breach of sections 3.1, 3.2 and 3.6(b) of its Community Grant Agreement,

2. Seeks remedy of the breach by requesting the Deniliquin Boat Club either deliver an event in accordance with the Community Grant Agreement by 1 December 2023, or reimburses Council within 30 days.

Against: Cr Pat Fogarty, Cr Shirlee Burge

CARRIED

Members of the gallery left the Chambers at 10.47am. Manager Economic Development and Tourism left the Chambers at 10.47am.

12.3. INVESTMENTS & RESERVES REPORT - FEBRUARY 2023

Deputy Mayor Cr Paul Fellows left the Chambers at 10.49am

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/12.3

That Council:

1. Note and receive the February 2023 report on Investments totaling \$47,812,442 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of February 2023 was \$71,685.
3. Note that total interest earned for the year to 28 February 2023 is \$469,199.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED UNANIMOUSLY

12.4. MAJOR PROJECTS UPDATE - FEB23

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

RESOLUTION 2023/0321/12.4

That Council note the Major Projects update for February 2023.

CARRIED UNANIMOUSLY

Deputy Mayor Cr Paul Fellows returned to the Chambers at 10.52am.

12.5. MAYOR, COUNCILLOR, CEO MEETINGS FEBRUARY 2023

Moved: Cr Marc Petersen

Seconded: Cr Tarria Moore

RESOLUTION 2023/0321/12.5

That Council

1. Note the Mayor, Councillor and Chief Executive Officer meetings attended on behalf of Council during the month of February 2023, undertaken either remotely, or adhering to current health guidelines.
2. Continue to advise the Chief Executive Officer's Executive Assistant of their meeting diaries and activities attendance.

Councillors provided further meetings attended.

CARRIED UNANIMOUSLY**12.6. RESOLUTIONS OF COUNCIL**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/12.6

That Council note the information in the Resolutions of Council as at 13 March 2023.

CARRIED UNANIMOUSLY

Cr Sampson left the Chambers at 11.05am, returned at 11.07am.

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE**14.1. QUESTIONS WITH NOTICE - CR MARC PETERSEN**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Marc Petersen

RESOLUTION 2023/0321/14.1

That Council note and receive the responses in relation to the following questions submitted by Councillor Marc Petersen.

CARRIED UNANIMOUSLY

Cr Tarria Moore left the Chambers at 11.13am and returned at 11.15am.

QUESTIONS WITH NOTICE**CR MARC PETERSEN****From Wanganella Hall and Village: -**

1. Maintenance: The outside disabled toilet is leaking - could this please be addressed prior to Anzac Day? Who will be responsible?

Maintenance requests can be submitted by any member of the public, or a member of the Hall Committee through the Customers Request System. A request has been submitted on your behalf relating to both questions one and two. Request RM2022/1598.IJX

1. The picture frame cabinet on the inside south west wall of the Hall needs securing as the glass can fall out - records show ERC was notified last year but no follow up has occurred.

Request RM2022/1598.IJX

1. Noxious Weeds - Khaki weed is spreading in the village along the roadside and Spiny Burr Grass is becoming an increasing problem opposite the General Store along the northern approach to the bridge. Could this be addressed as a priority as it will be out of control by Easter.

A Service Request has been submitted on your behalf. Request RM2022/1599.EHK

1. Anzac Day - Several committee members will be away at this time, could ERC do more of the organising this year please. Susie Wallace usually is the liaison with ERC, it is anticipated she will still be available to assist as needed.

The Deniliquin RSL Sub-Branch arranges the ANZAC Day Ceremony with assistance from Council, if a member of the Hall Committee cannot assist as in previous years, they should contact the Deniliquin RSL Sub-Branch President Mr John Harris.

From Deniliquin constituents:-

1. Has there been any progress regarding the trees along Crispe Street, ie. replacement of those that have died and the regular watering of the surviving trees?

A proposal has been included in the 23/24 Capital Works program to upgrade trees and landscaping, including watering systems, for the trees along Crispe Street. This will also address the replacement of trees as required.

1. With the recent reopening of the Deniliquin Town Hall, what days will it be open on a regular basis for the general public to view as part of the tourism drive in town?

We are not currently resourced to staff the Deniliquin Town Hall (DTH) for tours. Staff are currently working on operationalising the DTH, including establishing a volunteer group to enable the facility to be open for regular tours from 1 July, should funds be allocated through the budget process for this purpose.

1. The chime of the bell in the clock tower is muted compared to previous times. Will it be fixed to be heard across town again?

Council picked this up as feedback when the clock was originally "turned on", and the volume has been subsequently increased. Anecdotally, the bell can be heard from at least two blocks away, which is considered adequate.

1. With the donation of the ticket stub from P&A Society Chairwoman Chantelle Shevels, has a placement been decided on for display in the town hall and has an official thank you been sent from ERC for the generous gift of local history?

The placement for the display of this generous donation has not been decided, nor have any other works of art currently belonging to Edward River Council. It will be a decision once resourcing is finalised.

An official letter of thanks has been drafted and will be sent shortly.

1. Has ERC begun plans for ANZAC Day and related services in consultation with the RSL Sub Branch?

The Deniliquin RSL Sub-Branch have been in touch with Edward River Council and all plans are well in hand.

1. Will ERC be holding a gala event over the weekend of May 6th for the coronation of King Charles III and Queen Consort Camilla? Other communities have begun discussions about what will be possible with sponsorship and volunteers and it would be a shame for this area to miss out on the chance to host what will be a historic event.

Council has no plans, staff resources or funds to deliver additional events in this financial year. This request could be considered should appropriate funding be allocated through a Notice of Motion for a QBR adjustment to support additional team resourcing and associated activities.

1. What date has been set for the town meeting regarding the Davidson Street Flood Mitigation planning? Where will the meeting be held?

Council has engaged WMA Water to undertake the review of the 2022 Flood and are working with WMA Water to confirm a date for consultation with Council and the community as part of this project.

From myself:

1. The General Managers 6 monthly appraisal is now overdue. At the last meeting the Mayor said she would work on a date and have it out within the week for the Councillors to form quorum and meet. It has been 4 weeks and no date or plan has been sent out. What is happening?

The General Manager Performance Review Policy outlines the framework for managing the performance of the General Manager. The last performance review of the General Manager was held in August 2022; therefore, an annual review is not required by the policy until August 2023.

A six-monthly review is an option in which council can take, and it is understood that the mayor will be seeking the views of councillors as to whether this is desired and what form a six-monthly review would entail.

The policy is due for review and a revised draft will be tabled at the next councillor briefing in April 2023.

1. The Deniliquin Boat Club was allocated money from the Community Grants for a NYE community event. Due to flooding this event was changed but the tender for the grant was also changed. Was the funding still allocated and did the new event meet the tender requirements for the community grants funding?

The Deniliquin Boat Club received their Community Grant of \$5,000 on 8 December 2022. The event delivered did not comply with the funding agreement signed by the Boat Club with Council. Councillors received a report earlier in this Council Meeting.

14.2. QUESTIONS ON NOTICE - CR SHIRLEE BURGE

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

RESOLUTION 2023/0321/14.2

That Council Council note and receive the responses in relation to the following questions submitted by Councillor Shirlee Burge.

CARRIED UNANIMOUSLY

QUESTIONS WITH NOTICE

CR SHIRLEE BURGE

1. What date will the December resolution regarding a town meeting to address the feedback and damage caused by the recent flooding be implemented.

Council has engaged WMA Water to undertake the review of the 2022 Flood and are working with WMA Water to confirm a date for consultation with Council and the community as part of this project.

1. When will the resolution from the December meeting regarding the formation of a Blue Tree Project committee be implemented.

The Blue Tree project is not a funded project in the 2022-23 budget. Council resolved in February to support the project, but no indication was given on council funding to support its implementation. It was understood that the notice of motion was to seek the support for a councillor facilitated project (see resolution below) and council did not resolve to form a Blue Tree Project Committee.

If council funding and resources are now desired by a councillor, then this change would need to be by way of a resolution for the project's funding for delivery in the 2023-24 financial year.

1. When did the Mayor place herself on the Long Paddock committee and when will the next meeting regarding this committee be held as there appears to have been no action on this

committee for over 15 months. If there has been discussion or a meeting could the councillors please be informed of the result of such a meeting.

The Mayor is not a member of the Long Paddock committee by formal resolution.

RESOLUTION: 2022/0120/9.3.2 appointed Cr Burge as the Councillor delegate to the Long Paddock Committee.

A further report to council in August 2022 confirmed Cr Burge as the councillor delegate and noted that the committee status was 'to be determined' after failing to meet for many months. After investigation, the Long Paddock committee has been in recess following COVID and flood events.

In response to Cr Burge's enquiry, a report was put to the December 2022 briefing and as an outcome, ERC staff requested and attended a meeting with Hay and Murray River.

On a subsequent list of committees and delegates circulated internally, the mayor's name was inadvertently added to that committee. This is an error that is now rectified.

1. Could all councillors be informed of the stage of development of stage one of Edward village and the expected date of lockup on the 6 units and the expected cost of the first 6 units.

The Edward River Village Committee Minutes contained within the Council Meeting Agenda provide an update on this project.

1. Could you please supply Councillors with copies of the Mayoral credit card statements for this financial year 22-23 in private business.

It is not appropriate that credit card statements be circulated in an ordinary Council meeting, especially via a question with notice, as Council should be concerned with strategic policy setting, not operational concerns.

Council receives councillor expense information on a six-monthly basis in accordance with the councillor facilities and expenses policy, and the next report to Council will be tabled in April.

As the mayor was supportive of this information being public, I can confirm that the total costs on the mayor's credit card since the mayor was elected is \$361.64 for three transactions in October, of which only one is considered a mayoral expense. This expense was for accommodation to attend a local government conference in November, however due to flooding, this transaction was refunded as the mayor could not attend. The other two transactions were not mayoral expenses – one was to support the ride for dementia and the other was purchasing of flowers for a funeral on behalf of the Council.

1. Would you please provide a date for the CEO 6 monthly revue which is already 2 months overdue and can you please provide a reason for this delay. Can Council have a discussion on whom will be present at that revue.

The General Manager Performance Review Policy outlines the framework for managing the performance of the General Manager. The last performance review of the General Manager was held in August 2022; therefore, an annual review is not required by the policy until August 2023.

A six-monthly review is an option in which council can take, and it is understood that the mayor will be seeking the views of councillors as to whether this is desired and what form a six-monthly review would take.

The policy is due for review and a revised draft will be tabled at the next Councillor briefing in April 2023.

15. CONFIDENTIAL MATTERS

Nil

16. CLOSE OF MEETING

Mayor Cr Peta Betts closed the meeting at 11.28am.