



MINUTES

Ordinary Council Meeting

Tuesday, 21 November 2023

I hereby give notice that an Ordinary Council Meeting will be held on:

Date: Tuesday, 21 November 2023

Time: 11:00 AM

**Location: Council Chambers, Estates Building Cressy Street
Deniliquin**

**Philip Stone
Chief Executive Officer**

Order of Business

1. OPENING MEETING	4
2. ATTENDANCE	4
3. LIVE STREAMING STATEMENT	4
4. ACKNOWLEDGEMENT OF COUNTRY	4
5. STATEMENT OF PURPOSE	4
6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS	4
7. CONFIRMATION OF MINUTES	5
7.1. Draft Minutes Ordinary Council Meeting	5
8. DISCLOSURES OF INTERESTS	5
9. MAYORAL MINUTE(S)	5
10. URGENT ITEMS OF BUSINESS	5
11. REPORTS OF COMMITTEES	6
11.1. Draft Minutes Audit Risk and Improvement Committee - 12 October 2023	6
11.9. Draft Minutes of the Conargo Memorial Hall and Recreation Ground Committee - Annual General Meeting and General Meeting held 8 November 2023	6
12. REPORTS TO COUNCIL	7
12.1. Presentation of 2022-23 Financial Statements to the Public	7
12.2. Endorsement of 2022-2023 Annual Report.....	7
12.3. Quarterly Budget Review Statement - September 2023.....	7
12.4. Investments and Reserves Report – October 2023	8
12.5. Related Parties Disclosure Policy-November 2023 Revision	8
12.6. Use of Common Seal Policy-November 2023 Revision	8
12.7. Major Projects Update – October 2023.....	9
12.8. Murray Regional Tourism Membership	9
12.9. National Housing Accord – NSW Housing crisis	9
12.10. Development Services Activity Report October 2023.....	9
12.11. Resolutions of Council.....	9
12.12. Mayor, Councillor, CEO Meetings – October 2023	10
13. NOTICES OF MOTIONS	10
13.1. Notice of Motion Cr Harold Clapham	10
14. QUESTIONS WITH NOTICE	11
14.1. Question on Notice - Cr Marc Petersen	11
15. CONFIDENTIAL MATTERS	11
16. CLOSE OF MEETING	11

1. OPENING MEETING

Mayor Cr Peta Betts opened the meeting at 10.05am, welcomed those in attendance and reminded all of the community rally being held at 12 noon.

2. ATTENDANCE

Present: Mayor Cr Peta Betts, Deputy Mayor Cr Paul Fellows, Cr Pat Fogarty, Cr Shannon Sampson, Cr Shirlee Burge, Cr Tarria Moore, Cr Linda Fawns, Cr Harold Clapham, Cr Marc Petersen, Chief Executive Officer Philip Stone,

In attendance: Director Infrastructure, Director Corporate Services, Chief Financial Officer, Executive Assistant

Via Teams: Acting Manager Governance Safety & Risk, Senior Partner Crowe Mr Brad Bohun from 10.30am to 10.58am

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

Nil

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING

Moved: Cr Tarria Moore

Seconded: Cr Harold Clapham

RESOLUTION 2023/1121/7.1

That Council accept the Draft Minutes of the Ordinary Council Meeting held 17 October 2023 as a true and correct record, with a minor adjustment to item 14.1.

CARRIED

8. DISCLOSURES OF INTERESTS

12.8 Murray Regional Tourism Membership - Cr Pat Fogarty declared a Non-Pecuniary - Less than significant interest and will remain in the Chambers during the discussion

12.8 Murray Regional Tourism Membership - Cr Tarria Moore declared a Non-Pecuniary - Less than significant interest and will remain in the Chambers during the discussion

13.1 Notice of Motion - Chief Executive Officer Philip Stone declared a Non-Pecuniary - Less than significant interest and will remain in the Chambers during the discussion

9. MAYORAL MINUTE(S)

Nil

10. URGENT ITEMS OF BUSINESS

Nil

11. REPORTS OF COMMITTEES**11.1. DRAFT MINUTES AUDIT RISK AND IMPROVEMENT COMMITTEE - 12 OCTOBER 2023**

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

RESOLUTION 2023/1121/11.1

That items 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7 and 11.8 be considered as a block resolution with minor amendments being made to the minutes as noted.

- 11.1 Draft Minutes Audit Risk and Improvement Committee – 12 October 2023
- 11.2 Draft Minutes Airport Advisory Committee - 24 October 2023
- 11.3 Draft Minutes Memorial Park User Group – 25 October 2023
- 11.4 Draft Minutes Australia Day Committee Meeting – 26 October 2023
- 11.5 Draft Minutes Blighty Advancement Committee Meeting – 26 October 2023
- 11.6 Draft Minutes of Growth Strategy Project Advisory Committee – 31 October 2023
- 11.7 Draft Minutes Saleyards Advisory Committee Meeting – 2 November 2023
- 11.8 Draft Minutes of the Arts & Culture Advisory Committee Meeting – 7 November 2023

CARRIED

11.9. DRAFT MINUTES OF THE CONARGO MEMORIAL HALL AND RECREATION GROUND COMMITTEE - ANNUAL GENERAL MEETING AND GENERAL MEETING HELD 8 NOVEMBER 2023

Moved: Cr Harold Clapham

Seconded: Cr Shirlee Burge

RESOLUTION 2023/1121/11.9

That Council defer the recommendation until the Conargo Memorial Hall and Recreation Ground Committee have a further meeting on the 3 December 2023.

CARRIED

12. REPORTS TO COUNCIL**12.1. PRESENTATION OF 2022-23 FINANCIAL STATEMENTS TO THE PUBLIC**

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

RESOLUTION 2023/1121/12.1

That item 12.1 Presentation of 2023-23 Financial Statements be deferred until 10.30am when the auditors will address the Councillors.

CARRIED

Chair ARIC Mr Peter Rae entered the Chambers at 10.28am and Senior Partner Crowe, Mr Brad Bohun joined via Teams

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

RESOLUTION 2023/1121/12.1.2

That Council:

1. Receive and note the audited Financial Statements and the auditor's reports for the year ended 30 June 2023, in accordance with Section 419 (1) of the *Local Government Act 1993*.

CARRIED

Deputy Mayor Cr Paul Fellows left the Chambers as 10.49am and returned at 10.50am.

10.52am Senior Partner Crowe, Mr Brad Bohun left the meeting and Chair ARIC Mr Peter Rae left the Chambers.

12.2. ENDORSEMENT OF 2022-2023 ANNUAL REPORT

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Linda Fawns

RESOLUTION 2023/1121/12.2

That Council:

1. Endorse the 2022-2023 Annual Report including the Audited Financial Statements
2. Note that the 2022-2023 Annual Report will be placed on Council's website and submitted to the NSW Office of Local Government by 30 November 2023.

CARRIED

12.3. QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2023

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

RESOLUTION 2023/1121/12.3

That Council

1. Endorse the 30 September 2023 quarterly budget review of the 2023/24 Budget.
2. Note the proposed adjustments to budget will result in a surplus operating result of \$22,029,261, and after removing Capital Grants a deficit of \$886,595.
3. Adopt the budget adjustments as detailed in this report.

CARRIED

12.4. INVESTMENTS AND RESERVES REPORT – OCTOBER 2023

Moved: Cr Shirlee Burge

Seconded: Deputy Mayor Cr Paul Fellows

RESOLUTION 2023/1121/12.4

That Council:

1. Note and receive the October 2023 report on Investments totalling \$40,374,348 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of October 2023 was \$140,324.
3. Note that total interest earned for the year to 31 October 2023 is \$592,646.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED

12.5. RELATED PARTIES DISCLOSURE POLICY-NOVEMBER 2023 REVISION

Moved: Cr Tarrina Moore

Seconded: Cr Linda Fawns

RESOLUTION 2023/1121/12.5

That Council adopt the updated Related Parties Disclosure Policy.

CARRIED

12.6. USE OF COMMON SEAL POLICY-NOVEMBER 2023 REVISION

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

RESOLUTION 2023/1121/12.6

That Council adopt the revised Use of Common Seal Policy.

CARRIED

12.7. MAJOR PROJECTS UPDATE – OCTOBER 2023

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Linda Fawns

RESOLUTION 2023/1121/12.7

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

CARRIED

12.8. MURRAY REGIONAL TOURISM MEMBERSHIP

Moved: Cr Harold Clapham

Seconded: Cr Shannon Sampson

RESOLUTION 2023/1121/12.8

That Council enter into the 2024-2027 Partner Councils Funding Agreement with Murray Regional Tourism.

CARRIED

12.9. NATIONAL HOUSING ACCORD – NSW HOUSING CRISIS

Moved: Cr Tarrina Moore

Seconded: Deputy Mayor Cr Paul Fellows

RESOLUTION 2023/1121/12.9

That the correspondence from the Hon Paul Scully MP, Minister for Planning and Public Spaces, relating to the National Housing Accord actions to address NSW Housing Crisis, be tabled at the Council meeting for information.

CARRIED

12.10. DEVELOPMENT SERVICES ACTIVITY REPORT OCTOBER 2023

Moved: Cr Tarrina Moore

Seconded: Cr Linda Fawns

RESOLUTION 2023/1121/12.10

That Council receive and note the October 2023 Development Services Report.

CARRIED

12.11. RESOLUTIONS OF COUNCIL

Moved: Cr Linda Fawns

Seconded: Cr Tarrina Moore

RESOLUTION 2023/1121/12.11

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

CARRIED

12.12. MAYOR, COUNCILLOR, CEO MEETINGS – OCTOBER 2023

Moved: Cr Tarria Moore

Seconded: Cr Shannon Sampson

RESOLUTION 2023/1121/12.12

That Council

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

CARRIED

13. NOTICES OF MOTIONS

13.1. NOTICE OF MOTION CR HAROLD CLAPHAM

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

MOTION:

That Council reinstate the previous review process pertaining to the CEO's annual performance.

The motion was lost.

LOST

14. QUESTIONS WITH NOTICE

14.1. QUESTION ON NOTICE - CR MARC PETERSEN

RESOLVED

That Councillors are provided with the terms and conditions associated with the new lease agreement regarding the Medical Centre and Ochre Health. Noting that this should exclude the "commercial in confidence" aspect of the financial obligations associated with the new lease.

A copy of the information was provided to all Councillors.

15. CONFIDENTIAL MATTERS

Nil

16. CLOSE OF MEETING

Mayor Cr Peta Betts closed the meeting at 11.43am.