



**FEDERATION
COUNCIL**

Ordinary Council Meeting Council Minutes

Tuesday, 31 January 2023

**Council Chambers, Urana
Commenced 9:32 AM**



Council Values

Councils corporate values were adopted in 2017 and in various ways, Council is continuing to ensure they remain visible and at the front of mind in all aspects of Council business and operations. Including them in the Council Business Paper agendas is another way of continuing to be visible with the Council values.

Embracing change

We will create our future by being innovative and encouraging new ideas, opportunities and better ways of doing things.

Quality outcomes

We will strive for excellence and to deliver value for money for the community.

Accountability

We will plan well and report on our progress. We will ensure fair and transparent decision-making and take responsibility for our actions.

Collaboration

We support each other as a team and will engage closely with the community.

Customer focus

We will be responsive and accessible to the community. We will be open, respectful and truthful in our dealings.

1. OPENING MEETING, READ LIVE STREAMING STATEMENT AND STATEMENT OF ETHICAL OBLIGATIONS

The Mayor opened the meeting at 9:32 AM.

Live Streaming of Council Meetings

Federation 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 www.federationcouncil.nsw.gov.au

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 General Manager or Mayor.

Statement of ethical obligations

In accordance with clause 3.25 of Council's Code of Meeting Practice, Councillors are reminded of their oath or affirmation of office made under section 233A of the Act, to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment, and of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

2. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of the land on which we are meeting today, the Bpangerang people, and acknowledge the Aboriginal and Torres Strait Islander people who now reside in this area. I extend that respect to Elders – past and present of the Bpangerang nations.

3. APOLOGIES, APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS AND APPLICATIONS FOR REMOTE ATTENDANCE BY COUNCILLORS

PRESENT:

In person - The Mayor, Cr Patrick Bourke (Chairperson); Cr Rowena Black; Cr David Fahey; Cr Sally Hughes; Cr Andrew Kennedy; Cr David Longley; Cr Gail Law, Cr Aaron Nicholls and Cr Shaun Whitechurch.

ALSO PRESENT:

In person - Adrian Butler (General Manager), Jo Shannon (Director Corporate and Community Services), Susan Appleyard (Director Development and Environmental Services), Steve Carmichael (Director Engineering Services), Mrs Alannah Greenwood (Manager Communications and Engagement) and Mrs Rachelle Henson (Executive Assistant – Minute Taker).

3.1 Apologies

There were no apologies for the meeting, but Council noted that Director Appleyard would be arriving later in the meeting.

3.2 Applications for Leave of Absence

1/2023FC RESOLVED on the motion of Councillors Andrew Kennedy and Gail Law THAT Councillor Whitechurch be granted a leave of absence for all meetings for the period 4-17 February 2023, inclusive as he will be on annual leave.

3.3 Application for Remote Attendance

2/2023FC RESOLVED on the motion of Councillors Gail Law and Andrew Kennedy

1. THAT Council note the application received from Councillor Nicholls; and
2. THAT Council approve the remote attendance for Councillor Nicholls for meeting dated 28 February 2023, as he will not be in the Local Government Area and is unable to attend to attend in person.

4. CONFIRMATION OF MINUTES

4.1 Confirmation of Minutes of Ordinary Meeting 20 December 2022

3/2023FC RESOLVED on the motion of Councillors David Longley and Shaun Whitechurch THAT the Minutes of the Ordinary Meeting held on 20 December 2022 be confirmed.

5. DISCLOSURES OF INTERESTS

5.1 Disclosures of Interest

There were no disclosures of interest declarations received by the Chair.

6. MAYORAL MINUTE(S)

6.1 No Items

In the mayoral minute today, I would like to take the opportunity to formally acknowledge two passing's that have occurred since the last meeting of Council.

Julie Bartlett of Balldale passed away on Monday and on behalf of Council I would like to extend our thoughts to Julie's family and friends.

Julie was a valued and upstanding community member of Balldale. She was an inspiration to the community and showed amazing Australian values such as loyalty, commitment, courage, support and dependability.

Julie was the Balldale Rural Fire Brigade secretary, Our Town Balldale Inc secretary, and Back to Balldale Ball president. Julie was awarded Balldale local achiever of the year at Federation Council's Australia Day awards ceremony on Thursday.

Julie was very proud of her achievements as are her family, community and Council today.

I would also like to acknowledge the passing of my son Brodie Pigdon recently. The last few weeks have been extremely difficult for myself and my family. I would like to take the opportunity to thank you all in this room and wider community for the support and love, with messages, phone calls, cards and donations to *Boys to the Bush* in honour of Brodie mean so much to my family and myself.

In honour of Julie and Brodie, I would like to ask Council to stand for one minute silence to pay their

respects to their amazing lives.

4/2023FC RESOLVED on the motion of Councillors Gail Law and Andrew Kennedy
THAT Council note the Mayoral Minutes.

7. GENERAL MANAGER REPORT

7.1 Update on Flood Affected Council Community Assets and Facilities as at 25 January 2023

5/2023FC RESOLVED on the motion of Councillors David Longley and David Fahey
THAT Council note the report update on Flood Affected Council Community Assets and Facilities as at 25 January 2023.

8. DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

8.1 Financial Performance Report as at 31 December 2022

6/2023FC RESOLVED on the motion of Councillors Sally Hughes and Gail Law
THAT Council note the financial performance as at 31 December 2022.

8.2 Financial Statements Year Ended 30 June 2022

7/2023FC RESOLVED on the motion of Councillors Andrew Kennedy and Gail Law
THAT Council receives and notes the submission on the financial reports and auditor's reports for the year ended 30 June 2022.

Defer item 8.3 Rates Advisory Committee and item 8.4 Special Rate Variation - Application recommended for approval - until the Rates Advisory Chair is at the meeting, to allow him to speak to the report.

8/2023FC RESOLVED on the motion of Councillors Gail Law and Rowena Black
THAT Council defer item 8.3 Rates Advisory Committee and item 8.4 Special Rate Variation - Application recommended for approval.

8.5 Long Term Financial Plan addendum

9/2023FC RESOLVED on the motion of Councillors David Longley and Shaun Whitechurch

1. THAT Council receive and note the report on the addendum to the Long Term Financial Plan 2022-2032; and
2. THAT Council adopts the addendum to the Long Term Financial Plan 2022-2032.

9. DIRECTOR DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT

9.1 No Items

10. DIRECTOR ENGINEERING SERVICES REPORT

10.1 Budget Adjustment - HSVPP Round 8 Funding

10/2023FC RESOLVED on the motion of Councillors David Fahey and Andrew Kennedy

1. THAT the grant funding offer from Australian Governments Heavy Vehicle Safety and Productivity Program (HVSPP) be accepted, with thanks to the funding provider;
2. THAT the 2022/2023 and 2023/2024 Capital works budgets be adjusted to reflect the additional income (\$1,610,000) and expenditure from the grant; and
3. THAT Council's contribution to the project be sourced from the Regional Road Block Grant over 2022/23 and 2023/24 programs.

10.2 Budget Adjustment - Transfer of Drainage Funds from Maintenance to Capital

11/2023FC RESOLVED on the motion of Councillors Gail Law and Sally Hughes

1. THAT Council endorse the transfer of monies allocated in the 2022/23 Council Budget (\$210,000) from Drainage Maintenance Works to Drainage Capital Works as detailed in the background section of this report.
2. THAT the 2022/2023 Budget be amended to reflect the proposed changes.

10.3 Report on Flood Works - Engineering Infrastructure

Mrs Alannah Greenwood (Manager Communications and Engagement) arrived at 9:58 AM.

12/2023FC RESOLVED on the motion of Councillors David Fahey and Gail Law

THAT Council note the Report on the progress of works in relation to Disaster Declarations AGRN1001 (January 2022) and AGRN1034 (September 2022).

10.4 TfNSW Walking and Cycling Program - Council Contribution

13/2023FC RESOLVED on the motion of Councillors Andrew Kennedy and Shaun Whitechurch

THAT Council reallocate \$55,748 from Engineering staff wages to the Capital Works Projects listed in this report as contribution to the overall project.

11. NOTICES OF MOTION / QUESTIONS WITH NOTICE

11.1 No Items

12. REPORTS FROM COMMITTEES

12.1 No Items

13. REPORTS FROM DELEGATES

13.1 Verbal Reports from Delegates

The General Manager reported on his attendance at the Australia Day Ceremony held in Mulwala at ClubMulwala.

The Mayor, Cr Bourke reported on his attendance at the Australia Day Ceremony held in Mulwala at ClubMulwala.

Cr Nicholls reported on his attendance at the Australia Day Ceremony held in Mulwala at ClubMulwala.

Cr Hughes reported on his attendance at the Australia Day Ceremony held in Mulwala at ClubMulwala.

Cr Whitechurch reported on his attendance at various events and meetings including the informal public meeting with Corowa Groups.

14/2023FC RESOLVED on the motion of Councillors David Fahey and Gail Law
THAT Council note the verbal reports from delegates.

14. CORRESPONDENCE REQUIRING COUNCIL ACTION/FOR INFORMATION

14.1 Correspondence Requiring Council Action/For Information

15/2023FC RESOLVED on the motion of Councillors David Fahey and Andrew Kennedy

1. THAT Council note the correspondence items 14.1.1-14.1.8 as tabled in the 31 January 2023 Business Paper;
2. THAT Council note the letter from Mulwala Progress Association dated 20 January 2023 in relation to the Special Rate Variation application; and
3. THAT Council thanks the Mulwala Progress Association and replies advising of the resolution passed in report 8.4 at this meeting and look forward to further engagement on this matter.

15. CONFIDENTIAL MATTERS

15.1 No Items

8.3 Rates Advisory Committee

The Mayor introduced Chair of the Rates Advisory Committee Mr Derek Schoen who addressed Council and provided a Chairs report of the committee's deliberations.

16/2023FC RESOLVED on the motion of Councillors Andrew Kennedy and Aaron Nicholls

1. THAT Council receive and note the adopted minutes of the Rates Advisory Committee meetings dated 24 October 2022 and 21 November 2022;
2. THAT Council receive and note the draft minutes of the Rates Advisory Committee meeting held 16 January 2023; and
3. THAT Council note the range of views of members of the Rates Advisory Committee when it considers the Special Rate Variation at agenda item 8.4.

8.4 Special Rate Variation - Application recommended for approval

MOVED on the motion of Councillors David Fahey and Andrew Kennedy

1. THAT Council receive and note the report on the Special Rate Variation application;
2. THAT Council endorse the Special Rate Variation application to be submitted to IPART; and
3. THAT Council request a report on additional pensioner concession options that could be

applied to assist ratepayers most impacted by the proposed SRV increase.

Amendment

Moved by Councillors Aaron Nicholls and Rowena Black

Add the following points to the recommendation

1. THAT Council receive and note the report on the Special Rate Variation application;
2. THAT Council endorse the Special Rate Variation application to be submitted to IPART;
3. THAT Council request a report on additional pensioner concession options that could be applied to assist ratepayers most impacted by the proposed SRV increase.
4. THAT Council request a report from the newly appointed Manager People and Culture outlining their intended approach to the role inclusive of KPI's and other measures of success, relative to each directorate; and
5. THAT Council request a report from the Manager Communication and Engagement specific to the planned community engagement strategy for
 - A. the remainder of the SRV application and implementation process; and
 - B. Council generally relative to the planned implementation of a new overarching Communication Strategy planned for this year.

The amendment was debated, and then put and was defeated.

The original motion was then put to the meeting and carried as per below.

17/2023FC RESOLVED on the motion of Councillors David Fahey and Andrew Kennedy

4. THAT Council receive and note the report on the Special Rate Variation application;
5. THAT Council endorse the Special Rate Variation application to be submitted to IPART; and
6. THAT Council request a report on additional pensioner concession options that could be applied to assist ratepayers most impacted by the proposed SRV increase.

7.2 Urgent Matter New Director Appointment

18/2023FC RESOLVED on the motion of Councillors David Longley and Shaun Whitechurch

THAT Council note the appointment of Mr Theo Panagopoulos as the new Director Engineering Services, commencing 6 February 2023 on a 5 year term, on a senior staff contract.

7.3 Urgent Matter Senior Engineer Projects Manager Appointment

19/2023FC RESOLVED on the motion of Councillors Gail Law and Andrew Kennedy

THAT Council note the appointment of Mr Steve Carmichael, current Director Engineering Services, as Senior Engineer Projects Manager commencing 6 February 2023 to 14 July 2023 on a Senior Staff contract.

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7.4 Urgent Matter - Recognition of Service Mr Steve Carmichael

20/2023FC RESOLVED on the motion of Councillors Gail Law and David Fahey
THAT Council recognise as Steve Carmichael's last meeting as Director Engineering Services, his excellent service over the past 4 years as Director, and thank Steve for his great contribution

7.5 Urgent Matter - NSW Government Department of Regional NSW Drought Resilience Planning Program Round 1

21/2023FC RESOLVED on the motion of Councillors Andrew Kennedy and Sally Hughes
THAT Council endorse submission of an application under the NSW Government Department of Regional NSW Drought Resilience Planning Program Round 1.

16. CONCLUSION OF MEETING

Meeting closed at 11:02 AM.