



**Edward
River**
COUNCIL

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

Date: Thursday, 7 February 2019
Time: 9am
**Location: Council Chamber 180 Cressy Street
Deniliquin**

BUSINESS PAPER

Extraordinary Council Meeting

7 February 2019

**Adam McSwain
General Manager**

Order Of Business

1 **Statement of Purpose** 5

2 **Acknowledgement of Country** 5

3 **Apologies and Requests for Leave of Absence** 5

4 **Disclosure of Interest** 5

5 **Business Arising from Minutes** 5

6 **Public Forum**..... 5

7 **Reports from Officers**..... 6

 7.1 Request from Deniliquin Racecourse Land Manager..... 6

8 **Close of Meeting** 10

- 1 STATEMENT OF PURPOSE**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**
- 4 DISCLOSURE OF INTEREST**
- 5 BUSINESS ARISING FROM MINUTES**
- 6 PUBLIC FORUM**

7 REPORTS FROM OFFICERS**7.1 REQUEST FROM DENILIQVIN RACECOURSE LAND MANAGER**

Author: Adam McSwain, General Manager

Authoriser: Adam McSwain, General Manager

RECOMMENDATION

That Council:

1. Receive and note the correspondence from the Deniliquin Racecourse Trust, contained at Attachment A.
2. Pursuant to section 356(1) of the Local Government Act 1993, approve the Deniliquin Racecourse Trust's request to underwrite the Murray Irrigation Limited loan of 30ML of water
3. Pursuant to section 356(2) of the Local Government Act 1993, provide 28 days' public notice of its proposal to provide financial assistance to the Deniliquin Racecourse Trust through the purchase of 30ML of water
4. Subject to Council receiving no submissions during the 28-day public notice period, provide the financial assistance to the Deniliquin Racecourse Trust.
5. Approve the financial assistance to be reallocated in Councils 2018/19 budget from the Urban Drainage cost centre
6. Note that if the application for the Water Access Licence and subsequent water transfer is approved then no direct financial assistance will be provided

BACKGROUND

At Council's December Council meeting, Council passed the following motion **[320/18]**:

That Council

- 1) *Approve providing a water transfer to the Racecourse Reserve and Deniliquin Golf Club*
- 2) *Approve the linking of work approval 50CA501687 to Councils Water Access Licence to allow the water transfer to take place.*
- 3) *Approve the previous action taken by Council officers to link the work approval for the Deniliquin Golf Club with the Water Access Licence*
- 4) *Set the water transfers at the following levels:*
 - a) *Racecourse Reserve – 35 ML*
 - b) *Golf Club – 180 ML*
- 5) *Provide the water to the Golf Club and Racecourse free of charge and only pass on to either group administrative charges as incurred in establishing the water transfer*
- 6) *Note that this approval is a once off approval and that Council may not be able to provide this support in future years if increased water restrictions are applied*
- 7) *Request further information from Riverview Estate and Lawson Supply on future plans for water sustainability for each estate and previous water management practices including any water bought or sold.*

This report deals solely with progress related to the Racecourse Reserve.

ISSUE/DISCUSSION

Officers have completed the required applications to establish the Water Access Licence (WAL) to provide water to the Racecourse Reserve. Unfortunately to date no formal outcome of this application has been received. Officers have been following up on a regular basis to ensure the application is promptly considered.

In addition to the application for the WAL, investigations have also been taking place into the possibility of diverting some of Council's 'greywater' to the Racecourse Reserve. In order to complete this, approval is required from the EPA. Approval has been sought from the EPA and a formal response is expected in the next one to two weeks. If the EPA were to approve this request, then further discussion and approval would also be required from the two licence holders who currently access this water from Council.

Whilst these investigations have been taking place, the Deniliquin Racecourse Land Manager has written to Council and identified the urgency that is required in accessing water. The letter, provided in Attachment A, outlines that the events held over the Easter period, being the Rodeo, Anzac Day Races and Motorcycle Club meeting, would all be in jeopardy if access to water is not provided.

The Racecourse Land Manager has been working with Murray Irrigation Limited (MIL) on this issue. MIL has indicated that if the Racecourse Land Manager were willing to underwrite the payment of 30ML of water by 30 June 2019, the water could be transferred in advance of payment. The Racecourse Land Manager has indicated to Council that the combined groups would not be able to cover the cost of this water. As a result, they are seeking Council's support to underwrite the 30ML of water.

If Council were to underwrite the provision of the 30ML of water, then Council would only provide direct financial assistance to cover the cost of the water if the application for the WAL was not approved.

STRATEGIC IMPLICATIONS

If Council were to provide this support then feedback from the Racecourse Land Manager has been that it should ensure that the Anzac Day Races, Rodeo and Motorcycle Club meeting are all able to take place across the Easter 2019 period.

A further consideration for Council in determining this request is whether it will create a precedent and lead to a number more requests for similar support. Additionally, the current outlook for the 2019/20 water allocations projects similar difficulties to the current year. Council should consider that further requests, possibly seeking larger amounts of water, may be submitted next year.

COMMUNITY STRATEGIC PLAN

- Outcome 1.3: Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture.
- Outcome 2.2: We develop our key assets to enhance agriculture, boost tourism and support existing business.

FINANCIAL IMPLICATIONS

If direct financial assistance is required to be provided, then it should be funded from within Council's existing 2018/19 budget.

A review of expenditure within Council's current budget shows that the Donations and Contributions cost centre is already over 90% allocated and as such it is not recommended to be funded from this area. A review of the infrastructure area has identified that the Urban Drainage cost centre has a total budget of \$95,000 and year to date expenditure of only \$70,000. It is proposed that this budget is utilised to cover the financial assistance.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

- Section 356 – Can a council financially assist others?

In summary, under this section of the Act Council are required to provide 28 days' notice for any financial assistance provided to others that hasn't been identified as a program within Council's Operational Plan.

ATTACHMENTS

1. Request from Deniliquin Racecourse Land Manager

DENILIQUN RACECOURSE LAND MANAGER

PO BOX 1073
DENILIQUN 2710

The General Manager
Edward River Council

Dear Sir

You are aware of the water supply situation on the Racecourse. The situation has now reached a crisis point where the events over the Easter period, Rodeo, Anzac Day Races and Motorcycle Club Meeting, are in jeopardy.

Murray Irrigation Ltd. have now agreed to advance approx 30ML on the proviso it is repaid in kind or cash by 30 June.

Given the uncertainty of success of the current application with Water NSW repayment, if it came to monetary repayment, would not be possible as none of the Clubs have the financial resources to meet that debt.

In this regard would Council be prepared to underwrite the MIL 30ML loan if the transfer of water is unsuccessful.

The support of Council, Councillors and Council Staff in our endeavors to rectify the situation is greatly appreciated and I look forward to your continued support.

Yours Sincerely

Peter Joss
Chairman

31 January 2019



8 CLOSE OF MEETING