



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

27 June 2019

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIQUIN
ON THURSDAY, 27 JUNE 2019 AT 9.00AM**

PRESENT: Cr Norm Brennan (Mayor), Cr Peta Betts, Cr Marg Bull, Cr Ashley Hall, Cr Norm McAllister, Cr Nick Metcalfe, Cr Mac Wallace

IN ATTENDANCE: Adam McSwain (General Manager), Trish Kirkland (Corporate Services Director, Mark Dalzell (Acting Director Infrastructure), Belinda Perrett (Executive Assistant)

ACKNOWLEDGEMENT OF COUNTRY

STATEMENT OF PURPOSE

APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2019/06/129

Moved: Cr Peta Betts
Seconded: Cr Nick Metcalfe

That the apologies from Deputy Mayor, Cr Pat Fogarty and Cr Peter McCrabb be accepted.

CARRIED

DISCLOSURE OF INTEREST

Nil

CONFIRMATION OF MINUTE FROM PREVIOUS MEETING

RESOLUTION 2019/06/130

Moved: Cr Peta Betts
Seconded: Cr Mac Wallace

That the minutes of the Ordinary Council Meeting held on 23 May 2019 be confirmed.

CARRIED

**MINUTES OF THE EDWARD RIVER COUNCIL TIDY TOWNS COMMITTEE MEETING HELD
TUESDAY 11 JUNE 2019**

RESOLUTION 2019/06/131

Moved: Cr Marg Bull
Seconded: Cr Peta Betts

That the recommendations to Council of the Edward River Council Tidy Towns Committee meeting held 11 June 2019 be accepted.

CARRIED

DENILIQVIN COMMUNITY GARDEN MEETING**RESOLUTION 2019/06/132**

Moved: Cr Peta Betts
Seconded: Cr Nick Metcalfe

That Council receive and note the minutes from the meeting of the Deniliquin Community Gardens held on 19 May 2019.

CARRIED

MINUTES OF THE EDWARD RIVER CONCERT BAND COMMITTEE**RESOLUTION 2019/06/133**

Moved: Cr Marg Bull
Seconded: Cr Nick Metcalfe

That Council:

1. Note the minutes of the Edward River Concert Band Committee meeting held on 12 June 2019.
2. Consider the following recommendation from the Committee:
Recommendation is made to Edward River Council that the remuneration to the Band Conductor be increased from \$90.00 per week to \$140.00 per week.
(Records show this amount has not been reviewed since 2014 and probably not for many years prior to that).

AMENDMENT

Moved: Cr Marg Bull
Seconded: Cr Nick Metcalfe

That Council:

1. Note the minutes of the Edward River Concert Band Committee meeting held on 12 June 2019.
2. Remuneration for the Band Conductor be increased to \$115.00 per week and this be reviewed annually.

CARRIED

MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS**RESOLUTION 2019/06/134**

Moved: Cr Peta Betts
Seconded: Cr Norm McAllister

That Council note the Mayor, Councillor and General Manager meetings for May 2019.

CARRIED

RESOLUTIONS OF COUNCIL**RESOLUTION 2019/06/135**

Moved: Cr Peta Betts
Seconded: Cr Mac Wallace

That Council note the information in the Resolutions of Council to 27 June 2019.

CARRIED

INVESTMENT REPORT AS AT 31 MAY 2019**RESOLUTION 2019/06/136**

Moved: Cr Norm McAllister
Seconded: Cr Peta Betts

That Council:

1. Receive and note the Report on Investments totalling \$48,321,248 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of May 2019 was \$83,460
3. Note that accrued interest earned to 31 May 2019 but not yet received was \$355,387.

CARRIED

ADOPTION OF COMBINED DELIVERY PROGRAM 2018-2021 AND OPERATIONAL PLAN**2019-2020****RESOLUTION 2019/06/137**

Moved: Cr Norm McAllister
Seconded: Cr Nick Metcalfe

That Council:

1. Receive and note the submission received from the Deniliquin Rhinos Cricket Club on the draft combined Delivery Program 2018-2021 and Operational Plan 2019-2020, contained at Attachment A.
2. Acknowledge and thank the Deniliquin Rhinos Cricket Club for its submission and request the General Manager respond to the submission.
3. In accordance with sections 533, 534, 535 and 536 of the *Local Government Act 1993*, make and levy the following rates and annual charges for the 2019/2020 year:
 - a) In relation to Ordinary Rates, Council apply the 2.7 per cent rate increase as determined by the Independent Pricing and Remuneration Tribunal;
 - b) Pursuant to section 494 of the *Local Government Act 1993*, make and levy the following Ordinary Rates for the year 1 July 2019 to 30 June 2020:

Category and Sub Category	Ad Valorem \$	Minimum Rate \$	Base Rate \$	Base Amount %
Former Deniliquin Ordinary Farmland Dry	0.010195			
Former Deniliquin Ordinary Farmland Irrigable	0.013323			
Former Conargo Farmland Dryland	0.004833	470.00		
Former Conargo Farmland Low MIL Irrigation	0.006473	470.00		
Former Conargo Farmland High MIL Irrigation	0.009401	470.00		
Former Conargo Farmland Low Murray/Murrumbidgee	0.005612	470.00		
Former Conargo Farmland High Murray/Murrumbidgee	0.007846	470.00		
Former Conargo Farmland Murrumbidgee Groundwater	0.005531	470.00		
Former Conargo Farmland Murray Groundwater	0.009316	470.00		
Former Conargo Farmland Private Scheme Irrigation	0.008758	470.00		
Former Conargo Farmland Low Coleambally Irrigation	0.005031	470.00		
Former Conargo Farmland High Coleambally Irrigation	0.007323	470.00		
Former Deniliquin Ordinary Residential Standard	0.010312		434	43.51
Former Deniliquin Ordinary Residential Rural	0.008388		434	32.60
Former Deniliquin Mixed Residential Standard	0.014802		355	46.12
Former Conargo Residential	0.004125	470.00		
Former Deniliquin Ordinary Business Standard	0.027811			
Former Deniliquin Ordinary Business Minimum		540.00		
Former Deniliquin Mixed Business Standard	0.028125		355	
Former Conargo Business	0.004125	470.00		

- c) In relation to water supply charges and pursuant to sections 501 and 502 of the *Local Government Act 1993*, make and levy the following charges on all consumers connected to, or capable of being connected to, the Edward River water supply systems for water supply for the year 1 July 2019 to 30 June 2020:

Description	\$	Unit
Residential - Filtered Water		
Access Charge	359.00	Per annum
Usage charge 0-800K	0.99	Per kilolitre
Usage charge >-800K	1.41	Per kilolitre
Residential – Raw Water		

Access Charge	180.00	Per annum
Usage Charge	0.73	Per kilolitre
Residential - Non-Potable Water		
Access Charge (Conargo, Wanganella, Booroorban)	101.00	Per annum
Connection Charge to main supply (Conargo, Wanganella, Booroorban)	322.00	Per annum
Usage Charge (Conargo, Wanganella, Booroorban)	0.69	Per kilolitre
Non-Residential - Filtered and raw water		
Access Charge - 20mm connection size	299.00	Per annum
Access Charge - 25mm connection size	484.50	Per annum
Access Charge - 32mm connection size	625.00	Per annum
Access Charge - 40mm connection size	798.50	Per annum
Access Charge - 50mm connection size	1,014.00	Per annum
Access Charge - 80mm connection size	1,973.50	Per annum
Access Charge - 100mm connection size	2,225.00	Per annum
Access Charge - Raw Water	368.00	Per annum
Raw Water Usage Charge	0.73	Per kilolitre
Raw Water Usage Charge – Community Land	0.05	Per kilolitre
Filtered Water Usage Charge	1.41	Per kilolitre

- d) In relation to sewerage service charges and pursuant to sections 501 and 502 of the *Local Government Act 1993*, make and levy the following rates and charges on all residential and non-residential consumers connected to, or capable of being connected to, the Edward River sewer system services for the year 1 July 2019 to 30 June 2020:

Description	\$	Unit
Sewer Access Charges		
Residential Sewer Unconnected Charge	433.00	Per annum
Residential Sewer Connected Charge	866.00	Per annum
Non-Residential Unconnected Charge	433.00	Per annum
Non-Residential Connected Charge	866.00	Per annum

- e) In relation to stormwater management services and pursuant to section 496A of the *Local Government Act 1993*, make and levy the following annual charge on residential, business and industrial lots with impervious surfaces for stormwater management services for the year 1 July 2019 to 30 June 2020:

Description	\$	Unit
Residential property	25.00	Per annum
Residential strata property	12.50	Per annum
Business property	25.00	Per annum
Business strata property	25.00	Per annum

- f) In relation to domestic waste management service charges and pursuant to sections 496, 501, 503(2) and 504 of the *Local Government Act 1993*, make and levy the following annual charge for the provision of waste management collection services on each of the rateable properties for the year 1 July 2019 to 30 June 2020:

Description	\$	Unit
Residential and Non-residential - Domestic Waste Charge Per Property	359.00	Per annum
Residential and Non-residential - Vacant Land Domestic Waste Charge	91.00	Per annum
Residential and Non-residential - Additional Bin Collected Per Property	359.00	Per annum

- g) In relation to liquid trade waste charges and pursuant to section 501 of the *Local Government Act 1993*, make and levy the following annual fixed and usage charges for all liquid waste other than sewerage of a domestic nature on three categories (based on the level of impact discharges have on Edward River sewerage system) for the year 1 July 2019 to 30 June 2020:

Description	\$	Unit
Liquid Waste Fixed Charges		
Category 1 Discharger	97.00	Per annum
Category 2 and 2S Discharger	195.00	Per annum
Category 3 Discharger	645.00	Per annum
Liquid Waste Usage Charges		
Category 1 Discharger with appropriate equipment	0.00	Per kilolitre
Category 1 Discharger without appropriate pre-treatment	1.74	Per kilolitre
Category 2 Discharger with appropriate equipment	1.74	Per kilolitre
Category 2 Discharger without appropriate pre-treatment	16.00	Per kilolitre
Non-Compliant Category 3 Discharger (Ph coefficient 0.38 to be calculated with equation 3 in liquid Trade waste policy (refer to equation 4 & 5 in Trade Waste policy for other parameters))	To be Calculated	Per kilolitre
Excess Mass Charges:		
Food Waste	22.50	Per kilogram
Aluminum	0.80	Per kilogram
Ammonia	2.37	Per kilogram
Arsenic	80.00	Per kilogram
Barium	40.00	Per kilogram
Biochemical Oxygen demands - Up to 600mg/L	0.80	Per kilogram
(for greater than 600mg/L refer to Council's Policy for calculation)	To be Calculated	
Boron	0.80	Per kilogram
Bromine	16.00	Per kilogram
Cadmium	370.35	Per kilogram
Chloride	No Charge	Per kilogram

Chlorinated Hydrocarbons	40.00	Per kilogram
Chromium	26.65	Per kilogram
Cobalt	16.30	Per kilogram
Copper	16.30	Per kilogram
Fluoride	4.00	Per kilogram
Formaldehyde	1.65	Per kilogram
Oil and Grease (Total O & G)	1.43	Per kilogram
Herbicides/defoliant	800.85	Per kilogram
Iron	1.65	Per kilogram
Lead	40.00	Per kilogram
Lithium	8.00	Per kilogram
Manganese	8.00	Per kilogram
Mercury	2,700.00	Per kilogram
Methylene Blue Active Substance (MBAS)	0.80	Per kilogram
Molybdenum	0.80	Per kilogram
Nickel	26.65	Per kilogram
Total Kjeldahl Nitrogen (TKN)	0.20	Per kilogram
Organoarsenic Compounds	802.05	Per kilogram
Pesticides General (excludes organochlorins & organophosphates)	802.05	Per kilogram
Petroleum Hydrocarbons (non-flammable)	2.67	Per kilogram
Phenolic Compounds (non-chlorinated)	8.00	Per kilogram
Phosphorus (Total P)	1.65	Per kilogram
Polynuclear Aromatic Hydrocarbons (PAHs)	16.30	Per kilogram
Selenium	56.30	Per kilogram
Silver	1.47	Per kilogram
Sulphate (SO ₄)	0.15	Per kilogram
Sulphide	1.65	Per kilogram
Sulphite	1.77	Per kilogram
Suspended Solids (SS)	1.03	Per kilogram
Thiosulphate	0.29	Per kilogram
Tin	8.00	Per kilogram
Total Dissolved Solids (TDS)	0.06	Per kilogram
Uranium	8.00	Per kilogram
Zinc	16.30	Per kilogram

h) In relation to interest rate on overdue rates and charges and pursuant to section 566(3) of the *Local Government Act 1993*, that the interest rate to apply to overdue rates and charges for the period 1 July 2019 to 30 June 2020, will be charged at 7.50 per cent per annum on a daily basis, as determined by the Office of Local Government.

4. Pursuant to clause 211(2) of the *Local Government (General) Regulation 2005*, approve expenditure and vote funds as detailed in the draft combined Delivery Program 2018-2021 and Operational Plan 2019-2020, contained at Attachment B.

5. Pursuant to sections 404 and 405 of the *Local Government Act 1993*, adopt the draft combined Delivery Program 2018-2021 and Operational Plan 2019-2020, including the 2019-2020 Statement of Revenue Policy incorporating the annual budget and fees and charges, contained at Attachment B.

CARRIED

LONG TERM FINANCIAL PLAN 2019-29

RESOLUTION 2019/06/138

Moved: Cr Mac Wallace
Seconded: Cr Marg Bull

That Council adopt the Long-Term Financial Plan 2019-29 contained at Attachment 1.

CARRIED

ADOPTION OF CODE OF MEETING PRACTICE

RESOLUTION 2019/06/139

Moved: Cr Ashley Hall
Seconded: Cr Peta Betts

That Council:

1. Pursuant to section 362 of the *Local Government Act 1993*, adopt the draft Code of Meeting Practice, contained at Attachment A.
2. Repeal the Code of Meeting Practice adopted 19 October 2017.

CARRIED

LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2019

RESOLUTION 2019/06/140

Moved: Cr Mac Wallace
Seconded: Cr Peta Betts

That Council resolves to approve the Mayor and the General Manager to attend the Local Government NSW Annual Conference 14 – 16 October 2019 being held at the William Inglis Hotel, Warwick Farm

CARRIED

SCHEDULE OF ORDINARY MEETINGS

RESOLUTION 2019/06/141

Moved: Cr Norm McAllister
Seconded: Cr Peta Betts

That Council:

1. Pursuant to section 365 of the *Local Government Act 1993* and clause 3.1 of Council's Code of Meeting Practice, adopt the proposed 2019/2020 Schedule of Ordinary Meetings

contained at Attachment A, with the time amended to 9.00am.

2. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.3 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting.

CARRIED

ENVIRONMENTAL SERVICES REPORT (MAY 2019)

RESOLUTION 2019/06/142

Moved: Cr Mac Wallace
Seconded: Cr Norm McAllister

That Council note the Environmental Services report for May 2019.

CARRIED

NOTIFICATION OF NATIVE TITLE MANAGER

RESOLUTION 2019/06/143

Moved: Cr Norm McAllister
Seconded: Cr Peta Betts

That Council notifies the Minister for Lands and Forestry that Council's Assets and Procurement Co-ordinator, Mr Michael Todd, has been delegated responsibility as Council's Native Title Manager in accordance with the *Crown Land Management Act 2016*.

CARRIED

ASSET MANAGEMENT PLANS

RESOLUTION 2019/06/144

Moved: Cr Ashley Hall
Seconded: Cr Norm McAllister

That Council adopt the Transport, Buildings, Open Space and Recreation, Flood Mitigation and Drainage, Water and Sewerage Asset Management Plans.

CARRIED

STRONGER COMMUNITIES FUND - MAJOR PROJECTS PROGRAM AND THE STRONGER COMMUNITIES PROGRAM - JUNE PROGRESS REPORT**RESOLUTION 2019/06/145**

Moved: Cr Peta Betts
Seconded: Cr Mac Wallace

That Council note the Stronger Communities Fund- Major Projects Program and the Stronger Country Communities Program- Progress Report for June 2019

CARRIED

Michelle Cobb, Manager Community & Economic Development and Airlie Landale, Drought Support Officer entered the Chambers at 10.05am.

DROUGHT COMMUNITIES PROGRAMME**RESOLUTION 2019/06/146**

Moved: Cr Norm McAllister
Seconded: Cr Marg Bull

That Council approve the submission to the Department of Infrastructure, Regional Development and Cities under the Drought Communities Programme for the following projects:

- Drought Support Officer;
- Tourism Marketing Program;
- CBD Painting Program;
- Town Entrance – Crispe Street;
- Town Entrance – Davidson Street;
- Road Upgrades – Harfleur Street and Wyatt Street; and
- Booroorban Heavy Vehicle Layby.

AMENDMENT

Moved: Cr Norm McAllister
Seconded: Cr Marg Bull

That Council:

1. Approve the submission to the Department of Infrastructure, Regional Development and Cities under the Drought Communities Programme for the following projects:
 - Drought Support Officer;
 - Tourism Marketing Program;
 - CBD Painting Program;
 - Town Entrance – Crispe Street;
 - Town Entrance – Davidson Street;
 - Road Upgrades – Harfleur Street and Wyatt Street;
2. Delay consideration of the Booroorban Heavy Vehicle Layby until the July Council meeting.

CARRIED

Michelle Cobb, Manager Community & Economic Development and Airlie Landale, Drought Support Officer left the Chambers at 10.35am.

CONFIDENTIAL MATTERS**RESOLUTION 2019/06/147**

Moved: Cr Peta Betts

Seconded: Cr Mac Wallace

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993 at 10.36am.

15.1 Transfer or Sale of Land for Unpaid Rates

This matter is considered to be confidential under Section 10A(2) - a, b and c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors), discussion in relation to the personal hardship of a resident or ratepayer and information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

15.2 Contract C2019/12 - Sewer Main Relining 2018/19

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

TRANSFER OR SALE OF LAND FOR UNPAID RATES**RESOLUTION 2019/06/148**

Moved: Cr Mac Wallace

Seconded: Cr Nick Metcalfe

That Council:

1. In accordance with section 570 of the Local Government Act, accept the transfer of the following land for unpaid rates:
 - Lot 29 and 30 DP 815329, Ballantyne Crescent, Deniliquin
 - Lot 19 DP 815329, Burton Street, Deniliquin
 - Lot 12 DP 815329, Harfleur Street, Deniliquin
 - LOT 13 DP 815329, Harfleur Street, Deniliquin
 - LOT 37 DP 749636, Henry Street, Deniliquin
2. In accordance with section 31(2) of the Local Government Act, classify the following land as Operational Land, upon acquisition:
 - Lot 29 and 30 DP 815329, Ballantyne Crescent, Deniliquin
 - Lot 19 DP 815329, Burton Street, Deniliquin
 - Lot 12 DP 815329, Harfleur Street, Deniliquin
 - LOT 13 DP 815329, Harfleur Street, Deniliquin
 - LOT 37 DP 749636, Henry Street, Deniliquin
3. Authorise the General Manager, via MCW Lawyers Pty Ltd, to provide written advice to the Trustee that Council will formally approve the agreement with the Trustee to accept transfer of the properties.
4. Authorises the General Manager to take all necessary steps and execute all necessary documentation to implement part 1 of this resolution of Council.
5. Affix the Council seal in accordance with Clause 400 of the Local Government (General) Regulations 2005 as required to implement part 1 of this resolution of Council.
6. Authorise the write-off of the bad debt, being the net of monies owing in unpaid rates and sundry debtors and the 'fair asset value' of the land transferred.

CARRIED

Cr Norm McAllister left the Chambers at 10.46am.

CONTRACT C2019/12 - SEWER MAIN RELINING 2018/19

RESOLUTION 2019/06/149

Moved: Cr Mac Wallace

Seconded: Cr Nick Metcalfe

That Council:

1. Accept the tender submitted by Insituform Pacific Pty Ltd and award Insituform Pacific Pty Ltd Contract C2019/12 – Sewer Main Relining 2018/19 for the extended schedule of rates tender price of \$299,845.00 + GST.
2. Approve the date of practical completion for Contract C/2019/12 to be Friday, 4 October 2019; and
3. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2019/12 – Sewer Main Relining 2018/19.

CARRIED

Cr Norm McAllister returned to the Chambers at 10.49am

RESOLUTION 2019/06/150

Moved: Cr Mac Wallace

Seconded: Cr Nick Metcalfe

That Council moves out of Closed Council into Open Council.

CARRIED

CLOSE OF MEETING

The Meeting closed at 10.50am

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 July 2019.

.....
CHAIRPERSON