



**Edward
River**
COUNCIL

MINUTES

Extraordinary Council Meeting

25 June 2020

**MINUTES OF EDWARD RIVER COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILIQVIN
ON THURSDAY, 25 JUNE 2020 AT 9.26AM**

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

IN ATTENDANCE: John Rayner (Interim General Manager), Oliver McNulty (Director Infrastructure), Suni Campbell (Director Corporate Services), Marie Sutton (Planning & Continuous Improvement Co-ordinator), Eliza Eastman (Planning Officer)

GALLERY: 5

PRIOR TO OPENING MEETING

Council experienced technical difficulties in broadcasting the meeting and in the circumstances invited five members of the public to attend the meeting. The starting time of the meeting was delayed as staff attempted to overcome the technical problem.

OPENING MEETING

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 www.edwardriver.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.

ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

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.

APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

A leave of absence was requested by Cr McCrabb. Moved by Cr Wallace, seconded Cr McAllister that the request be accepted.

CARRIED

DISCLOSURE OF INTEREST

7.4 Cressy Street Retail Trader Program – Cr Hall non-pencuiniary less than significant.

REPORTS TO COUNCIL**DA 32/20****RESOLUTION 2020/114**

Moved: Cr Norm McAllister

Seconded: Cr Ashley Hall

That Council resolves to: -

1. **APPROVE** the development application DA32/20 for Part Demolition of Brick Wall – Waring Gardens, on Lot 1 DP 24649, 266-312 Cressy Street, Deniliquin dated 29 May 2020 as shown on plan titled 3305/CO6 (May 2020) and Waring Gardens Existing Brick Wall dated 11/06/2020 and described in details accompanying the Development Application, in accordance with Section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:
 - (a) *The development will have no significant adverse impacts upon the heritage listing of Waring Gardens;*
 - (b) *The development will have no significant adverse impacts on the natural or built environment; and*
 - (c) *The demolition is appropriate given consideration to its consistency with the Waring Gardens Redevelopment as contained within the Deniliquin Masterplan 2018;*
2. Impose the conditions on DA32/20 as detailed in Attachment 3 to this report.

In Favour: Crs Norm Brennan, Pat Fogarty, Peta Betts, Marg Bull, Ashley Hall, Norm McAllister, Nick Metcalfe and Mac Wallace

Against: Nil

CARRIED 8/0

9.35am Marie Sutton (Planning & Continuous Improvement Co-ordinator), Eliza Eastman (Planning Officer) left the Chambers.

9.36am Amanda Barber (Manager Finance) entered the Chambers

ADOPTION OF COMBINED DELIVERY PROGRAM 2018-2021 AND OPERATIONAL PLAN 2020-2021

RESOLUTION 2020/115

Moved: Cr Norm McAllister

Seconded: Cr Peta Betts

That Council

1. Receive and note the submission received from Ms. Lynette Ives and Deniliquin Rhinos Cricket Club on the draft combined Delivery Program 2018-2021 and Operational Plan 2020-2021, contained at Attachment A.
2. Acknowledge and thank Ms. Lynette Ives and Deniliquin Rhinos Cricket Club for their 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 2020/2021 year:
 - a) In relation to Ordinary Rates, Council will postpone all rate increases under the rate pegging regime. Accordingly, the 2.6% Rate peg cap as allowed will not be applied by Edward River Council, for the 2020-2021 rating year.
 - b) Pursuant to section 494 of the *Local Government Act 1993*, make and levy the following Ordinary Rates for the year 1 July 2020 to 30 June 2021:

Category and Sub Category	Ad Valorem	Minimum Rate	Base Rate	Base Amount %
CONARGO				
Business Rate	0.0019 6200	\$470		
Farmland Dry	0.0023 1900	\$470		
Farmland Low MIL Irrigation	0.0037 8000	\$470		
Farmland High MIL Irrigation	0.0055 2100	\$470		
Farmland Low Murray/Murrumbidgee Irrigation	0.0028 0300	\$470		
Farmland High Murray/Murrumbidgee Irrigation	0.0043 2700	\$470		
Farmland Murrumbidgee Groundwater	0.0027 7900	\$470		
Farmland Murray Groundwater	0.0055 0400	\$470		
Farmland Private Scheme Irrigation	0.0040 9500	\$470		
Farmland Low Coleambally Irrigation	0.0024 4500	\$470		
Farmland High Coleambally Irrigation	0.0034 4400	\$470		

Residential Rate	0.0041 2500	\$470		
DENILIQVIN				
Ordinary Business Rate	0.0241 0000	\$540		
Business Lots (Mixed Development)	0.0281 2500			
Ordinary Dry Farmland	0.0065 1000			
Ordinary Irrigable Farmland	0.0089 5700			
Ordinary Residential Rate	0.0094 6500		\$434	43.51%
Ordinary Rural Residential Rate	0.0067 7800		\$434	32.60%
Residential Lots (Mixed Development)	0.0137 5000		\$355	

- 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 2020 to 30 June 2021:

Description	\$	Unit
Residential - Filtered Water		
Access Charge	\$368.00	Per annum
Usage charge 0-800K	\$1.01/ kl	Per kilolitre
Usage charge >-800K	\$1.44/ kl	Per kilolitre
Residential – Raw Water		
Access Charge	\$185.00	Per annum
Usage Charge	\$0.75/kl	Per kilolitre
Residential - Non-Potable Water		
Access Charge (Conargo, Wanganella, Booorban)	\$104.00	Per annum
Connection Charge to main supply (Conargo, Wanganella, Booorban)	\$331.00	Per annum
Usage Charge (Conargo, Wanganella, Booorban)	\$0.72/kl	Per kilolitre
Non-Residential - Filtered and raw water		
Access Charge -20mm connection size	\$307.00	Per annum
Access Charge-25mm connection size	\$497.00	Per annum
Access Charge-32mm connection size	\$640.00	Per annum
Access Charge-40mm connection size	\$818.00	Per annum
Access Charge-50mm connection size	\$1,039. 00	Per annum

Access Charge-80mm connection size	\$2,021.00	Per annum
Access Charge-100mm connection size	\$2,279.00	Per annum
Raw Water Usage Charge	\$0.75/kl	Per kilolitre
Raw Water Usage Charge – Community Land	\$0.05/kl	Per kilolitre
Filtered Water Usage Charge	\$1.44/kl	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 2020 to 30 June 2021:

Description	\$	Unit
Sewer Access Charges		
Residential Sewer Unconnected Charge	\$444.00	Per annum
Residential Sewer Connected Charge	\$887.00	Per annum
Non-Residential Unconnected Charge	\$444.00	Per annum
Non-Residential Connected Charge	\$877.00	Per annum
Non-Residential Volume Charge	\$1.52/kl	Based on %

- 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 2020 to 30 June 2021:

Description	\$	Unit
Residential property	\$25.00	Per annum Per Occupancy
Residential strata property	\$12.50	Per annum Per occupancy
Business property	\$25.00	Per annum Per occupancy
Business strata property (apportioned by unit entitlement for business strata lot with a minimum charge of \$5 per unit entitlement per annum)	\$5.00	Per annum Per occupancy

- 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 2020 to 30 June 2021:

Description	\$	Unit
Residential and Non-residential - Domestic Waste Charge	\$368.00	Per Annum Per Property
Residential and Non-residential - Vacant Land Domestic Waste Charge	\$94.00	Per Annum

Residential and Non-residential - Additional Bin Collected	\$368.00	Per Annum Per Property
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- 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 2020 to 30 June 2021:

Liquid Trade Waste Fixed Charges		
Application Fees		
Description	\$	Unit
Category 1	\$118.00	Per application
Category 2	\$231.00	Per application
Category 3	\$344.00	Per application
Annual Fees		
Description	\$	Unit
Category 1 Discharger	\$118.00	Per annum
Category 2 and 2S Discharger	\$118.00	Per annum
Category 3 Discharger	\$118.00	Per annum
Industrial Discharger	\$118.00	Per annum
Pre-Inspection Fee	\$118.00	Per inspection
Liquid Trade Waste Usage Charges		
Description	\$	Unit
Category 1 Discharger with appropriate equipment	\$0.00	Per kilolitre
Category 1 Discharger without appropriate pre-treatment	\$1.78	Per kilolitre
Category 2 Discharger with appropriate equipment	\$1.78	Per kilolitre
Category 2 Discharger without appropriate pre-treatment	\$16.40	Per kilolitre
Non-Compliant Category 3 Discharger	To be Calculated	Per kilolitre
(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)		
Excess Mass Charges:		
Food Waste	\$23.04	Per kilogram
Aluminum	\$0.82	Per kilogram
Ammonia	\$2.43	Per kilogram
Arsenic	\$81.92	Per kilogram
Barium	\$40.96	Per kilogram
Biochemical Oxygen demand - Up to 600mg/L	\$0.82	Per kilogram
(for greater than 600mg/L refer to Council's Policy for calculation)		
Boron	\$0.82	Per kilogram
Bromine	\$16.38	Per kilogram

Cadmium	\$379.24	Per kilogram
Chloride	No Charge	Per kilogram
Chlorinated Hydrocarbons	\$40.96	Per kilogram
Chromium	\$27.29	Per kilogram
Cobalt	\$16.69	Per kilogram
Copper	\$16.69	Per kilogram
Fluoride	\$4.10	Per kilogram
Formaldehyde	\$1.69	Per kilogram
Oil and Grease (Total O & G)	\$1.46	Per kilogram
Herbicides/defoliant	\$820.07	Per kilogram
Iron	\$1.69	Per kilogram
Lead	\$40.96	Per kilogram
Lithium	\$8.19	Per kilogram
Manganese	\$8.19	Per kilogram
Mercury	\$2,764.80	Per kilogram
Methylene Blue Active Substance (MBAS)	\$0.82	Per kilogram
Molybdenum	\$0.82	Per kilogram
Nickel	\$27.29	Per kilogram
Total Kjeldahl Nitrogen (TKN)	\$0.20	Per kilogram
Organoarsenic Compounds	\$821.30	Per kilogram
Pesticides General (excludes organochlorines & organophosphates)	\$821.30	Per kilogram
Petroleum Hydrocarbons (non-flammable)	\$2.73	Per kilogram
Phenolic Compounds (non-chlorinated)	\$8.19	Per kilogram
Phosphorus (Total P)	\$1.69	Per kilogram
Polynuclear Aromatic Hydrocarbons (PAHs)	\$16.69	Per kilogram
Selenium	\$57.65	Per kilogram
Silver	\$1.51	Per kilogram
Sulphate (SO ₄)	\$0.15	Per kilogram
Sulphide	\$1.69	Per kilogram
Sulphite	\$1.81	Per kilogram
Suspended Solids (SS)	\$1.05	Per kilogram
Thiosulphate	\$0.30	Per kilogram
Tin	\$8.19	Per kilogram
Total Dissolved Solids (TDS)	\$0.06	Per kilogram
Uranium	\$8.19	Per kilogram
Zinc	\$16.69	Per kilogram

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 2020-2021, contained at Attachment.
5. Pursuant to sections 404 and 405 of the *Local Government Act 1993*, adopt the draft

combined Delivery Program 2018-2021 and Operational Plan 2020-2021, including the 2020-2021 Statement of Revenue Policy incorporating the annual budget and fees and charges, contained at Attachment.

6. That bike hire be removed from the fees and charges schedule as no fee is charged.
7. That page 65 of the Operating Plan be amended to read "borrowing costs" – Council currently has no loan portfolios and we are exploring the possible funding opportunities for the retirement facilities in the forecast period.

CARRIED

EDWARD RIVER COUNCIL'S COVID-19 ECONOMIC AND RESILIENCE RESPONSE

RESOLUTION 2020/116

Moved: Cr Norm McAllister

Seconded: Cr Nick Metcalfe

That Council, as per **resolution 2020/74**, apply the extension for the revised interim Debt Collection and Hardship Policy (attachment 1) until 31 December 2020

1. Consider taking up the extended period allowing for rates notices to be issued by 01 September 2020 – refer OLG 20-20 Clarification for issuing and collecting 2020-21 single and first quarter rates instalments. Councils cannot enforce the collection of a single instalment or the first quarter rates instalments until after 30 September 2020.
2. Encourage ratepayers who have the capacity to pay their rates early to do so, while acknowledging that many members of the community have been affected by COVID-19 financial pressures and that first quarter rates instalments are now due by 30 September 2020. Pause any new Rates Debt Collection action until 31 December 2020 refer OLG 20-19 Information about Ratings 2020-21.
3. Interest will be raised on all outstanding rates and charges up until 30 June 2020. Those ratepayers that have entered into an approved Payment Plan and have adhered to that Payment Plan, will have any interest charges raised, written off. No interest will be raised on overdue rates and charges from 01 July 2020 until 31 December 2020, From the 01 January 2021 to 30 June 2021 the interest rate will be 7.0% per annum refer OLG 20-19 Information about Ratings 2020-21. Waiving of any other Fees/ Interest charges will be considered on a case by case basis; No Rates or Annual Charges will be written off or waived.
4. Existing properties already under Debt Collection Legal procedure process to continue as normal. Any correspondence received from a ratepayer regarding suspension of Legal pursuit of debts is to be reviewed on a case by case basis with approval to proceed with Legal Action/Temporarily Suspension/Hold Action. Existing legal charges raised on existing Debts on the property remain as charged, no removal of these legal cost of debt recovery amounts will be applicable.

CARRIED

Amanda Barbert (Manager Finance) left the Chambers at 9.45am.

Cr Hall left the Chambers at 9.45am and took no part in the discussion.

CRESSY STREET RETAIL TRADER ASSISTANCE PROGRAM

RESOLUTION 2020/117

Moved: Cr Marg Bull

Seconded: Cr Peta Betts

That the Retail Trader Assistance program, as set out in Council Report 10.13, 21st May 2020 be adopted.

CARRIED

Cr Hall returned to the Chambers at 9.46am

CONFIDENTIAL MATTERS

RESOLUTION 2020/118

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

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:

8.1 Sale and Development of 143-147 Hardinge Street Deniliquin

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

SALE AND DEVELOPMENT OF 143-147 HARDINGE STREET DENILIQUN

RESOLUTION 2020/119

Moved: Cr Pat Fogarty

Seconded: Cr Ashley Hall

That Council

1. Agree to sell the former South Depot site at 143-147 Hardinge Street Deniliquin, to Purtill Bros for the price of \$467,000 including GST.
2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for the sale of the South Depot, 147-149, Hardinge Street, Deniliquin.

CARRIED

RESOLUTION 2020/120

Moved: Cr Ashley Hall

Seconded: Cr Nick Metcalfe

That Council moves out of Closed Council into Open Council.

CARRIED

CLOSE OF MEETING

The Meeting closed at 9.53am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Edward River Council held on 16 July 2020.

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CHAIRPERSON