



**Edward  
River**  
COUNCIL

# **MINUTES**

**Ordinary Council Meeting**

**17 June 2021**

**MINUTES OF EDWARD RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE RFS BUILDING, MACKNIGHT DRIVE, DENILIQUN  
ON THURSDAY, 17 JUNE 2021 AT 9.00AM**

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

**IN ATTENDANCE:** Phil Stone, General Manager; Mark Dalzell, Director Infrastructure; Suni Campbell, Director Corporate Services; Cassie Harkin, Executive Assistant

**GALLERY:** Five

**1 OPENING MEETING**

**2 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.

**3 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.

**4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Nil

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2021/66**

Moved: Cr Pat Fogarty

Seconded: Cr Peta Betts

That the minutes of the Ordinary Council Meeting held on 20 May 2021 be confirmed.

**CARRIED**

**6 DISCLOSURES OF INTERESTS**

10.6 Cr Peta Betts and Cr Ashley Hall declared Non-Pecuniary – Significant interest.

10.8 Cr Peter McCrabb declared a Pecuniary interest in the 2021-2024 Funding Agreement – Murray Regional Tourism.

**7 MAYORAL MINUTE(S)****MOTION****RESOLUTION 2021/67**

Moved: Cr Norm Brennan

Seconded: Cr Pat Fogarty

That the composition of the Seniors Living Precinct Committee consisting of Crs Fogarty, Hall and Betts remain in place until the Senior Living Precinct s355 has been established by Council.

**CARRIED**

**8 REPORTS OF COMMITTEES**

Nil

**9 REPORTS TO COUNCIL****10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2021/68**

Moved: Cr Mac Wallace

Seconded: Cr Marg Bull

That Council note the Mayor, Councillors and General Manager meetings attended during the month of May 2021, undertaken either remotely, or adhering to COVID-19 distancing regulations.

**CARRIED**

It was also noted attendance by Councillors at the following meetings:-

7 May 2021	Budget Roadshow Pretty Pine	Crs McCrabb and Fogarty
10 May 2021	Budget Roadshow Wanganella	Cr McCrabb
12 May 2021	Budget Roadshow Blighty	Cr Fogarty
14 May 2021	Budget Roadshow Conargo	Cr Fogarty

**10.2 RESOLUTIONS OF COUNCIL****RESOLUTION 2021/69**

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

That Council note the information in the Resolutions of Council as at 9 June 2021.

**CARRIED**

**10.3 INVESTMENT & RESERVES REPORT MAY 2021****RESOLUTION 2021/70**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That That Council:

1. Note and receive the May 2021 report on Investments totalling \$44,899,088 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest received for the month of May 2021 was \$13,262.
3. Note that accrued interest earned to 31 May 2021 but not yet received was \$130,900.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report

**.CARRIED**

**10.4 DEBT RECOVERY AND FINANCIAL HARDSHIP POLICY****RESOLUTION 2021/71**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council

1. Adopt the Debt Collection and Hardship Policy with an interim amendment for a 12-month period detailing provision for payment arrangements due to rates harmonisation impacts.
2. Note that the interim clause will be reviewed after June 2022.

**CARRIED**

**10.5 COUNCILLOR AND MAYOR FEES 2021/22****RESOLUTION 2021/72**

Moved: Cr Mac Wallace

Seconded: Cr Peter McCrabb

That Council

1. Fix the annual fee for the mayor \$27,060 in accordance with the appropriate determination of the Remuneration Tribunal effective from 1 July 2021.
2. Fix the annual fees of \$12,400 for the councillors in accordance with the appropriate determination of the Remuneration Tribunal effective from 1 July 2021.
3. Note the option to make Superannuation payments to mayors and councillors effective from 1 July 2022.

**CARRIED**

At 9.18am, Cr Peta Betts and Cr Ashley Hall left the meeting.

**10.6 EDWARD RIVER SENIORS LIVING PRECINCT****RESOLUTION 2021/73**

Moved: Cr Norm McAllister

Seconded: Cr Mac Wallace

That Council:

1. Endorse the initial Business Case for the Edward River Council Seniors Living Precinct (SLP) with the following principles and assumptions:
  - a. The capital and operational financial model, updated with the recent \$1m Murray Darling Basin grant, shows an operating surplus estimated for year 5, depending on demand.
  - b. Marketing dwellings “off the plan” to confirm the number of dwellings required for construction in the first stage.
  - c. Operating the SLP under a “Deferred Management Fee (DMF)” structure with a lifetime loan/lease/license arrangement.
  - d. Initially adopting a 40% DMF over an 8-year term.
2. Adopt six standard floor plans: Designs A, N and X – 3 Bedroom dwellings, and Designs C, D and Q – 2 Bedroom dwellings, for detailed design by the architect.
3. Commence the development of a Section 355 Committee as the initial governance mechanism of the SLP, noting that:
  - a. the terms of reference and appointment of the committee members are to be developed for future Council approval.
  - b. the governance structure may change in future depending on how Council wishes to manage the SLP in the longer term.
4. Seek expert advice to assist in establishing the Entry Price of the various dwelling designs offered for sale.
5. Engage an independent agent to market and pre-sell dwellings for the initial project stages.
6. Proceed to tender for design and construction of dwellings and civil infrastructure to further firm up the financials of the business case and budgets, noting civil and dwelling designs are well advanced.
7. Design and install a new sign at the site of the project, showing the architect’s impression of the village in full operation.
8. Develop designs for a gateway/entrance to the precinct.
9. Make budget provision for SLP capital reserves such as dwelling refurbishment and future capital development from the DMF fees and grants.

**CARRIED**

At 9.28am, Cr Peta Betts and Cr Ashley Hall returned to the meeting.

**10.7 2021-2023 MOU - DENI PLAY ON THE PLAINS FESTIVAL LTD.****RESOLUTION 2021/74**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That this item be deferred until the next Council meeting.

**CARRIED**

At 9.35am, Cr Peter McCrabb left the meeting.

**10.8 2021-2024 FUNDING AGREEMENT - MURRAY REGIONAL TOURISM****RESOLUTION 2021/75**

Moved: Cr Pat Fogarty

Seconded: Cr Nick Metcalfe

That Council:

1. Approve the 2021-2024 Funding Agreement between Edward River Council and Murray Regional Tourism, on the condition of Murray Regional Tourism agreeing to Edward River Council's requests.
2. Authorises the General Manager to provide written confirmation to Murray Regional Tourism to enact this Motion.

**CARRIED**

At 9.38am, Cr Peter McCrabb returned to the meeting.

**10.9 DISSOLUTION OF CENTRAL MURRAY REGIONAL LIBRARY AGREEMENT****RESOLUTION 2021/76**

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

1. Council dissolve the Central Murray Library Committee and the 2002 Central Murray Library Agreement in accordance with the decision of the Central Murray Library Committee
2. Note that the process of separating the library service from Murray River Council has now been enacted in accordance with Council resolution 2019/11/284.
3. Council note that the date for separation is June 30, 2021.
4. Council adopt Edward River Library as the new name for the Edward River Council library service.

**CARRIED**

**10.10 COMMUNITY AND ECONOMIC DEVELOPMENT TEAM UPDATE****RESOLUTION 2021/77**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

1. That Council receive and endorse the Community and Economic Development Department update

**CARRIED**

**10.11 DRAFT INDUSTRIAL LAND STRATEGY****RESOLUTION 2021/78**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council

1. Adopt the draft Industrial Land Strategy
2. Forward the Industrial Land Strategy to the Department of Planning, Industry & Environment and request that it be endorsed.

**CARRIED**

**10.12 ENVIRONMENTAL SERVICES REPORT****RESOLUTION 2021/79**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

That Council note the Environmental Services report for May 2021

**CARRIED**

**10.13 PRETTY PINE RESERVE COMMITTEE'S REQUEST****RESOLUTION 2021/80**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council

1. Enter into an agreement with the Pretty Pine Reserve Committee to fund the construction of a second synthetic tennis court on a 50:50 basis up to a Council contribution of \$15,000,
2. Re-allocate \$15,000 from the Local Roads & Community Infrastructure Round One funding to the construction of a second synthetic tennis court at Pretty Pine Reserve, and
3. Consider the construction of a verandah at the Caretaker's cottage on the Pretty Pine Reserve as part of Council's building renewal program.

**CARRIED**

**10.14 POTENTIAL DENILQUIN AIRPORT RESIDENTIAL SKYPARK DEVELOPMENT****RESOLUTION 2021/81**

Moved: Cr Peter McCrabb

Seconded: Cr Norm McAllister

That Council

1. Prepare a business case for the development of a residential Skypark at Denilquin Airport,
2. Allocate \$30,000 from Airport Industrial Land reserve towards the business case for a residential Skypark development at the Denilquin Airport.

**CARRIED**

**10.15 EXPRESSION OF INTEREST FOR DENILQUIN AIRPORT INDUSTRIAL AREA****RESOLUTION 2021/82**

Moved: Cr Peter McCrabb

Seconded: Cr Norm McAllister

That Council:

1. Undertakes a public exhibition period of 28-days regarding the sale of land in the Airport Precinct as defined in Attachment 1 to this report, and
2. Receives a further report regarding the Expression of Interest process following a 28-day exhibition period.

**CARRIED**

**10.16 OPERATIONS DEPARTMENT UPDATE****RESOLUTION 2021/83**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council receive and note the June 2021 Operations Department Update.

**CARRIED**

**10.17 MAJOR PROJECTS PROGRAM - JUNE 2021 - PROGRESS REPORT****RESOLUTION 2021/84**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council note the Major Projects Program from various funding sources - Progress Report for June 2021.

**CARRIED**



**10 NOTICES OF MOTIONS**

Nil

**11 QUESTIONS WITH NOTICE**

Nil

**12 CONFIDENTIAL MATTERS****RESOLUTION 2021/85**

Moved: Cr Peter McCrabb

Seconded: Cr Peta Betts

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:

**13.1 Request to Write-off Debtor Accounts**

This matter is considered to be confidential under Section 10A(2) - a and b 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) and discussion in relation to the personal hardship of a resident or ratepayer.

**13.2 Contract C2021/06 - George Street Reconstruction 20-21**

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****13.1 REQUEST TO WRITE-OFF DEBTOR ACCOUNTS****RESOLUTION 2021/86**

Moved: Cr Peter McCrabb

Seconded: Cr Nick Metcalfe

That Council:

1. Receive and note the report.
2. Authorise the write-off of bad trade debts amounting to **\$13,860.68** for financial year 20/21 that are unrecoverable (as showing in Attachment 1) in accordance with *clause 213(3) of the Local Government (General) Regulation 2005*

**CARRIED**

**13.2 CONTRACT C2021/06 - GEORGE STREET RECONSTRUCTION 20-21**

**RESOLUTION 2021/87**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council

1. Accepts the revised tender submitted by Deni Civil and Construction Pty Ltd for Contract C2021/06 – George Street Reconstruction 20/21 for the lump sum tender price of \$184,263.00 + GST;
2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2021/06 – George Street Reconstruction 20/21, and
3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value.

**CARRIED**

**RESOLUTION 2021/88**

Moved: Cr Peta Betts

Seconded: Cr Mac Wallace

That Council moves out of Closed Council into Open Council.

**CARRIED**

**13 CLOSE OF MEETING**

**The Meeting closed at 11.05am**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 July 2021.**

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**CHAIRPERSON**