



**Edward  
River**  
COUNCIL

# **MINUTES**

**Ordinary Council Meeting**

**20 May 2021**

**MINUTES OF EDWARD RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE RFS BUILDING, MACKNIGHT DRIVE, DENILIQVIN  
ON THURSDAY, 20 MAY 2021 AT 9.00AM**

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

**IN ATTENDANCE:** Phil Stone (General Manager), Mark Dalzell (Director Infrastructure), Amanda Barber (Manager Finance), Cassie Harkin (Executive Assistant Infrastructure), Tiffany Carroll (Communications Advisor), Belinda Perrett (Executive Assistant)

**GALLERY:** One

**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**

**APOLOGY**

**RESOLUTION 2021/47**

Moved: Cr Peter McCrabb  
Seconded: Cr Norm McAllister

That the apology received from Cr Peta Betts and Cr Nick Metcalfe be accepted and leave of absence granted.

**CARRIED**

**5 CONFIRMATION OF MINUTES**

**RESOLUTION 2021/48**

Moved: Cr Mac Wallace  
Seconded: Cr Marg Bull

That the minutes of the Ordinary Council Meeting held on 15 April 2021 be confirmed.

**CARRIED**

**6 DISCLOSURES OF INTERESTS**

Cr Marg Bull declared a Non-Pecuniary – Less than significant in relation to item 10.5 Combined Delivery Program & Operational Plan.

**7 MAYORAL MINUTE(S)**

That the matter of item 10.5 Adoption of Combined Delivery Program 2018-22 and Operational Plan 2021-2022 be discussed as the final general business agenda item.

**8 REPORTS OF COMMITTEES**

Nil

**9 REPORTS TO COUNCIL****10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2021/49**

Moved: Cr Pat Fogarty  
Seconded: Cr Mac Wallace

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

**CARRIED**

**10.2 RESOLUTIONS OF COUNCIL****RESOLUTION 2021/50**

Moved: Cr Peter McCrabb  
Seconded: Cr Norm McAllister

That Council note the information in the Resolutions of Council as at 6 May 2021.

**CARRIED**

**10.3 INVESTMENT & RESERVES REPORT APRIL 2021****RESOLUTION 2021/51**

Moved: Cr Peter McCrabb  
Seconded: Cr Mac Wallace

That That Council:

1. Note and receive the April 2021 report on Investments totalling \$44,075,642 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest received for the month of April 2021 was \$27,905.
3. Note that accrued interest earned to 30 April 2021 but not yet received was \$131,429.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report

**.CARRIED**

**10.4 QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2021****RESOLUTION 2021/52**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council

- 1) Receive the 31 March 2021 financial review of the 2020/21 Operational Plan as adopted at the Council Meeting in June 2020
- 2) Approve the budget variations as detailed in this report. If all these variations are approved Council will have a surplus of \$5,858,000, and after removing Capital Grants a *deficit* of \$564,000.

**CARRIED**

Amanda Barber, Finance Manager left the Chambers at 9.28am.

**10.6 COMBINED DELIVERY PROGRAM 2018-2021 AND OPERATIONAL PLAN 2020-2021 QUARTERLY MARCH 2021 PROGRESS REPORT****RESOLUTION 2021/53**

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That Council:

1. Receive and note the Combined Delivery Program 2018-2021 and Operational Plan 2020-2021 Quarterly March 2021 Progress Report, contained at Attachment 1.

**CARRIED**

**10.7 STRATEGIC REVIEW OF COMMITTEES - DRAFT LICENCE AGREEMENT****RESOLUTION 2021/54**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council adopt the Draft Licence Agreement for the Deniliquin Community Gardens as at Attachment 1 which, as part of the Strategic Review of Committee Framework and Community Facility Model Report, is to become Incorporated.

**CARRIED**

**10.8 FRAUD AND CORRUPTION PREVENTION POLICY**

**RESOLUTION 2021/55**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council

1. Rescind the Fraud and Corruption Policy adopted 15 November 2018
2. Adopt the updated Draft Fraud and Corruption Policy

**CARRIED**

**10.9 ENVIRONMENTAL SERVICES REPORT**

**RESOLUTION 2021/56**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council note the Environmental Services report for April 2021

**CARRIED**

**10.10 NORTH DEPOT REFURBISHMENT**

**RESOLUTION 2021/57**

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council allocate \$150,000 from the sale of the South Depot to the redevelopment of the North Depot.

**CARRIED**

**10.11 OPERATIONS DEPARTMENT UPDATE**

**RESOLUTION 2021/58**

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

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

**CARRIED**

9.53am Cr McAllister left the Chambers and returned at 9.55am.

9.57am Director Corporate Services left the Chambers and returned at 10.01am

10.00am Manager Finance returned to the Chambers.

**10.12 CAPITAL WORKS UPDATE - QUARTER 3****RESOLUTION 2021/59**

Moved: Cr Peter McCrabb

Seconded: Cr Marg Bull

That Council notes the final Capital Works update for the 2020/21 financial year.

**CARRIED**

**10.13 MAJOR PROJECTS PROGRAM - MAY 2021 - PROGRESS REPORT****RESOLUTION 2021/60**

Moved: Cr Pat Fogarty

Seconded: Cr Marg Bull

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

**CARRIED**

**10.14 RECISSION OF COUNCIL RESOLUTION - 2021/41 ATTENDANCE AT ALGA REGIONAL FORUM NGA21****RESOLUTION 2021/61**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council rescinds Motion 2021/41 Australian Local Government Association Regional Forum 2021 "Working Together for our Communities NGA21"

**CARRIED**

**10.10AM COUNCIL ADJORNED.**

**10.21AM COUNCIL RESUMED STANDING ORDERS**

**10.5 ADOPTION OF COMBINED DELIVERY PROGRAM 2018-2022 AND OPERATIONAL PLAN 2021-2022****RESOLUTION 2021/62**

Moved: Cr Norm McAllister

Seconded: Cr Ashley Hall

That Council

1. Note that action 5.3.4.4 has been added to the Operational Plan 2021-2022 to bring Council to a more sustainable pathway over time.
2. Receive and note submission(s) received from Mr. Colin Bull, Ms. Deb Stockton, Mr. Clint Free (Denilquin Rams – Football Netball Club) and Mr. Colin McCrabb on the draft combined Delivery Program 2018-2022 and Operational Plan 2021-2022, contained at Attachment 1.

3. Acknowledge and thank Mr. Colin Bull, Ms. Deb Stockton, Mr. Clint Free and Mr. Colin McCrabb for their submission(s) and request the General Manager respond to the submission(s) in accordance with this resolution.
4. In response to submission 1 from Mr. Colin Bull, approve a gravel resheeting project to be undertaken along Carrathool Road and Mabins Well Road in the 2021-2022 financial year under the road resheet program, and note that a response will be sent to the submitter accordingly.
5. In response to submission 2 from Ms. Deb Stockton, the Billabong Estate, acknowledge – that work Council would undertake on a private road network will be Private Works in line with the Private Works policy, and note that a response will be sent to the submitter accordingly.
6. In response to submission 3 from Mr. Clint Free, note that Council staff have commenced working in partnership with Deni Rams, following the opening of the clubrooms, regarding a strategic plan for the facility and are available to assist with in-kind funding support, and note that a response will be sent to the submitter accordingly.
7. In response to submission 4 from Mr. Colin McCrabb, Capital works for Wanganella-Moulamein Road have been considered and they have been included in the 2021-2022 financial year under both the road reseal and resheet program, and note that a response will be sent to the submitter accordingly.
8. 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 2021/2022 year:
  - a) In relation to Ordinary Rates, Council apply the 2.0 per cent rate increase as determined by the Independent Pricing and Remuneration Tribunal.
  - b) In relation to Ordinary Rates, Council recoup \$194,000 (the postponed 2.6% Rate peg cap for the 2020-2021 rating year) due to ERC COVID-19 Economic and Resilience Response.
  - c) Pursuant to section 494 of the *Local Government Act 1993*, make and levy the following Ordinary Rates for the year 1 July 2021 to 30 June 2022:

Category and Subcategory	Ad Valorem Rate	Minimum Charge	Base Amount	Base Amount %
Business Other	0.00312150	\$ 470.00		
Business Deniliquin	0.02522206	\$ 540.00		
Farmland Dry	0.00230000		\$ 550.00	28.60%
Farmland Irrigable	0.00385500		\$ 550.00	15.70%
Business Lots (Mixed Development)	0.02950000			
Residential Lots (Mixed Development)	0.01460900		\$ 355.00	25.30%
Residential Deniliquin Other	0.00724000		\$ 434.00	31.20%
Residential Other	0.00697190		\$ 185.00	36.90%
Residential Deniliquin	0.01023104		\$ 434.00	41.30%

- d) 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 2021 to 30 June 2022:

Description	\$	Unit
<b>Residential - Filtered Water</b>		
Access Charge	\$374.00	Per annum
Usage charge 0-800K	\$1.03/ kl	Per kilolitre
Usage charge >-800K	\$1.46/ kl	Per kilolitre
<b>Residential – Raw Water</b>		
Access Charge	\$188.00	Per annum
Usage Charge	\$0.76/kl	Per kilolitre
<b>Residential - Non-Potable Water</b>		
Access Charge (Conargo, Wanganella, Booorban)	\$106.00	Per annum
Connection Charge to main supply (Conargo, Wanganella, Booorban)	\$337.00	Per annum
Usage Charge (Conargo, Wanganella, Booorban)	\$0.73/kl	Per kilolitre
<b>Non-Residential - Filtered and raw water</b>		
Access Charge -20mm connection size	\$312.00	Per annum
Access Charge-25mm connection size	\$506.00	Per annum
Access Charge-32mm connection size	\$651.00	Per annum
Access Charge-40mm connection size	\$832.00	Per annum
Access Charge-50mm connection size	\$1,057.00	Per annum
Access Charge-80mm connection size	\$2,055.00	Per annum
Access Charge-100mm connection size	\$2,318.00	Per annum
Raw Water Usage Charge	\$0.76/kl	Per kilolitre
Raw Water Usage Charge – Community Land	\$0.05/kl	Per kilolitre
Filtered Water Usage Charge	\$1.46/ kl	Per kilolitre

- e) 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 2021 to 30 June 2022:

Description	\$	Unit
<b>Sewer Access Charges</b>		
Residential Sewer Unconnected Charge	\$452.00	Per annum
Residential Sewer Connected Charge	\$902.00	Per annum
Non-Residential Unconnected Charge	\$452.00	Per annum
Non-Residential Connected Charge	\$902.00	Per annum
Non-Residential Volume Charge	\$1.56/kl	Based on %



- f) 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 2021 to 30 June 2022:

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

- g) 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 2021 to 30 June 2022:

Description	\$	Unit
Residential and Non-residential - Domestic Waste Charge	\$374.00	Per Annum Per Property
Residential and Non-residential - Vacant Land Domestic Waste Charge	\$95.50	Per Annum
Residential and Non-residential - Additional Bin Collected	\$374.00	Per Annum Per Property

- h) 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 2021 to 30 June 2022:

Liquid Trade Waste Fixed Charges		
Application Fees		
Description	\$	Unit
Category 1	\$120.00	Per application
Category 2	\$234.00	Per application
Category 3	\$349.00	Per application
Annual Fees		
Description	\$	Unit
Category 1 Discharger	\$120.00	Per annum
Category 2 and 2S Discharger	\$120.00	Per annum
Category 3 Discharger	\$120.00	Per annum
Industrial Discharger	\$120.00	Per annum
Pre-Inspection Fee	\$120.00	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	\$1.81	Per kilolitre
Category 2 Discharger with appropriate equipment	\$1.81	Per kilolitre
Category 2 Discharger without appropriate pre-treatment	\$16.70	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	\$23.43	Per kilogram
Aluminum	\$0.83	Per kilogram
Ammonia	\$2.47	Per kilogram
Arsenic	\$83.31	Per kilogram
Barium	\$41.66	Per kilogram
Biochemical Oxygen demand - Up to 600mg/L	\$0.83	Per kilogram
(for greater than 600mg/L refer to Council's Policy for calculation)		
Boron	\$0.83	Per kilogram
Bromine	\$16.66	Per kilogram
Cadmium	\$385.69	Per kilogram
Chloride	No Charge	Per kilogram
Chlorinated Hydrocarbons	\$41.66	Per kilogram
Chromium	\$27.75	Per kilogram
Cobalt	\$16.97	Per kilogram
Copper	\$16.97	Per kilogram
Fluoride	\$4.17	Per kilogram
Formaldehyde	\$1.72	Per kilogram
Oil and Grease (Total O & G)	\$1.49	Per kilogram
Herbicides/defoliant	\$834.01	Per kilogram
Iron	\$1.72	Per kilogram
Lead	\$41.66	Per kilogram
Lithium	\$8.33	Per kilogram
Manganese	\$8.33	Per kilogram
Mercury	\$2,811.80	Per kilogram
Methylene Blue Active Substance (MBAS)	\$0.83	Per kilogram
Molybdenum	\$0.83	Per kilogram
Nickel	\$27.75	Per kilogram
Total Kjeldahl Nitrogen (TKN)	\$0.21	Per kilogram
Organoarsenic Compounds	\$835.26	Per kilogram

Pesticides General (excludes organochlorines & organophosphates)	\$835.26	Per kilogram
Petroleum Hydrocarbons (non-flammable)	\$2.78	Per kilogram
Phenolic Compounds (non-chlorinated)	\$8.33	Per kilogram
Phosphorus (Total P)	\$1.72	Per kilogram
Polynuclear Aromatic Hydrocarbons (PAHs)	\$16.97	Per kilogram
Selenium	\$58.63	Per kilogram
Silver	\$1.53	Per kilogram
Sulphate (SO4)	\$0.16	Per kilogram
Sulphide	\$1.72	Per kilogram
Sulphite	\$1.84	Per kilogram
Suspended Solids (SS)	\$1.07	Per kilogram
Thiosulphate	\$0.30	Per kilogram
Tin	\$8.33	Per kilogram
Total Dissolved Solids (TDS)	\$0.06	Per kilogram
Uranium	\$8.33	Per kilogram
Zinc	\$16.97	Per kilogram

9. 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 2018-2022 and Operational Plan 2021-2022, contained at Attachment 2.
10. Pursuant to sections 404 and 405 of the *Local Government Act 1993*, adopt the draft combined Delivery Program 2018-2022 and Operational Plan 2021-2022, including the 2021-2022 Statement of Revenue Policy incorporating the annual budget and fees and charges, contained at Attachment.

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

Against: Cr Peter McCrabb

**CARRIED 6/1**

**10 NOTICES OF MOTIONS**

Nil

**11 QUESTIONS WITH NOTICE**

Nil

**12 CONFIDENTIAL MATTERS****RESOLUTION 2021/63**

Moved: Cr Mac Wallace  
Seconded: Cr Peter McCrabb

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 Barham Road Site - Lot 3 DP1213955**

This matter is considered to be confidential under Section 10A(2) - 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**CARRIED****13.1 BARHAM ROAD SITE - LOT 3 DP1213955****RESOLUTION 2021/64**

Moved: Cr Norm McAllister  
Seconded: Cr Peter McCrabb

That Council

1. Note this report regarding the operational requirements for a future Sewerage Treatment Plant,
2. Adopt the area along Barham Road on Lot 3 DP1213955 as the preferred location for a future Sewage Treatment Plant.
3. Note that the Barham Rd site, known as Lot 3 DP1213955, is not under consideration for sale by council in whole or in part.

**CARRIED****RESOLUTION 2021/65**

Moved: Cr Mac Wallace  
Seconded: Cr Norm McAllister

That Council moves out of Closed Council into Open Council.

**CARRIED**

**13 CLOSE OF MEETING**

**The Meeting closed at 11.25am**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 June 2021.**

.....  
**CHAIRPERSON**