



**murray river
council**

AGENDA

Ordinary Council Meeting Tuesday, 12 December 2023

**I hereby give notice that an Ordinary Meeting of Murray River Council
will be held on:**

Date: Tuesday, 12 December 2023

Time: 1:00 PM

**Location: Council Chambers
Moama Administration Office
52 Perricoota Road, Moama**

**Terry Dodds
Chief Executive Officer**

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1 OPENING MEETING

2 ACKNOWLEDGEMENT OF COUNTRY

I acknowledge and respect the Traditional Custodians of the Lands where we stand today,
I acknowledge Elders past and present, the pioneers whose toil inspires us still;
And those who gave their lives, that we many now,
On this proud past, a vibrant future build.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Questions without notice arising from minutes of previous meeting:

4 CONFIRMATION OF MINUTES

4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 28 NOV 2023 OF MURRAY RIVER COUNCIL

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the minutes of the Ordinary Meeting of Murray River Council held on 28 November 2023 be confirmed as a true and correct record.

DISCUSSION

Murray River Council held its Ordinary Meeting of the Council on Tuesday 28 November 2023, commencing at 1:00pm at the Moulamein Bowling Club, Endeavour Drive, Moulamein.

A copy of the draft minutes for the meeting are attached for ratification by the Council at this meeting.

ATTACHMENTS

1. **Unconfirmed_MINUTES_Ordinary Meeting of Council 28 Nov 2023**  

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**28 November 2023**

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE MOULAMEIN BOWLING CLUB, ENDEAVOUR DRIVE, MOULAMEIN NSW 2733
ON TUESDAY, 28 NOVEMBER 2023 AT 1:00 PM**

PRESENT: Cr Frank Crawley (Mayor), Cr Neil Gorey (Deputy Mayor), Cr Nikki Cohen (Councillor), Cr Ann Crowe (Councillor), Cr Dennis Gleeson (Councillor), Cr Kron Nicholas (Councillor), Cr Thomas Weyrich (Councillor), Cr Geoff Wise (Councillor)

IN ATTENDANCE: Terry Dodds (Chief Executive Officer), Lindy Leyonhjelm (Executive Assistant), Rod Croft (Director Planning & Environment), Alex Green (Manager Technology & Digital Services), Christian Austin (Coordinator - Technology & Digital Services), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Sarah Ryan (Director Community & Economic Development), Sandra Gordon (Manager Governance & Risk)

1 OPENING MEETING

The Mayor held a short appropriate prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the meeting with an Acknowledgement of Country.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES**4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 24 OCT 2023 AND EXTRA ORDINARY MEETING HELD ON 15 NOV 2023 OF MURRAY RIVER COUNCIL****RESOLUTION 091123**

Moved: Cr Geoff Wise
Seconded: Cr Neil Gorey

That the minutes of the Ordinary Meeting of Murray River Council held on 24 October 2023 and Extra Ordinary Meeting of Murray River Council held on 15 November 2023 be confirmed as a true and correct record.

CARRIED

Questions without notice arising from minutes of previous meeting/s

5 DISCLOSURES OF INTERESTS

There were no conflict of interests declarations received from Councillors or staff on any matter within the meeting.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**28 November 2023****6 DEPUTATIONS****7 MAYORAL MINUTE(S)**

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 2023 SCHOOL PRESENTATION FUNCTIONS****RESOLUTION 101123**

Moved: Cr Nikki Cohen

Seconded: Cr Thomas Weyrich

That Councillors determine their attendance at each of the annual presentation functions of the district schools who have requested Councillor attendance (and in some cases to present the Council sponsored award), as detailed in the report.

CARRIED

Please note – Dec 12 is the date that the next Ordinary Meeting of Council is being held, with a private function to follow for Councillor.

Delegates will be attending the below meetings as resolved at the Council meeting:

Barham High School – 14 Dec 1:30pm – Cr Neil Gorey

Barham Public School – 14 Dec 9:30am – Cr Neil Gorey

Bunnaloo PS – 14 Dec 9am – Cr Geoff Wise

Deniliquin High School – 12 Dec, unable to attend due to Council meeting and function

Deniliquin South Public School – 8 Dec 12:30pm – Cr Kron Nicholas

Mathoura Public School – 13 Dec 7pm – Cr Thomas Weyrich

Moama Anglican Grammar – 12 Dec time TBA – if timing works Cr Nikki Cohen

Moama Public School – 12 Dec 12 noon – Unable to attend due to Council meeting

St Michael's Primary School Deniliquin – 7 Dec 6:30pm – Cr Frank Crawley

Tooleybuc Central School – 11 Dec 6pm – Cr Ann Crowe

Wakool/Burraboi Public School – 7 Dec 9am – Cr Dennis Gleeson

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**28 November 2023****9.1.2 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 111123**

Moved: Cr Geoff Wise

Seconded: Cr Ann Crowe

That the Council resolve to receive and note the status of previous resolutions of Council (in open and closed Council) contained in the Monthly Operation Report including the Resolution Tracker Reports.

CARRIED**9.1.3 MONTHLY OPERATIONAL REPORT****RESOLUTION 121123**

Moved: Cr Thomas Weyrich

Seconded: Cr Neil Gorey

That the Monthly Operational Report as of October 2023 be received and the information noted by the Council.

CARRIED**9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS****9.2.1 AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) MINUTES - MEETING HELD 18 SEPTEMBER 2023****RESOLUTION 131123**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That the minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on Monday 18 September 2023 be noted by Council.

CARRIED**9.2.2 2022-2023 MURRAY RIVER COUNCIL ANNUAL REPORT****RESOLUTION 141123**

Moved: Cr Nikki Cohen

Seconded: Cr Dennis Gleeson

That the 2022-2023 Murray River Council Annual Report be received and the information noted by the Council.

CARRIED

Report be adopted and the CEO and Manager Governance & Risk make amendments by differentiating between Councillors attending professional development training and other events.

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9.2.3 TENDER PANEL OF IT CONSULTANTS**RESOLUTION 151123**

Moved: Cr Ann Crowe
 Seconded: Cr Dennis Gleeson

That Council

1. Notes the Tender Evaluation Report attached under Attachment 1 for an overview of the Completed Tender Process.
2. Appoints the following consultants to a panel of IT consultants:

A23 Pty Ltd
Atturra
Chartertech
DataMC
Ladd & Associates
Leander Business Consulting
LGA Cloud
Moller Family Trust
Prometix
SMS Integration
Strategic Directions
SWIT Consulting
Systems Thinking

3. Authorise the CEO to sign the consultancy agreements with panel members as required.

CARRIED

9.2.4 PRESENTATION OF FINANCIAL REPORTS & AUDITOR'S REPORT FOR THE YEAR ENDED 30 JUNE 2023**RESOLUTION 161123**

Moved: Cr Geoff Wise
 Seconded: Cr Thomas Weyrich

That Murray River Council (Council) resolve to receive the Audited Financial Statements for the Financial Year 2022/23 together with the associated Auditor's Reports, noting the qualified audit opinion due to the non-recognition of Rural Fire Services plant and equipment, in keeping with a prior Council resolution.

CARRIED

Postponed until the Auditor (Mr Brad Bohun) was available to attend meeting – 2pm

9.2.5 COUNCILLOR & EMPLOYEE INTERACTION POLICY V#2 - FINAL ADOPTION**RESOLUTION 171123**

Moved: Cr Geoff Wise
 Seconded: Cr Neil Gorey

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That the Councillor & Employee Interaction Policy V#2 be adopted and placed in the Policy Register.

CARRIED**9.2.6 ROAD & PLACE NAME POLICY V#1 - FINAL ADOPTION****RESOLUTION 181123**

Moved: Cr Neil Gorey
Seconded: Cr Dennis Gleeson

That the Road & Place Name Policy V#1 be adopted and placed in the Policy Register.

CARRIED**9.2.7 QUARTERLY BUDGET REVIEW - PERIOD ENDED 30 SEPTEMBER 2023****RESOLUTION 191123**

Moved: Cr Dennis Gleeson
Seconded: Cr Neil Gorey

That Council resolve to:

1. Adopt the budget variations as detailed within the report and any subsequent changes made to those votes, in Council's estimates of income and expenditure for 2023/2024 financial year, which includes changes to the 2023/2024 Capital Listing as updated per Attachment 3 and the following Reserve movements:
 - a. from reserves to fund the following Capital activities:
 - i. \$6,718,393 from General reserve
 - ii. \$1,676,850 from Sewer reserve
 - iii. \$1,261,400 from Water reserve
 - iv. \$2,392,954 from Waste reserve; and
 - b. to reserves for the following Operational activities:
 - i. \$4,028,018 to the General reserve
 - ii. \$2,521,796 to the Sewer reserve
 - iii. \$2,634,204 to the Water reserve
 - iv. \$642,208 to the Waste reserve.

CARRIED**9.2.8 INVESTMENTS AND RESERVES REPORT AS AT 31 OCTOBER 2023****RESOLUTION 201123**

Moved: Cr Neil Gorey
Seconded: Cr Dennis Gleeson

That Council resolve to receive the Investments & Reserves Report, as of 31 October 2023.

CARRIED

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9.2.9 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 31 OCTOBER 2023**RESOLUTION 211123**

Moved: Cr Geoff Wise
 Seconded: Cr Kron Nicholas

That Council:

1. Receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 31 October 2023.

CARRIED**9.2.10 REQUEST TO THE MINISTER NOT TO FILL THE VACANCY RESULTING FROM THE RESIGNATION OF COUNCILLOR BILKEY****RESOLUTION 221123**

Moved: Cr Thomas Weyrich
 Seconded: Cr Nikki Cohen

That:

Council resolves to seek approval from the Minister of Local Government that an order is made not to fill the casual vacancy of an elected member of Council.

CARRIED**9.3 DIRECTOR IINFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS****9.3.1 CENTRAL MURRAY REGIONAL TRANSPORT FORUM****RESOLUTION 231123**

Moved: Cr Neil Gorey
 Seconded: Cr Thomas Weyrich

That Council appoint a Councillor representative to join the Central Murray Regional Transport Forum.

CARRIED

Council delegates to be representative of MRC on Forum –

Cr Ann Crowe

Cr Thomas Weyrich

Alternate delegate is Cr Gorey

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

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9.4.1 BUDGET VARIATION REQUEST - HORSESHOE LAGOON BALUSTRADE COMPLIANCE**RESOLUTION 241123**

Moved: Cr Thomas Weyrich

Seconded: Cr Ann Crowe

That Council approve the Officers recommendation to reallocate \$80,000 of internal budget (Soundshell) to resolve compliance issues identified in relation to the balustrading, repairs to the access stairs and supporting beams on the Moama Wharf.

CARRIED

At 2:22 pm, Cr Dennis Gleeson left the meeting.

At 2:24 pm, Cr Dennis Gleeson returned to the meeting.

9.4.2 PLANNING PROPOSAL TO CHANGE ZONING FROM R5 LARGE LOT TO RU5 VILLAGE AND VARY THE MINIMUM LOT SIZE FROM 4,000M2 TO 450M2 AT LOT 611 DP 611 IN DP 806704, 6 CLIFTON STREET MATHOURA NSW 2710**RESOLUTION 251123**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That:

1. Council endorse the Planning Proposal prepared by Habitat Planning Pty to change zoning from R5 large lot to RU5 Village and vary the minimum lots size from 4000m2 to 450m2 for Lot 611 in DP806704 located at 6 Clifton Street, Mathoura NSW 2710.
2. The Planning Proposal be sent to NSW Department of Planning and Environment (DPE) for a 'Gateway Determination' in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
3. Council's staff complete all actions, as outlined in the Gateway Determination and send the Planning Proposal to the NSW Parliamentary Counsel's Office (PCO) requesting Parliamentary Counsel's Opinion and drafting of a new/amended Murray Local Environmental Plan (LEP).
4. Council note if objections are received via the public exhibition process, a further report will come back to council for consideration.

In Favour: Crs Frank Crawley, Neil Gorey, Nikki Cohen, Ann Crowe, Dennis Gleeson, Kron Nicholas, Thomas Weyrich and Geoff Wise

Against: Nil

CARRIED 8/0**CARRIED****9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS**

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9.5.1 DRAFT ECONOMIC DEVELOPMENT & TOURISM STRATEGY 2023-2028**RECOMMENDATION**

That Council:

1. Endorse the Draft Murray River Council Economic Development and Tourism Strategy for public exhibition for the 28 day period noting that a further report will be brought back to Council to present the outcomes of the public exhibition process.

Or

2. Not endorse the Draft Murray River Council Economic Development and Tourism Strategy due to financial constraints in implementing the actions outlined in the draft (see discussion below).

Cr Wise moved Item 1 and Cr Crowe seconded Item 1.

RESOLUTION 261123

Moved: Cr Geoff Wise

Seconded: Cr Ann Crowe

That Council:

1. Endorse the Draft Murray River Council Economic Development and Tourism Strategy for public exhibition for the 28 day period noting that a further report will be brought back to Council to present the outcomes of the public exhibition process.

CARRIED**9.5.2 COUNTRY UNIVERSITY CENTRE****RESOLUTION 271123**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That Council:

1. Provide ongoing support for the development of the Country Universities Centres Southern Riverina ("CUC") and endorse the work being done by the Steering Committee to apply for the Regional University Study Hubs grant on behalf of all four Local Government areas;
2. Further acknowledges the development of the CUC Board which will provide the overarching governance structure for the project;
3. Authorise the CEO to approach members of the community to be on Local Advisory Committee for the CUC; and
4. Nominate a Councillor to apply for a position on the Board to represent the Murray River Council Local Government Area.

CARRIED

Cr Frank Crawley wishes to apply for a position on the Board to represent Murray River Council Local Government Area and Council supported his application for a position on the Board.

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9.5.3 2023 AUSTRALIAN DARTS OPEN - POST EVENT REPORT**RESOLUTION 281123**

Moved: Cr Ann Crowe

Seconded: Cr Geoff Wise

That Council:

1. Approve - a contribution of \$10,000 to Darts Australia to run the 2024 Australian Championships and the Pacific Masters Tournament.
2. Not Approve - providing financial support to the 2024 Australian Darts Open event in Moama.

CARRIED**9.5.4 SECTION 355 COMMITTEE MEETING MINUTES AS AT NOVEMBER 2023****RESOLUTION 291123**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Council receive and note the November 2023 Section 355 Committees Report

CARRIED**9.5.5 2023 MOAMA LIGHTS - POST EVENT REPORT****RECOMMENDATION**

That Council resolve to:

1. Renew the Corporate Sponsorship Agreement between Transgrid and Murray River Council for the delivery of the 2024 Moama Lights event and delegate authority to the CEO to negotiate the terms of the renewed agreement and sign the contract documents.
Or
2. Not renew the Corporate Sponsorship Agreement between Transgrid and Murray River Council for the delivery of the 2024 Moama Lights event and delegate authority to the CEO to terminate the agreement, and either:
 - a. Council contributes the required funding and runs the 2024 event; or
 - b. Council does not contribute the required funding to the event, cancels the contract with Mandylights and cancels the 2024 event.

Cr Gorey moved Item 2a. and Cr Nicholas seconded Item 2a.

RESOLUTION 301123

Moved: Cr Neil Gorey

Seconded: Cr Kron Nicholas

2. Not renew the Corporate Sponsorship Agreement between Transgrid and Murray River Council for the delivery of the 2024 Moama Lights event and delegate authority to the CEO to terminate the agreement, and:

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- a. Council contributes the required funding (reallocating from Darts) and runs the 2024 event;

CARRIED**9.5.6 ECONOMIC DEVELOPMENT ASSISTANCE POLICY****RESOLUTION 311123**

Moved: Cr Thomas Weyrich
Seconded: Cr Neil Gorey

That Council resolve to adopt the updated Murray River Council Economic Development Assistance Policy (POL-600.V#2) and place it on public display for public comment for 28 days.

CARRIED**9.6 CORRESPONDENCE REPORT****9.6.1 CORRESPONDENCE REPORT****RESOLUTION 321123**

Moved: Cr Geoff Wise
Seconded: Cr Ann Crowe

That the Correspondence Report be received and the information noted by the Council.

CARRIED**9.7 SUNDRY DELEGATES REPORT****9.7.1 SUNDRY DELEGATES REPORT****RESOLUTION 331123**

Moved: Cr Nikki Cohen
Seconded: Cr Dennis Gleeson

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 October 2023 through to 31 October 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

CARRIED**10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE****10.1 NOTICE OF MOTION - AS A MATTER OF URGENCY MURRAY RIVER COUNCIL TO ENGAGE WITH CAMPASPE SHIRE TO LEASE WHAT WAS FORMERLY KNOWN AS THE TOURIST INFORMATION CENTRE****MOTION**

Moved: Cr Thomas Weyrich
Seconded: Cr Nikki Cohen

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That Council as a matter of urgency engage with Campaspe Shire Council to lease what was formerly known as the tourist information centre and to open dialogue with the displaced volunteers who were engaged to provide such information.

Motion was lost 5 against, 3 in support

10.2 NOTICE OF MOTION - THAT COUNCIL RECEIVE AN UPDATE ON THE PROPOSED NEW POLICE STATION IN MOAMA.**RESOLUTION 341123**

Moved: Cr Thomas Weyrich

Seconded: Cr Kron Nicholas

That council receive an update on the proposed new police station in Moama.

CARRIED

10.3 THAT COUNCIL RECEIVE A PRELIMINARY REPORT ON THE CONSEQUENCES OF NO SRV OR AN OVERVIEW OF MRC'S PREDICTED CASH POSITION PRIOR TO THE NEXT BUDGET**RESOLUTION 351123**

Moved: Cr Thomas Weyrich

Seconded: Cr Neil Gorey

THAT the response to the question regarding Council receiving a preliminary report on the consequences of NO SRV or an overview of MRC's predicted cash position prior to the next budget raised by Councillor Tom Weyrich be received and noted.

CARRIED

10.4 RESPONSE TO CR WEYRICH QUESTION ON NOTICE - TERRY DODDS**RESOLUTION 361123**

Moved: Cr Thomas Weyrich

Seconded: Cr Geoff Wise

THAT the response to the request to receive a preliminary report on the consequences of no Special Rates Variation (SRV) raised by Councillor Cr Thomas Weyrich be received and noted.

The CEO for the benefit of members of the public and for the record read aloud the response to the Question on Notice.

Budget time table is to be supplied to Councillors before the Christmas break.

CARRIED

11 CONFIDENTIAL MATTERS

UNCONFIRMED

RESOLUTION 371123

Moved: Cr Thomas Weyrich

Seconded: Cr Geoff Wise

That Council break for 10 minutes then moves out of Open Council into Closed Council at 4:20pm.

CARRIED

RECOMMENDATION

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:

11.1 Murray River Council 2024 Australia Day Awards

This matter is considered to be confidential under Section 10A(2) - a 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).

11.2 Acquisition of Private Land - Blair Street Moama

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.

11.3 Awarding of Tender MRC 2317 Heavy Patching Program Round 2 2023/24

This matter is considered to be confidential under Section 10A(2) - c, d(i) and d(ii) 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, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

11.4 Revised Repayment Schedule for Echuca Moama Cycling Club Community Loan

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

11.5 RECOMMENDATION FOR THE SALE OF 5 MRC-OWNED LOTS - REFERRED TO AS MOULAMEIN AERODROME.

This matter is considered to be confidential under Section 10A(2) - d(ii) 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 competitor of the council.

11.6 RECOMMENDATION FOR THE SALE OF LOT 5 DP861750 - BARHAM

This matter is considered to be confidential under Section 10A(2) - a 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).

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Moved: Cr Ann Crowe
Seconded: Cr Geoff Wise

That Council moves out of Closed Council into Open Council at 4:50pm.

CARRIED**RESOLUTION 471123**

Moved: Cr Ann Crowe
Seconded: Cr Kron Nicholas

That Council brings forward the resolutions from Closed Council into Open Council and these be read aloud.

CARRIED**SUSPENSION OF STANDING ORDERS****RESOLUTION 381123**

Moved: Cr Thomas Weyrich
Seconded: Cr Ann Crowe

That the Council suspend standing orders for debate on this matter (Item 11.1) for 15 minutes.

CARRIED**RESUMPTION OF STANDING ORDERS****RESOLUTION 391123**

Moved: Cr Thomas Weyrich
Seconded: Cr Ann Crowe

That the Council resume standing orders.

CARRIED**11.1 MURRAY RIVER COUNCIL 2024 AUSTRALIA DAY AWARDS****RESOLUTION 401123**

Moved: Cr Geoff Wise
Seconded: Cr Neil Gorey

That Council determine the recipients of the following awards to be conferred on Australia Day:

- Citizen of the Year;
- Young Citizen of the Year;
- Young Sportsperson of the Year;
- Sportsperson of the Year;

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- Community Group of the Year;
- Arts/ Culture Award (group or individual);
- Community Event of the Year.

CARRIED**11.2 ACQUISITION OF PRIVATE LAND - BLAIR STREET MOAMA****RESOLUTION 411123**

Moved: Cr Kron Nicholas
Seconded: Cr Dennis Gleeson

1. That Council note that the land at 8 Blair Street, Moama (Lot 1 DP 216296 & Lot 2 DP 137250) identified as suitable land to develop an off-street carpark to support the future development of Meninya Street (a pedestrian friendly restaurant precinct) is coming up for public auction on 12 December 2023 (resulting from a deceased estate).
2. That Council note that this purchase has not been identified in the 2023/2024 budget nor is their funds allocated for the purchase, as it wasn't anticipated that the land would be for sale during this time. Council officers intended to include funds in the 2024/2025 budget process for a formal land acquisition process as outlined in the report subject to capital budget being available.

CARRIED

At 4:37 pm, Cr Nikki Cohen left the meeting.

At 4:37 pm, Cr Thomas Weyrich left the meeting.

11.3 AWARDING OF TENDER MRC 2317 HEAVY PATCHING PROGRAM ROUND 2 2023/24**RESOLUTION 421123**

Moved: Cr Dennis Gleeson
Seconded: Cr Neil Gorey

THAT COUNCIL

1. Notes the Tender Evaluation Report attached under Attachment 1 for an overview of the Completed Tender Process.
2. Accepts the tender from Central Vic Stabilising Pty Ltd for \$1,288,404.00 (inc. GST) for Tender Number MRC 2317 Heavy Patching Program Round 2 (2023/24)
3. Authorise the CEO to sign the contract documents and authorise any contract variations within budget.

CARRIED**11.4 REVISED REPAYMENT SCHEDULE FOR ECHUCA MOAMA CYCLING CLUB COMMUNITY LOAN****RESOLUTION 431123**

Moved: Cr Neil Gorey
Seconded: Cr Geoff Wise

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That Murray River Council (Council) resolve to:

1. Approve the Echuca Moama Cycling Club's request to merge the two outstanding loans into one loan, with a starting loan principal balance as of 30 November 2023 of \$15,884.31.
2. Ratify the revised bi-annual repayment plan over six (6) years, with repayments of \$1,595.77 over twelve (12) payments, with the first repayment due to Council by 30 November 2023.
3. Request that the Echuca Moama Cycling Club continue to meet its obligations of repaying the outstanding amount on the loan obtained from Council, including any interest that may accumulate in the future in keeping with the original terms of the loan.
4. Request that the Echuca Moama Cycling Club provide to Council at the end of each financial year a copy of the Club's financial statements.

CARRIED**11.5 RECOMMENDATION FOR THE SALE OF 5 MRC-OWNED LOTS - REFERRED TO AS MOULAMEIN AERODROME.****RESOLUTION 441123**

Moved: Cr Geoff Wise
Seconded: Cr Kron Nicholas

That Murray River Council (Council) resolve to authorise the Chief Executive Officer (CEO) to undertake the necessary activities, including the entering into and signing the required contractual arrangements to sell the land identified as Lots 1, 2 and 3 DP 191225 and Lots 65 and 98 DP 756564 (the land parcel), through an open market approach of either Expression of Interest or auction, as suggested in attached Valuation Report.

CARRIED**11.6 RECOMMENDATION FOR THE SALE OF LOT 5 DP861750 - BARHAM****RESOLUTION 451123**

Moved: Cr Neil Gorey
Seconded: Cr Geoff Wise

That Council approve the sale of property Lot 5 DP 861750, Moulamein Road, Barham (old Rural Fire Service block) for \$10,000 to the adjacent landholder.

CARRIED**12 CONCLUSION OF MEETING**

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THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:56pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 12 December 2023, commencing at 1:00 PM, in Council Chambers, Moama Administration Office, 52 Perricoota Road, Moama.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 28 NOVEMBER 2023, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 12 DECEMBER 2023.

.....
MAYOR

.....
CEO

UNCONFIRMED

5 DISCLOSURES OF INTERESTS

6 DEPUTATIONS

7 MAYORAL MINUTE(S)

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 2022-2026 DELIVERY PROGRAM REQUEST FOR CHANGE (YEAR 2 OF PROGRAM)****File Number:** -**Author:** Zoe Croft, Manager Community Engagement**Authoriser:** Terry Dodds, Chief Executive Officer**RECOMMENDATION**

That the Officer's report on 2022-2026 Delivery Program request for Change (Year 2 of program) as at 12 December 2023 be received and the information noted by the Council.

DISCUSSION

The 2022-2026 MRC Delivery Program came into effect on 1 July 2022. The program is the action plan that delivers the Community Strategic Plan (CSP).

In September 2023, Council's Executive and Leadership Teams were provided an opportunity to review the associated timelines within the 2022-2026 Delivery Program. This was to allow for realignment of project and programs of works and timeline adjustments, due to the ongoing impacts of the 2022 floods.

The requested amendments were placed on display for 28 days as per the IP&R Framework requirements.

No submissions or comments were received from community in relation to the requested changes.

Officers will update the CSP and DP as per the requested changes.

ATTACHMENTS**Nil**

9.1.2 SETTING THE FINANCIAL SUSTAINABILITY PATH GRADIENT

File Number: -
Author: Terry Dodds, Chief Executive Officer
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That Council:

1. Set a long-term financial sustainability target of eliminating its current Operating Deficit (before Capital Items) of approximately Twelve Million Dollars (\$12,000,000), excluding one off impacts from the sale of capital items, over a period of ten financial years.
2. That the Chief Executive Officer presents a budget for the financial year 2024-25, with an Operating Deficit aligned to the 10-Year break-even gradient (circa \$10,000,000 deficit for 24/25), excluding one off impacts from the sale of capital items.

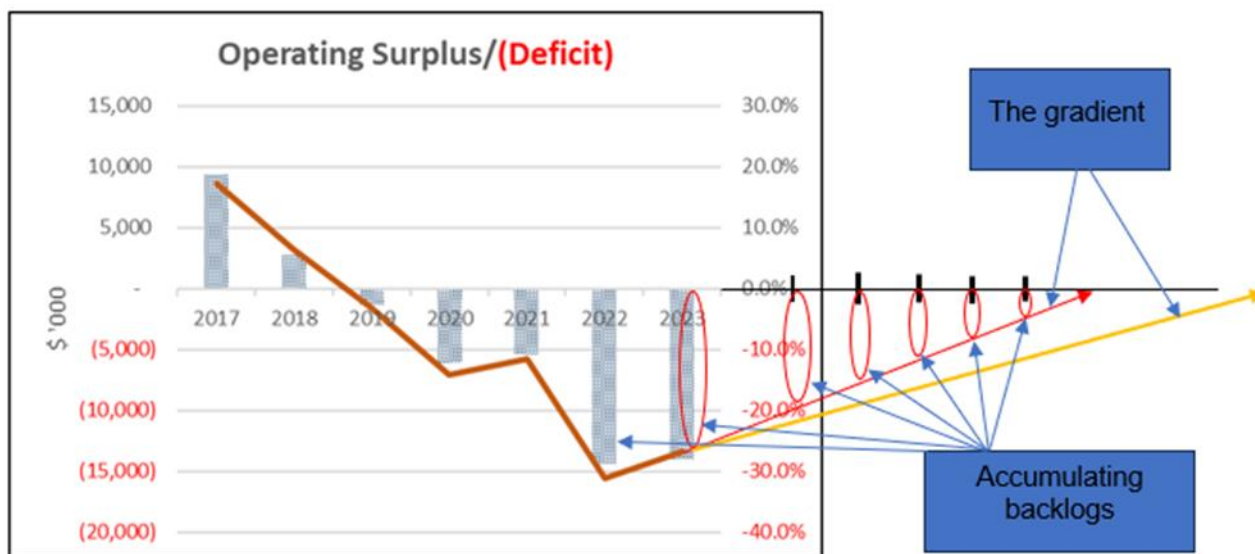
BACKGROUND

Synopsis: This report is for Council to determine the financial sustainability direction Council wishes the Administration to (attempt to) adopt.

It would be advantageous in the development of the forthcoming 2024/25 Budget to start with determining the gradient of the sustainability ratios. Once Council instructs the Administration on the path it wishes to pursue (fiscal direction), the cascading effect will allow the review of the 10-year Financial Plan, and then subsequently the service levels and capital expenditure (renewal and new) that the 4-year Delivery Plan and 1-year Operational Plan represent.

Often there is a propensity to fall into the trap of only working from 'the bottom up,' which then determines the sustainability ratios. This could be described as following a GPS navigator in a car without putting in the destination. Whilst only putting in the destination, without determining whether toll roads, unsealed roads, ferries, or other road conditions wish to be traversed, bares some risk too, those are much easier to mitigate during the budget process.

DISCUSSION



The shallower the gradient, the greater the backlog. The greater the backlog, the longer it will take, and the greater the cost and risk to achieving sustainability.

To determine a financial direction will require council to first consider a time frame. As councils must adopt a 10-year Financial Plan as part of the Integrated Planning and Reporting requirements of The Act, it is recommended that a 10-year horizon be adopted as it aligns well.

Council will face more extreme budget pressures than it has previously dealt with, as next year's rates cap has now been determined at 4.7% and much of the operational changes (reduction in expenditure) have already occurred over the last two years. Furthermore, as the population grows, so does the energy applied in servicing.

Whilst it is not yet clear, with effectively a decrease (due to inflation) in income, if the 10-year break-even horizon is achievable, without adopting it as Council's position, the risk will be that the budget process is not finalised within schedule and the attempt to improve our long-term sustainability is missed.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.10 - Achieve community driven results through collaboration and engagement (community and stakeholders) - Community Engagement Tools.

BUDGETARY IMPLICATIONS

In overly simplistic terms, unless we change the financial course, it means we're living on the next generations' credit card (reduction of intergenerational equity), calculated by the increasing backlog (indefinitely 'deferred' maintenance), now sitting at \$44 million. It will keep accumulating until we meet the breakeven point.

POLICY IMPLICATIONS

By inference, in everything council does, sustainability is the underpinning requirement. Council's guiding documents such as the risk management framework, project management framework, and others, refer to business cases, return on investment, licences, and subscription costs etc.

As each years' financial challenges get tougher, it is expected the guiding documents will slowly morph from the social to the economic side of the spectrum. This is referenced in The Act in many locations, but shouldn't be required, as not remaining operational simply isn't an option.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993, Chapter 3.

Sound financial management (section 8B)

"The following principles of sound financial management apply to councils:

*(a) Council spending should be responsible and **sustainable**, aligning general revenue and expenses.*

(b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.

(c) Councils should have effective financial and asset management, including sound policies and processes for the following:

(i) performance management and reporting,

(ii) asset maintenance and enhancement,

(iii) funding decisions,

(iv) risk management practices.

*(d) Councils should have regard to achieving **intergenerational equity**, including ensuring the following:*

(i) policy decisions are made after considering their financial effects on future generations,

*(ii) the **current generation funds the cost of its services.**"*

RISK ANALYSIS

- **What can happen?**

The risks associated with worsening financial sustainability relate directly to our standard of living, public amenity, safety, economic prosperity (investing in community), and how we are perceived and compared to other areas. With limited income, the probability of funding new assets, that have previously been strongly supported, will diminish.

The short-term risk is the 2024/25 budget not adhering to the schedule, which will place unwanted time pressures, and therefore added risk, if decisions are not as robustly developed (due to rushing at the last minute).

- **How can it happen?**

Lack of direction to Administration.

- **What are the consequences of the event happening?**

Somewhat indeterminable but developing a budget without a specific financial gradient is likely to bring no improvement.

- **What is the likelihood of the event happening?**

Moderate to high.

- **Adequacy of existing controls?**

Moderate, but largely based on inferences, not a more articulate fiscal direction.

- **Treatment options to mitigate the risk?**

Adopt financial sustainability gradient.

CONCLUSION

No budget process is easy. The next two budgets will require much more acute efforts, as the degree of difficulty has substantially risen. Once Council instructs the Administration on the stance they wish to take, there'll be a much better chance of **adhering to legal requirements** (Chapter 3: Section 8B (a), (d) and (d) ii. in the Act) and completing the 2024/25 budget on time.

ATTACHMENTS

1. **Response to CR Weyrich Question on Notice - Terry Dodds 28 Nov 2023 OCM** [↓](#) 

10.4 RESPONSE TO CR WEYRICH QUESTION ON NOTICE - TERRY DODDS

File Number: -
Author: Terry Dodds, Chief Executive Officer
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

THAT the response to the request to receive a preliminary report on the consequences of no Special Rates Variation (SRV) raised by Councillor Cr Thomas Weyrich be received and noted.

Forward

There isn't simply one consequence of not gaining the extra rates income to maintain our current level of services across council. Not only is the result not simply explainable, but it's also difficult to calculate due to the substantial number of variables and influences. Short term 'sugar hits' (potential land and building sales) will temporarily improve the situation and give some relief to both the depreciation and operational expenditure, but the quantum is small. Not only is the quantum small, but it's also easier said than done. There'll be just as much community back-lash when retiring assets as there was in starting the conversation about raising rates.

There are two fundamental financial situations to understand and carefully consider. The first relates to Murray River Council's cash position, the second position is determined once the cost of consuming the assets is removed from the cash balance which is called the Operating Result. Both tell different stories. The former explains in overly simplistic terms when the cash will run out. The second tells the reader whether we are living beyond our means.

Cash Position

Council's main aim is that of financial sustainability. At the core to this is cash: the need to have sufficient funds to cover the day-to-day operations now and into the future over the long-term financial plan. When we look at the financial sustainability, we need to look at the General Fund in isolation – excluding the Water, Sewer, and Waste funds. In the October 2023 Investments and Reserves Report to council, there was a reported total of \$51.58 million, of which the General Fund only has \$7.47 million to fund day to day operations: this represents around 14% of total cash and investments total. This means, for every \$100 in the bank, council only has discretionary powers over \$14, the rest is externally restricted for specific purposes. (There have been two recent examples where councils have gotten into trouble by spending externally restricted reserves, and another example that hasn't been as overtly communicated that the author is aware of.)

Council's 2023-24 Operational Plan, on page 24, shows a four-year cashflow forecast drop for the General Fund of \$10.84 million, decreasing from \$25.41 million at the start of 2023/24 fiscal year down to \$14.57 million by end of 2026/27 fiscal year. Council's ten-year long-term financial plan (only) estimates cash for the General Fund to be around \$16.01 million by 2032/33 fiscal year – this is an overall decrease of \$9.4 million over the forward ten-year plan. No matter how this is looked at, this is not sustainable.

The information contained in council's current IP&R plans already factor in some of the one-off cash injections and even factor in the savings achieved so far over the forward estimates, like the 'Saving your 5.6%' that the Administration has been working on.

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The answer for council lies in a multitude of short-term and long-term actions to improve the financial sustainability of council. In summary, there is a strong risk of council having a cashflow problem in 4 years unless meaningful change is implemented.

The Operating Result

The cascading cumulative effect will require downwards adjustments of service levels every year the income doesn't match. The only variable is by how much. This report isn't intended to provide a solution, rather answer the question of what repercussions council, ratepayers, and staff will face.

The challenge circa 74 from 128 councils across NSW face, which is no different here at Murray River Council, is that income is not keeping up with expenditure and hasn't been for decades, resulting in the slow worsening of our management of the over 1 billion dollars of assets under our control (measured by the financial ratios declining).

Historically the government, through IPART, relied on councils delivering an 'efficiency dividend' each year to close the gap between inflation and the rates cap imposed by law by the State. By-and-large when inflation and growth was steady each year, with improvements in technology and many other factors, many (mainly metro) councils were close to the breakeven point. Close, but not quite. Most rural councils slowly reduced expenditure in their largest expenditure category – transportation – as the tyranny of distance and sparse populations left less room for efficiency dividends to be harvested. (This will be explained later.)

IPART presented to the NSW Country Mayors forum in August of this year, and for the first time admitted their reliance on efficiency dividends and the fact they deliberately reduced each years' rates cap under that regime. IPART also admitted that the days of efficiency dividends being relied upon were over and that they were about to release a report defining their new methodology.

Unfortunately, this methodology is also flawed, as IPARTs determination on what each years' rates cap will be is two years in arrears. This means, that despite inflation circulating above seven percent (7.8%) the rates cap for next year will not be based on pre-hyper inflated numbers we've lived through. The cap is likely to be circa 4.5-5.5%.

Councils will effectively have to bear the difference, not only in the 24/25 fiscal year - with inflation likely to be much higher than that years' cap anyway - but negate the losses from the previous year: when the cap was about three percent (3%) less than inflation. Although it's expected that when inflation drops, the cap two years post will be higher. In the interim councils will have to fund the gap (yet again). This conundrum alone, without the added challenge of not matching income to expenses, will be extraordinarily challenging to overcome.

Living on the Credit Card

What does all this mean? In overly simplistic terms it means we're living on the next generations' credit card (reduction of intergenerational equity), calculated by the increasing backlog (indefinitely 'deferred' maintenance), now sitting at \$44 million. It will keep accumulating until we meet the breakeven point.

The breakeven point will only be met with an increase, not a decrease, in applied funding. Only at that time, will council no longer add to the accumulating backlog. Please note that the existing backlog won't be retired either. The breakeven point only means that no further backlogs will be added.

The financial situation local governments face is complex. The author felt that the public didn't comprehend that the proposed nine-point-five percent (9.5%) Special Rates Variation included all future rates caps over the next five years, which are determined by inflation figures two years in arrears. The author also felt that the public didn't comprehend what the ramifications would be long-term.

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Options

Murray River Council has forecast a total operating revenue of **\$63,840,653** for the 2023-24 financial year.
\$28,814,046 of this revenue is funded via your rates, fees and charges.

So, just how far does every \$100 go across our services?

Essential (\$85.99) and Regulatory (\$6.03) services = \$92.02 per \$100
\$7.98 - Discretionary Services



The majority of those in attendance at the Extra Ordinary Council meeting were rural landholders. It is likely that council will have little choice but to concentrate the reduction of services in the road transport area. The reason that the transportation budget will be most affected, is that one in three dollars are spent on roads (most of that in the Murray and Wakool Wards), so it is the far biggest fund to use to enable the required reduction of the overall expenditure.

The other majors, such as water, sewer and waste are in separate funding streams (user pays charges). The total expenditure in all the discretionary services combined only equate to 7.98%. Even reducing those more discretionary services by twenty percent will supply a miniscule dividend of only 1.6% overall. They are also the services most loved by the public too, which will create a new and different challenge!

It is expected that removing the cross-subsidy - general rates subsidising water, sewer, and waste charges - will assist. The overall amount of assistance is yet to be determined. However, those (circa) 8500 residents in towns and villages will pay more for the 'charges', so the anxiety will still be felt but the cause will be labelled differently.

Despite potential slight to moderate improvements, the size of the backlog is still expected to rise, and service levels drop. Again, as previously mentioned, the amount of both is extremely difficult to determine. But if history is anything to go by, we cannot deny the macro-level trend, both at Murray River Council, right across the State, and Nationally.

The transportation assets will be more difficult to maintain. The crescendo will reach a point where the proactive works that thwart the need to complete more expensive treatments aren't able to be funded. For example, the ratio of resealing a bitumen road versus rebuilding the road is approximately 1:10.

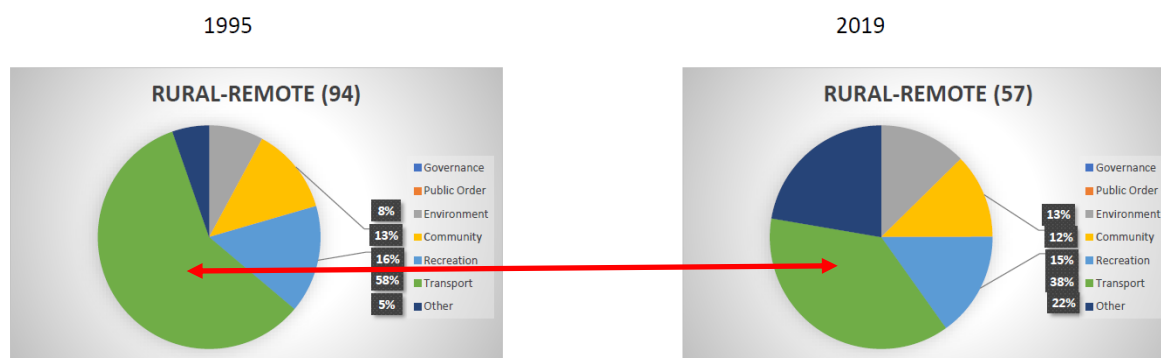
If we allow too many bitumen roads to fail, by deferring the resealing, we may get to the stage we simply cannot catch up, (as it's 10X more expensive). This will mean that it will be predominantly the unsealed roads that will need a reduction in expenditure, as the cost to bring back to original standard isn't as onerous. This is ironic, as most of the guests at the Extra Ordinary Council Meeting in November, who were opposing even starting the consultation process regards any Special Rates Variation, were from the rural areas who'll be most affected (transportation network maintenance).

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One avenue available to council is to stop resealing some of the lessor trafficked sealed roads and return to gravel. This will be a sub-optimal situation and only used as a last resort. Only time will tell.

We're not alone. Councils in rural areas over the last thirty years have been forced to balance budgets by reducing transportation expenditure. This was made clear during the 2023 Local Government NSW Conference during a presentation by Mr. Peter Tegart (ex-CEO) who tracked the reduction of expenditure on transportation assets over the last thirty or so years by NSW councils; (the average of) which used their largest fund to balance their budgets year in, year out. Resulting in the infrastructure backlog increasing right across the board and sustainability ratios decreasing. The below pie charts show that in 1995 rural-remote councils spent 58% on transport, yet in 2019 the figure had been reduced to 38%. Murray River Council spends 34% on transportation.



In writing this response to Councillor Weyrich’s Question on Notice, the author spoke to the ex- President of the Institute of Public Works Engineering Australasia (IPWEA) who provided council with a startling figure confirming the ubiquitous use of road budgets to maintain solvency. The NSW Roads & Transport Directorate recently published a report tabling that the annual shortfall on transportation expenditure in the 94 regional and outer metro council areas in NSW was \$681 million.

There was some good news, in that the Roads to Recovery funding will rise which will assist councils improve the outcome over the next five years. As usual with government announcements though, *the devil will be in the detail*. In speaking about the future increase in Roads to Recovery Funding with IPWEA it was discovered that there is advocacy being applied at high levels that any increases in externally (Federal) funded transportation will be subject to councils not inversely reducing internal funding. It appears that the government fears that increases from the highest level will be diluted by a reduction of expenditure at the local level, the result negating the potential improvement in the national local road network. Whether this cascades to the existing arrangement with Roads to Recovery is indeterminable. (Author: if that ends up being the case it is unlikely to be retrospective.)

The recently released Grattan Report, ‘*Potholes and pitfalls: How to fix local roads,*’ paints a bleak picture, also supporting the NSW Roads and Transport Directorate’s findings:

‘Many councils do not have a realistic way of raising the money they need to keep their roads in good condition, especially rural and remote councils. This funding would provide an extra 25 per cent on top of what councils are currently spending on road maintenance. A billion dollars is only about 10 per cent of what the federal government spent on roads last year.’

The Remaining Funds

If we remove transportation, water, sewer, waste, and emergency management from every \$100 we spend, the next largest percentage expenditure is a miniscule \$3.61 (Community Services), followed by \$3.08 (Sport and Recreational Services). Therefore, it is quite easy to see why rural and fringe metro councils, in balancing budgets over decades, have reduced expenditure on transportation. Community services, libraries, parks,

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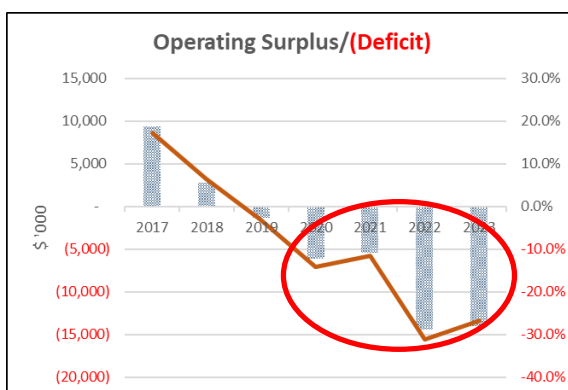
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gardens, pools, cycleways, wharfs, jetties, and open space are usually the most enjoyed services in all local government areas, making cuts in those extremely difficult.

There are some unknown variables which may yet prove positive but are even more difficult to determine. The Disaster Recovery Funding Arrangements (DRFA) will allow councils to remediate most of the damage caused by the 2022 floods. The definition of ‘most’ is vague, as the State and Federal Government bureaucracies are extremely difficult to deal with and consonantly throw up obstacles in the financial reconciliation process to either; slow down the recovery of money, coerce councils to simply give up in applying, not pay at all, or lower the final payment.

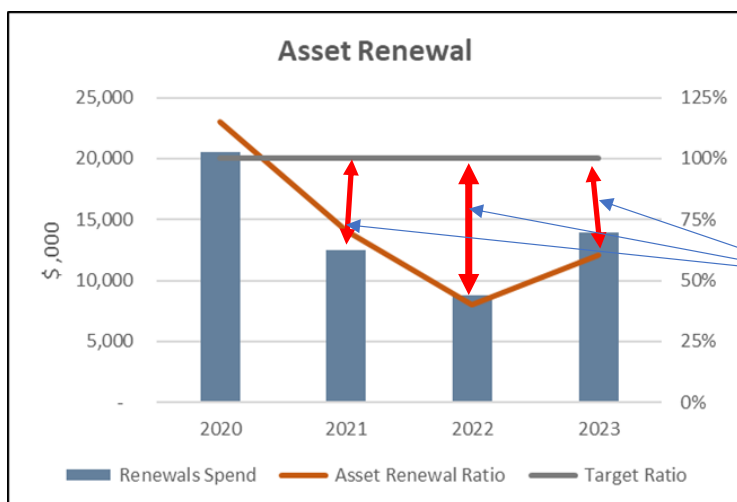
The slow reduction of our funding capability is underpinned by a great many factors, which I’ll discuss. As stated, we’re not alone; seventy-four councils across NSW (74) have negative sustainability ratios. The average (ratio) across NSW now is circa minus six-point five percent (-6.5%), whereas six years ago the average was in the positive.

Murray River Council’s Surplus/Deficit is circa -27%. (This is a ‘Consolidated’ result; meaning it takes into consideration water, sewer, and waste, which artificially improve the overall situation. The consolidated result shields the true story because the transport assets equate to 61% of everything we own. As a broad-brush indicator though, it does help though.)



What this means in simple terms is that we’re **consuming assets faster than we’re replacing or replenishing them**. We now have a backlog of circa \$44 Million. The backlog will accumulate every year we don’t reach the breakeven point. Intergenerational equity is a fundamental part of the whole asset management framework: this will be affected. **If we substitute the word ‘depreciation’ for ‘backlog’ we better describe the financial situation in local government. As depreciation is more a business term and viewed favourably during tax time by businesses.**

Given this continuing, we’ll get to the stage that recovering isn’t financially achievable, as the quantum of the backlog will be unaffordable. Those using the assets in the future will have to be satisfied with a lower standard of living. In the immediate term, risk will rise, customer satisfaction and staff morale will decrease, and councillors will receive more complaints (particularly in areas with many unsealed roads).



The net difference adds each year, accumulating as an asset backlog: currently circa \$44 million.

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It's more complex than simply living within your means, as council must address issues we're legislated to comply with, have no control over at worst or little control at best, and often don't even know we even have the extra accountability until informed post the decision of the government (legislative or regulatory).

During communications with bureaucrats employed in the Federal Government only this week council learnt that the Canberra bubble has even come up with a new name for devolving accountabilities to local government. **Local government have long named this sleight of hand as 'cost shifting.'** **The new term in Federal circles is 'risk shedding.'** The context of learning the new vernacular, for the oldest trick in the book the Federal and State Governments use (cost-shifting), related to the Federal Government openly discussing how to coerce local government into the social housing and aged accommodation spaces.

Some additional contexts:

- Modern Standard Equivalent: Every time there is a change in any National Standard, the revised compliance is always more expensive to deliver than what it replaces. So even if we were to reserve what we thought the value was at the time, it would be less than required due to 'improvements' (standards increasing) when replacing.
- The value of money is less over time. Inflation means that what we spend in the future won't replace or replenish assets according to today's values.
- The State Government has historically been extremely proficient at shifting costs onto local government. This is likely to accelerate, as both the Federal and State Government try to recover from the expenditure during COVID and move the two latest *elephants in the room* from their purview: social housing and aged accommodation.
- Existing cost-shifting in NSW (2017 figures):
 - Councils paid \$127 million in mandatory local government contributions to fund the state government's emergency service agencies. The Emergency Services Levy was the number one contributor to the cost shifting burden on rural councils, the second highest for regional councils and third highest for metropolitan councils (old figures: 2015/16).
 - The NSW Government makes the lowest per capita contribution to public libraries of any state/territory government in Australia at just \$3.76 per capita. Councils footed the bill for a \$130 million shortfall in funding required to operate the state's 450 public libraries.
 - Councils lost \$61 million through the NSW Government's failure to fully reimburse councils for mandatory pensioner rate rebates, unlike all other state/territory governments in Australia.
 - Councils incur significant costs for activities required to meet regulatory burdens associated with companion animals, noxious weeds, flood controls, and many other activities (E.g., Puppy Farm auditing).
 - The charges for planning services are determined by the State and don't go anywhere near cost recovery. (Yet the cost of hiring qualified staff has risen significantly.)
 - Etc. Etc. Etc.
- Politicians of all persuasions are excellent at taking credit, getting the golden scissors out to cut ribbons, quite vocal, and remarkably photogenic, when grant funding is given. Usually that creates new assets to maintain and depreciate yet grants rarely fund the maintenance of existing assets. Governments are inversely proportionally quiet regards the often-surreptitious ways they transfer costs to local government. This topic is mentioned at almost every Local Government Association of NSW annual meeting with no change to the modus operandi from the State in decades. As local government isn't recognised in the constitution, we have no say over what the State dictates.
- We are subservient to the State and Federal Government because we cannot raise the income required on a population per square kilometre basis. But the relationship is reciprocal as the 88% of people living within 50km of coastal areas, by-and-large, are dependent on the agricultural sector. The agricultural sector contributes circa 23% of Australia's GDP, and 38% of that is from grain.

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- In **Cost Shifting 2023: How State Costs Eat Council Rates**, released by Local Government NSW, LGNSW says the **burden is now valued at more than \$1.36 billion per year, up 78% from \$820 million in just over five years. That's the equivalent of more than \$460 per ratepayer annually.**
- Dwindling funding. State and federal government funding for critical services and infrastructure is dwindling as local government responsibilities become greater. Financial Assistance Grants – the funding provided by the federal government to help councils provide local services and infrastructure – were basically frozen by a change in methodology in 1989 and have fallen from 1% of Commonwealth taxation revenue to 0.53%. **That's half as much funding going back to the grass roots level of government.**
- Natural disasters and ageing infrastructure. State and federal funding has not kept pace with the need to repair and replace infrastructure.

Sobering Statistics

The NSW Country Mayors Members' Survey this year found **almost 75% of member councils in rural, regional, and remote NSW had either implemented a Special Rate Variation in the past two years or thought they would have to do so in the next five.** From the numbers of councils now forced to pursue a special rate variation, it appears this indication was very conservative.

Seventeen Councils were granted special rate variations (SRV) in 2023-24, the highest number in many years. Among these approvals was the largest-ever permanent cumulative increase – Strathfield with 73.1% (92.83% compounded). Four of the approved SRVs were in the top 10 ever granted by IPART, and eight were in the top 20.

Now in 2022...



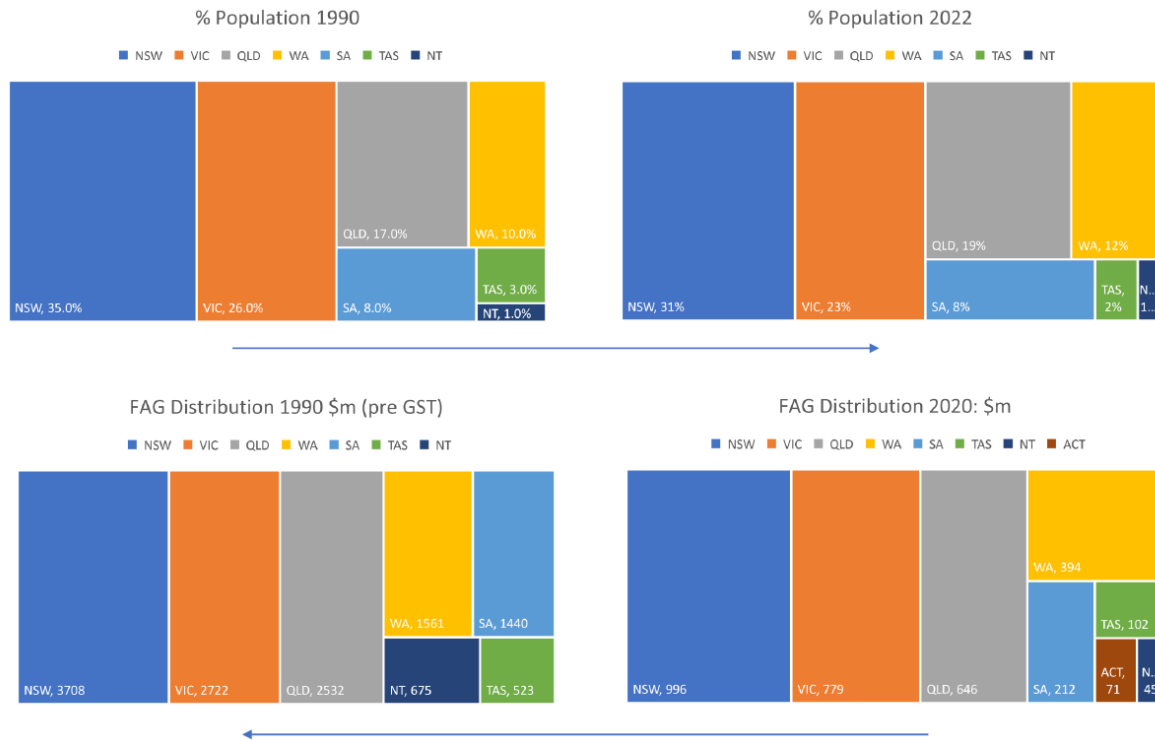
Up until the year 2000, both states and local government received a Financial Assistance Grant which was indexed on the same basis, but the introduction of the Goods and Services Tax (GST) in that year saw the states receiving a GST grant, linked to the GST tax revenue. FAGs were then equal to 1% of CTR. While GST revenue continues to increase at a higher rate than Financial Assistance Grants, the grants as a proportion of CTR have been steadily declining

The table above clearly shows the disproportionate income (tax) versus service provision and asset depreciation.

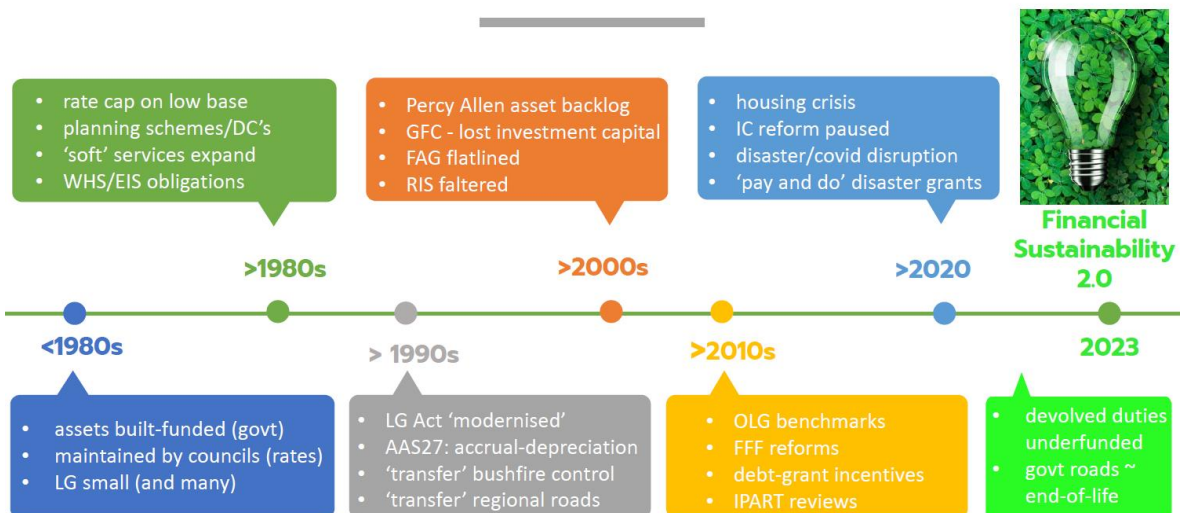
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The diagram (below) shows that the **population has risen**, yet the **FAGs have substantially declined**.



This diagram, below, shows the ineffective policies, changes, reviews, trends, and other calamities that have been a negative effect on local government since 1980.



Successive governments over decades have mostly concluded there is a huge problem, yet not acted.

LG Grants Commission Report (1977)

- the **property tax is an inadequate source of revenue** to meet all the demands to provide services that extend far beyond those relating to property
- **increasing trend** for communities to look to their councils to provide a **range of social, cultural and recreational services** that are far in excess of what a rate on land can support
- Government foreshadowed **intention to pay rates on certain crown lands**
- introduced per capita component to ensure all councils received FAG (min 30%)

Inquiry into the Financial Sustainability of NSW Local Government (2006)

- relationship with higher tiers of government
- **huge backlog** in infrastructure renewals
- **devolved government social and environment agenda**
 - no or low \$ recompense (cost shifting)
- **expectations of higher standards** of service, and public assets, that people increasingly demand of their councils
 - retirees moving to coastal and inland regional centres
 - sea- and tree-changers used to city standards
- maintaining existing service commitments, yet manage huge infrastructure bill
- **rural councils will only survive with increased grant funding**
- **constraints on rate income**
- restoring **public faith in the development control process**
- overcoming **skills shortages**
- greater **resource sharing**
- tools such as performance benchmarking

anything changed?

councils cannot be all things to all citizens...

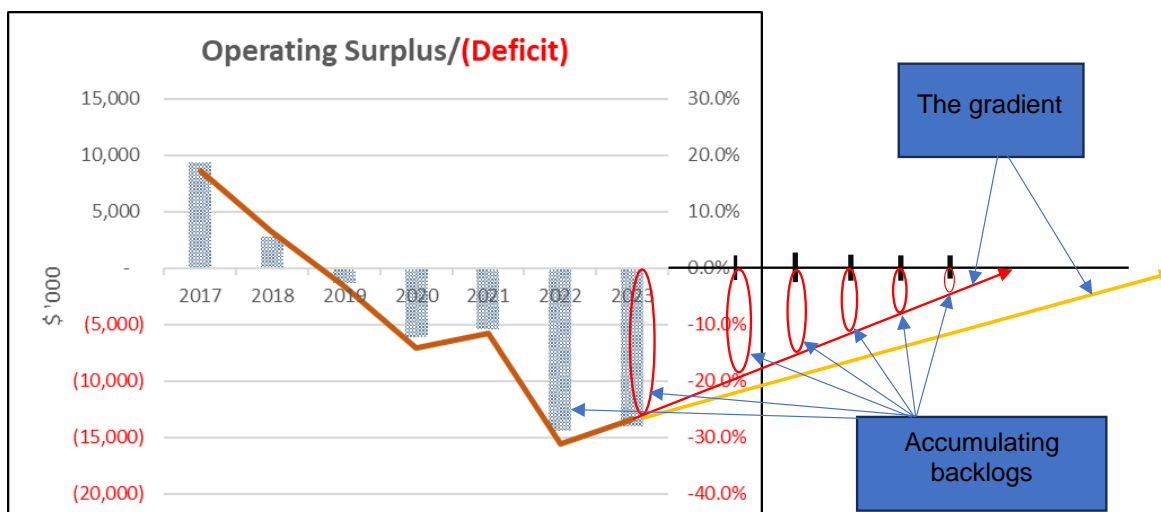
Next Steps

Now that Council has made the decision not to consult with the community regarding a future application for a Special Rates Variation there will need to be **decisions regarding what services will need reducing, and what user charges will need increasing to make up the difference.**

The only instrument to achieve long term improvement in financial sustainability left to this current council is the 2024/25 Budget.

Council will need to make the decision whether to pursue long-term financial sustainability.

Specifically, how steep a gradient to aim for on the Surplus/Deficit chart: below.



The shallower the gradient, the greater the backlog. The greater the backlog, the longer it will take, and the greater the cost and risk to achieving sustainability.

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Council may decide to do nothing. This is unadvisable as history shows that the government will eventually act, with the result being the appointment of an Administrator (who will be usually accompanied by a Financial Controller appointed by the OLG). The financial decisions will then be taken away from council altogether. At that stage the recovery process is likely to take decades.

Council will need to set direction for the Administration to take, such that formulation of the 24/25 Budget occurs in the correct timeframe and is not required to be repeated (due to disagreement or misinterpretation regarding the underpinning philosophy council wishes the Administration to apply).

One such method is to choose the 'gradient' (graph above) in relation to what council considers is an acceptable deficit and therefore accumulating backlog.

- Council may choose to become sustainable and comply with the direction given by government. If so, the next question is in what timeframe.
- Council may choose to **not** work towards financial sustainability, and rely on improvements from the sale of assets, the reduction of transportation expenditure, raising of user-group charges, and other potentially positive influences. (Noting the comment regarding the Roads to Recovery: advocacy.)
- Once the 'gradient' is adopted the Administration can work backwards and determine how progressive the council can remain.

Once Macro-Level Direction is Decided – Further Micro Level Considerations Required

Only when the gradient (financial sustainability path, or otherwise) is determined can the following topics, and the cascading decisions required, be debated, and further direction be given by Councillors to the administration:

- Confirmation from Councillors regarding what they see are their priority outcomes (proportional to a successive reduction in capital over 5 years, or until, or if, the new Council adopt an SRV).
Note: If the new council adopt an SRV, in reality it won't come into effect until the 26/27 FY, which will be very close to the sub-optimal cash position as mentioned.
- Review of remainder of the 4x1 Year CSP, Housing Strategy (trunk infrastructure and/or mechanisms to slow down development), servicing strategies – parks, recreation, buildings, employment lands (commercial and industrial development), cultural, art, economic development, tourism etc.
- As mentioned, most of the heavy lifting will occur in the transportation area. Within that, as we cannot risk sealed roads (the 1:10 ratio), most of the reduction in servicing will directly affect maintenance grading. Council will need to be cognisant of the repercussions. (It is not intended to forcibly reduce staff levels. Council has already reduced staff levels over the last two years by over 12%.)
- Keeping staff motivated. The (correct) perception of working in a growing, thriving (pro-development), and progressive council area will erode. Working at MRC will feel less satisfying as retractions in services inevitably occur, and ratepayers verbally attack staff (and councillors) when aggrieved. This will be particularly the case when areas of council that provide much loved, enjoyed, and positive outcomes to the community – parks and gardens, economic development, community events etc – are reduced, or user charges increased.
- Preparing all staff for an increase in complaints: FAQs for internal use.
- Pause/review new assets from proceeding, whether they are grant funded, partly, or solely funded by council, as we will ultimately keep adding to the backlog (not spending on existing asset renewals).
- Prioritise new assets that provide; a 'return on investment', reduce public risk, or existing projects where shovel ready designs have been completed, or current contracts are activated and underway. This may even limit this to a number (E.g., Six new assets across each ward, subject to business cases.)

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- Council Projects that are non-capital (community services) will need reviewing and possibly scaled back. (Some of these are externally funded.)
- Economic development expenditure, involving advocacy or attraction (read: events), will require a higher level of scrutiny through a demonstrated 'return-on-investment' lens versus the 'incubatory' philosophy.
- There'll need to be return-on-investment decisions around 'social verses financial.'
- User Agreements for Recreation reserves. Moama Recreational Reserve is currently subsidised approximately \$280,000 per year. If Council choose to continue to subsidise at such a high percentage, then what are we taking away to allow for successive income cuts? The likely impact may result in raising user group fees and charges from a 'token' amount to up 50%.
- Meninya Street Precinct Projects. Currently the number one priority project in council, and **positively supported by the thousands of people who commented during the public engagement phase**. To review, delay, or remove this project, which was strongly supported by all councillors - many times as reports were sought seeking direction - will dilute the sentiment that MRC is a progressive council. (Which currently sets us apart from our neighbours and has a tremendously positive effect on economic development.)
- Cessation of irrigation on community level parks and council open space except where sport is actively played (ovals and fields). We would still be required to meet our fire hazard requirements by maintaining minimum maintenance standards. This will be quite contentious, as there is a huge point of difference between the look and feel when you cross the river and enter Murray River Council area. This point of difference has helped with economic development.
- Reduction or removal council land-owner consents to support any new community grants. Often the State advertises the availability of grants directly to community associations. The associations usually have buildings and facilities on Crown Land vested in the control of council. Meaning the ongoing depreciation is added to council's schedule, as is the maintenance and risks. The associations need land-owner consent to apply for the grants.
- Horseshoe Lagoon. Consider placing the retaining wall on hold pending how well the budget can be stabilised. Continue with replacing the handrail due to identified public risk.
- Moama Lights. Decision point, acknowledging the cost of paying the contract if not proceeding. (Two years of contract still to run.)
- Riverside Park, Murray Downs. Contract for Boat Ramp: continue, with other works ceasing, and review in 2 years' time (it's a new asset).
- Slow down residential development where new trunk infrastructure is required from council, unless solely funded by developers (Changes the new contribution plan? Council resolution.)
- Compliance activities. Drastically reduce to only legal requirements where council is the only regulatory authority. i.e., Dog attacks. Police are also the ARA, so we communicate that we will no longer respond on weekends to these events.
- Public swimming pools. Review running or phase out. (Note: Contract payout costs need to be considered.)
- Contracts for capital works that may now be unfunded long-term. Cease where we have the opportunity to cancel with limited or no financial penalty.
- Developer Contribution Plan (DCP): May be able to be changed with ministerial consent (increase the percentage).
- Any land or assets where council is the delegated manager on behalf of the Crown, attempt to hand back (formally) under the Crown Land Management Act. (There are relevant avenues to explore here for Crown land that is not adequately used by Council for public purposes. It's rarely successful.)

Dividends from the Water and Sewer Fund

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In writing this response to Councillor Weyrich, council has further investigated the regulations pertaining to dividends and has reviewed income to the General Fund downwards.

Council has significantly reduced the dividend to be paid to the General Fund from Water, Sewer & Waste, reasons listed below:

- Water & Sewer dividends are as per guidelines from NSW Department of Planning & Environment (DPE), currently calculated as:
 - The lower of (in MRC’s case, this is likely always going to be the capped charged):
 - 50% of surplus
 - Capped charge of \$27 (capped charge less tax equivalent) per assessment
 - Rolling 3-year surplus less dividend paid in preceding 2 years.
- Waste, when it is classified as a separate business unit, will still be effectively under the General Fund and the Local Government Act. Council has not been able to confirm if we are legally able to pay a dividend within the general fund from a business unit, therefore have now excluded this dividend completely. Council has sought clarification.

Operating Profit & Loss

- Green line – Break-even
- Blue line - If nothing changes (status quo), we are on the decline, and at year 10 looking at an Operational Loss position of approx. \$12.5m
- Orange line – aim to be at break-even by year 10, small profit of approx. \$153k.



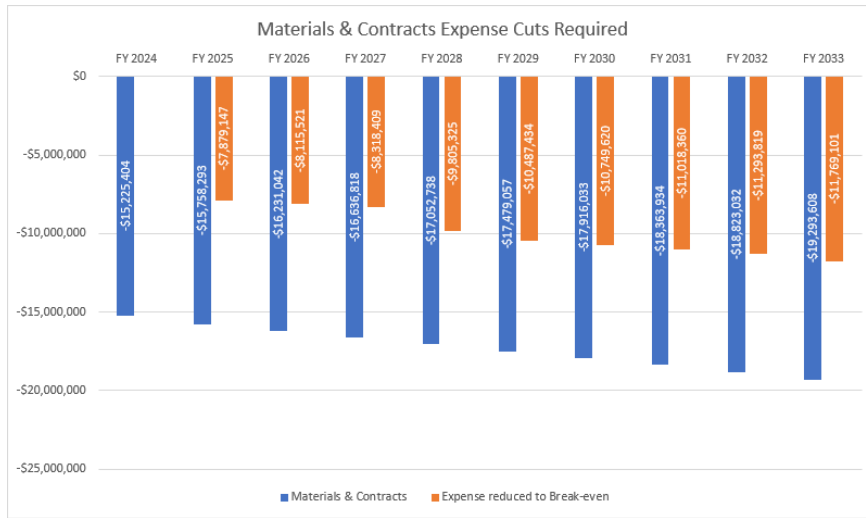
Materials & Contracts

Note: Council has not completed a detailed review and therefore the some of the material and contractor costs may be funded via grants and therefore not able to be cut. Overall, the profit position is still the same, as these projects would be 100% funded. The graph is high level and purely paints the picture of significant cost cuts which will be required. Council has not excluded any costs which are grant funded, as time didn’t permit.

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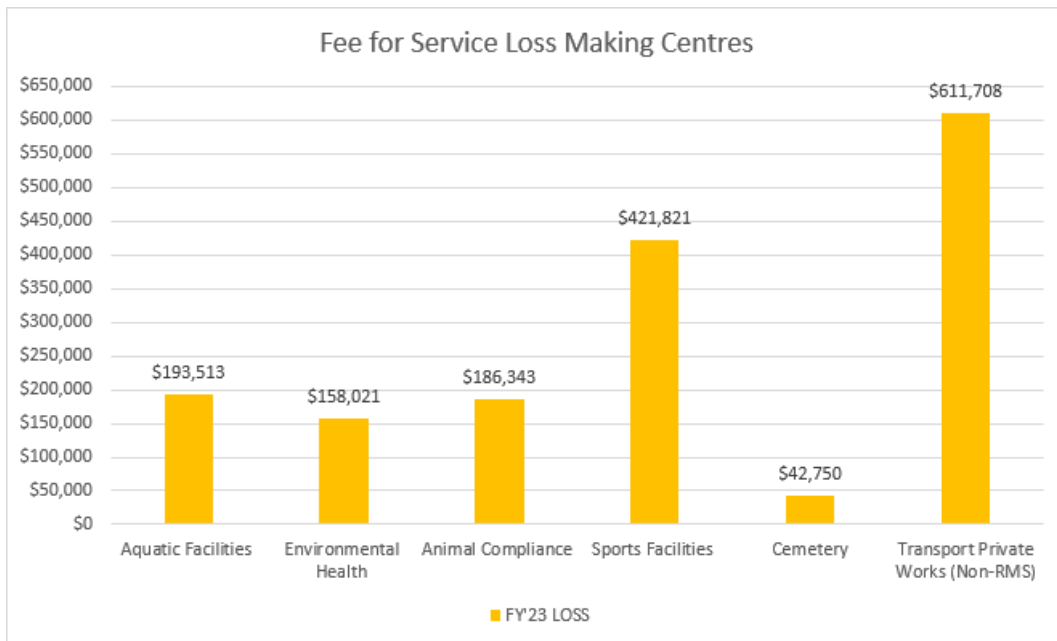
- Blue – Current materials & contractor costs at status quo
- Orange – what materials & contractor costs need to be to break even.



Revenue Review

Council reviewed some user fees and charges to highlight potential areas for revenue increase.

Note: The below graph is based on high level data collection and detailed review of the transactions has not been completed. There are anomalies in the transport area that require reconciling, possibly linked to flood repairs (DRFA).



Conclusion

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As can be construed by the reader, the financial situation is extremely complex, riddled with compliance requirements, and will likely bring the worst out in people during the expected and largely emotionally driven debates.

If council choose to concentrate on mitigating the cash flow risk, and discount the requirement to work towards sustainability, we're likely to bring unwanted attention and scrutiny to MRC.

If council choose to instruct the Administration to work towards the aforementioned financial gradient that will allow a breakeven point to be reached in 10 years, there'll be a great many difficult and disheartening decisions to be made.

Regardless of what council decide is in or out of the upcoming 2024/25 budget, council will now be restricted to working within the rates cap. Which, at the time of finishing this report local government was informed that the rate peg for the 2024-25 fiscal year for each council, before applying the population factor, ranges from 4.5% to 5.5%.

It is envisaged, as a minimum interim step towards long-term financial sustainability, the following services may be required to be triaged and will form the imprimatur for the presentation to council for their consideration of the 2024/25 budget:

Economic Development.

- Reduce financial assistance for events and community groups. Reduction in rate relief. (The assistance provided is leveraged by events and community groups to deliver economic benefits to the region.)
- Remove quick response grants (\$10k annually).
- Reduce community grants. Council currently offers two rounds annually (two rounds of \$30k). Reduce to one round or no longer offer community grants.
- Signage replacement program. This is an annual program which can be spread out across two or more years to slow expenditure.

Community Services

- Reduce the number of face-to-face customer service centres including the closure of the Moulamein Business Centre, reduction of days and hours at Mathoura and Barham and relocating the call centre to Moama.
- Community will be required to travel for banking and other services (Mathoura, Barham, Moama).
- Services funded through to 30 June 2025. From 1 July 2025 a reduction in services may include removal of home modifications and maintenance, a reduction in social respite support and no longer offering delivered meals.

Planning and Environment

- The Parks, Open Space and Recreation Service Delivery Plan will be completed in April 2024 which considers the level of service at regional, community, neighbourhoods and informal parks and reserves. As part of this adjustment to our financial trajectory any new parks or open space (via subdivisions) will be scaled back appropriately, which will mean an overall reduction in number, size, and quality of public open spaces.
- No new parks or reserves will be developed by council for the next two/three years, as they add depreciation and maintenance costs to council, and some parks that do not allow recovery of operating costs (e.g., Botanic Gardens, Moama Dog Park) will have the maintenance reduced.
- As already resolved, the underutilised and isolated parks will be considered for sale purposes through the normal land conversion process, and some will be identified where the level of service will be reduced to meet minimum legislative requirement (fire hazards).

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- All operating costs associated with recreation reserves – the subsidy by Council (currently between 80-90% in some cases) - will be reviewed. The increases in user charges (the user groups of the reserve) will be adjusted and phased in over the next 24 months. Overall reduction in level of services across Murray River Council area to match financial constraints.
- Development Fees and Charges (including Developer Contribution fees) that are not associated with NSW State prescribed fees and charges will increase.
- Meninya Street Precinct Projects: Meninya Street - detail design only, construction costs not yet determined, or funding avenues investigated.
- Horseshoe Lagoon – Pause on construction of retaining wall, and plan of management for commercial opportunities. Repairs associated with public risk will be completed by exception.

Infrastructure

- While there are minimal cost saving opportunities in the sewer and water department, the largest expense which has grown significantly in price is energy. There are opportunities for solar installation which may be able to be funded through internal investment or external grant opportunities.
- We have many buildings, majority of these are operational buildings or RFS sheds. Existing community use buildings as detailed in the Revenue Task Force Report: divest due to minimal use and poor condition / maintenance.
- Fleet utilisation for a frequently used plant, such as graders - review numbers. (Due to the tyranny of distance, less graders would require more frequent and longer site establishments, and therefore further reduce the utilisation and road maintenance. An oversimplification based on incorrect assumptions often cause unfounded anxiety regarding plant/fleet utilisation. Regardless, council is reviewing.)
- External road funding has slightly increased for the next few years (e.g., DRFA), this external funding could be used to reduce Council's Opex and Capex costs for the short-term. Ultimately this will only exacerbate the underlying problem though, by not utilising the purpose of the additional funding to council by way of needing to catch up poor condition roads and decrease the backlog.

Corporate Services

- Corporate services are largely driven by edicts forced upon local government by the State. Every time there is a publicly known problem, within two or three years there's another regulation or instruction from the Office of Local Government to adhere to. This is evidenced by the growth in size of the Local Government Act, which has now 749 sections. If anything, as financial, reporting, auditing, governance, probity, tendering, cybercrime, record management, IT and geospatial technologies, and other corporate services become more cumbersome and complex, there is a significant chance that instead of saving money, the corporate services function will cost more.

ATTACHMENTS**Nil**

9.1.3 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Council resolve to receive and note the status of previous resolutions of Council (in open and closed Council) contained in the Monthly Operation Report including the Resolution Tracker Reports.

BACKGROUND

All resolutions of Council in Open and Closed council, including completed actions within the previous 6 weeks, are now shown in the Monthly Operation Report under their relevant section and responsible person.

In November 2018, Council introduced a software program called InfoCouncil. Resolutions of the Council that require action/s after each Council Meeting are automatically generated in InfoCouncil to the relevant Council officer for their action and comment.

DISCUSSION

The **Resolution Tracker Open Report** and the **Resolution Tracker Closed Action Report** contain 'active' resolutions respectively from open and closed meetings of the Council held since November 2018 that require action by Council's officers. The **Resolution Tracker Completed Actions Report** shows all actions that have been completed in the previous 6 weeks.

Comments for the action are shown in the Monthly Operations Report under each division and allocated responsible person. Resolutions that are reported by Council's officers as complete will drop off the 'active' list.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.6 - Provide clear, concise and consistent information that is easily accessible to our customers - Improve externally provided information and communication.

BUDGETARY IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Nil.

RISK ANALYSIS

- **What can happen?**

Council's officers do not action the resolutions of the Council.

- **How can it happen?**

Resolutions from Council Meetings not being recorded in a systematic fashion.

- **What are the consequences of the event happening?**

Actions, because of the resolutions of the Council, not being completed in a timely manner or at all.

- **What is the likelihood of the event happening?**

Low.

- **Adequacy of existing controls?**

Use of the report and minute system, InfoCouncil, which automatically forwards actions (as a result of the resolutions of the Council) from Council Meetings to the relevant Council officer (report writer) after the completion of the minutes of a Council Meeting. A report can then be generated on the status of incomplete/outstanding actions.

- **Treatment options to mitigate the risk?**

Due diligence undertaken by Council's officers (administration and report writers).

CONCLUSION

The Resolution Tracker and Action Reports are presented to Councillors for information in the Monthly Operation Report.

ATTACHMENTS

Nil

9.1.4 MONTHLY OPERATIONAL REPORT

File Number: -
Author: Courtney Dean, Coordinator Communications
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Monthly Operational Report as of November 2023 be received and the information noted by the Council.

Below are summary points from several Business Unit reports. Please refer to the Monthly Operational Report for full details.

Please note, at the time of this report deadline the Finance Team were still processing transactions for the month (November) and therefore the finance charts do not reflect a fully reconciled month-end.

CEO / Civic Office

As publicly reported over the last two years, council has been reviewing our long-term finances, commencing with the CT Management Service Review, the formation of the Revenue Task and its subsequent recommendations (adopted), and an in-depth review of depreciation. There has also been a reduction of staff over time and many smaller, yet quite helpful changes which have had good financial results.

Now that the decision has been made not to commence the SRV process, starting with community consultation, as instructed at the Extraordinary Council Meeting 15 Nov staff will now proceed with the development of a report for Council's consideration. This will highlight the future maintenance and service level cuts, and increases to user group charges, which will be needed to fund the expected difference between the inflation rate and the rates cap (imposed by the Government).

It is expected a combination of increases in user charges and decreases in maintenance and service levels, equating to approximately 6.7%, will be required, assuming the rates cap is as predicted. But this figure is an approximation.

The 6.7% may be conservative, as it is almost totally dependent on the quantum and timing of asset sales. Most of our assets are classified as 'community' versus 'operational', meaning there is a significant time required to convert to 'operational' to enable a future sale. That conversion is dependent on being authorised by the DPE, which is not guaranteed. Fortunately there are a few operational assets that can be sold quickly, subject to council approval.

The risk to this council, and the future council post the 14th of September 2024 election, is largely to do with timing. There is an expected improvement in income, with asset reductions lowering maintenance and depreciation costs and a cash injection, but if the benefits occur too far into the future the risks won't be as well curtailed.

Strategic Property Specialist

- 5 MRC-owned operational vacant lots identified as "Surplus to MRC requirements" during September have had a certified valuation completed and it was resolved to dispose of the assets at the November Council Meeting, as per MRC Land Acquisition and Disposal Policy. Real Estate agents will be engaged to manage the asset sale process.
- 14 additional operational land and/or building parcels have been through the internal consultation process and have been determined as "Surplus to MRC requirements". 1 parcel has had a certified valuation completed in November and a Council Report will be submitted for the December Council

Meeting seeking resolution to dispose of the asset. The remaining parcels are currently being valued and will be submitted to Council for resolution to dispose in 2024.

Water and Sewer

- Thanks to all who attended the Moama water treatment plant tours and Glen and the team for taking the time to demonstrate how the water is treated and delivered to the town.
- Council is seeking funding through the Safe Secure Water Program for essential upgrades to the Moama Sewer Treatment Plant following recommendations from the Integrated Water Cycle Management Plan.
- Council is in the final stages of implementing Waste ID for the regulation of Liquid Trade Waste transport and disposal. Council will be installing QR codes at various locations; further information will be available by scanning the QR codes.

Works

- Great progress has been made in road construction projects as the Christmas period approaches. Additional designs and pavement investigation are underway for future projects.
- Depots assisted the Eco Dev team to install Christmas decorations in local parks and spaces.
- Urban reseals underway.
- Speewa Road reconstruction commenced.
- Stage 1 of Bunnaloo Road completed with Stage 2 underway.
- Planning for the Christmas / New Year period nearing completion at depots.
- Perricoota Road resheeting planning finalised, with final community updates given before proceeding into construction during November.
- Upcoming works include Moulamein Road flood restoration works, urban street reseals, Chester Street and Wakool Steet intersection, Deniliquin-Barham Road, Barmah Road, Kyalite Road (pending external funding), Vallance Court, Cobb Highway heavy patching for TfNSW, Thyra Road railway removal and various kerb, gutter and footpath maintenance and renewals.

Buildings and Facilities

- **Moama Ground Floor office refurbishment and fit out:** Plan is to create additional 14 work stations to accommodate fluctuating demand / shortages, two additional meeting rooms (former massage and IT storage rooms), finalise conversion of former change rooms to temporary storage areas, rectify floor slip issue in airlock and east corridor, install printer, upgrade kitchen / loading bay stairs (safety – lighting, non-slip stair nosing's, hand rail both sides). Currently addressing identified safety issues. Currently investigating multiple water leaks and developing remediation options. Project carried over to FY24 due to leak rectification works being delayed. Works commenced August 2023. New Wakool meeting room and ICT offices nearing completion.
- **Asbestos remediation works:** Planning phase. Contactors contacted to quote and conduct removal of asbestos in high priority buildings. Completed removal of some high priority floor coverings at Moulamein Business Centre. More asbestos removal works being planned. Asbestos removal and demolition of the old Barham Football clubrooms completed. Noorong Hall new vinyl flooring to cover / protect asbestos floor tiles.
- **Moama Preschool Development:** Construction works are progressing well and are on track for completion in mid-December 2023. External cladding and brickwork have been completed and external painting is well underway. Internal painting has been completed and cabinetry and floor coverings are currently being installed. The rear landscaping / play space is well advanced and taking shape.

Parks, Gardens and Biosecurity

- Internal horseshoe lagoon footpath construction completed.
- Rabbit control works undertaken to protect infrastructure at Moama Cemetery & Moama Recreation Reserve.

- Parks team workshop held in Barham to review new Parks hierarchies and future service requirements for Parks & Open spaces. Development of Parks operations plan, and open space strategy commenced.
- Moama Beach finally re-instated to 100% operations after months of minor flooding impacts.
- Significant damage by vandals at Barham Recreation Reserve. Trees removed, fencing and bollards damaged and playground damaged. Cost estimated at around \$30k.
- New weeds introduced during floods becoming established during the spring growing season.
- Emergence of summer weeds on roadsides-Silverleaf Nightshade & Khaki Weed.
- High customer expectations for service delivery.
- Increased fire risks in general LGA open areas due to dry hot temperatures and spring growth.

Development Services

- In November Council made formal offers to two Cadet Town Planners to commence in early 2024. Education for one of these positions will be funded by DPE and there is potential for the second positions' education component to be funded by UTS.
- In November we saw the resignation of Laura Lea, our Cadet Town Planner who due to personal reasons, decided to move on. We wish Laura all the best and thank her for her contribution to Council throughout 2023!
- New Checklists for internal and external use with streamlined guides currently under development and nearing completion for use early 2024.

Major projects

- **Echuca Moama Flood Study:** Public exhibition of the Draft Flood Study Report ended on 28/11/2023. The consultants and the Project Control Group will review the community feedback, address, and close-out the comments raised. Flood Study report is expected to be finalised by end of June 2024. It will then progress to the Flood Risk Management Study and Plan, expected to be completed by December 2024.
- **Moulamein Water Treatment Ring Levee, Riverine/Stormwater Backflow Prevention, and upgrade of points of weakness in the levee:** Preparation for procurement of survey, REF, and Design in progress. Funding deed has been signed by NSW Treasury. Process underway to appoint consultants for the design and specification of the works under the project.
- **Condition assessment of Murray Irrigation Limited Structures on the road network:** Project covers Murray River Council, Edward River Council, Murrumbidgee Council, Berrigan Council and Federation Council. Project being delivered to improve road network performance. Funding deed for \$3.8M has been signed by NSW Treasury. Process underway to appoint consultants for the design and specification of the works under the project.

Economic Development and Tourism

- The signage has been replaced at the Mathoura Visitor and Business Centre.
- Manager of Eco Dev attended an information session with Reconciliation NSW to gain a better understanding of best practice in developing a Reconciliation Action Plan (RAP).
- During November the Economic Development Team supported the Moulamein Heritage Village to obtain development approval to host ongoing events at the facility.
- In November community groups in Barham and Moulamein were approached for consultation and feedback for new tourism-related signage.
- The team are currently reviewing Council's Events Policy and procedures, looking to implement many improvements, including the information provided to event organisers, streamlining application forms and internal process for approval.
- Further consultation and strategy development has continued on the Arts and Culture Strategy, with the draft 'Strategy on a Page' actively seeking community and Councillor feedback, during November and December.
- The successful consultant awarded the contract to deliver the River Country Silo Art Trail project is undertaking site visits in November.

- Planning is underway for the 2024 Moama Lights and the 2024 Campaspe Murray Business Awards.
- Commenced paid social media campaign promoting visitation to River Country in summer.

Customer Service

- **Customer Experience Strategy:** Proto Partners (consultants helping deliver the project) held a workshop with the Manager and Executive Leadership teams to gain a better understanding of how the business works and what our goals are. The session provided an opportunity for attendees to look at our business drivers which include *Offer* (Products and Services), *Delivery* (Customer Experience and Channels & Platforms), *Organisation* (People & Structure) and *Processes & Systems, and Value* (Business Model and Financial & Data Models). The team had the opportunity to provide feedback around these areas relating to “What Works Well” and “What Does Not Work Well”. The team was highly engaged during the workshop providing great insights, identifying actionable opportunities to improve service delivery that solves customer and staff challenges.
- **Service Requests for the month:** 465, with 408 finalised.
- **Voice of Customer survey:** 45 customers who submitted service requests during October were contacted, with 37 responses. Our overall score for ‘Helpful and Clear’ advice was 98.2% while our score for ‘Satisfaction’ was also 97.8%.
- Our three new Customer Service Officers are currently learning all aspects of council and are rotating between offices learning about the different areas within our region. One new team member has commenced Service NSW training in November. Another new starter has commenced Bendigo Bank training, buddying with other team members, and enthusiastically taking on the challenge. Online training modules have been completed and counter training is underway.
- Recognition for a couple of the Moama Customer Service team with a customer thanking them for assisting with a Service NSW issue that took some time to resolve. The customer was most appreciative of the team going above and beyond to ensure that his needs were met.
- As part of Scam Awareness Week in November, the Barham Library hosted a webinar on “How to Spot a Scam”, presented by NSW Legal Aid. Participants gained some valuable information on avoiding and recognising the latest scams. We were joined by two representatives from Victoria Police Kerang who came along to gain some insights from the presentation to enable them to offer something similar to people on the Victorian side. Well done to the Barham Library for organising.
- The Mathoura Visitor and Business Centre had a few bus groups through this month. We have applied to State Library NSW for an infrastructure grant which we will use for an internal refurbishment.

Community Services

- We are holding Client Christmas Parties in our locations for our clients and volunteers during December.
- YHub continues in Moulamein with young people provided the opportunity for social participation – various activities and a light meal is provided. The Youth Group are looking at holding a Christmas break up including playing bowls at the Moulamein Bowling Club in December
- The 2023 Client Satisfaction Survey is underway. The goal of MRC Community Services is to help our clients thrive and live their best lives. To do this we need to know how we are perceived through their eyes. Surveys were distributed through our Monthly Newsletters to clients and through Client Monthly Invoices.
- Staff from Moama and Barham met with a NSW Seniors Rights advocacy group to learn more about services available. The Seniors Rights Service supports older people with free legal advice, advocacy, and information. Seniors Rights Service is a community organisation dedicated to protecting and advancing the rights of older people in New South Wales.

Strategic Assets

- The Intramaps data linkages to TechOne ownership details have been updated to the new debtor account “default transmission” details inside the property module. This will now allow for display of the primary mailing details and remove the previous multiple details.
- The TechOne build of asset details and asset books continues to progress in conjunction with BAU. Water, Sewer, Stormwater, Fleet and Land Improvement have all now been fully completed with 2022/2023 valuations now fully loaded. This equates to \$265M gross value or 21% of the total asset base.

Business Intelligence

- **Microsoft 365:** SharePoint and Teams Cloud Governance tool is expected to be delivered in December 2023 to ensure information is protected and managed to reduce risks of a data breach.
- **TechnologyOne:** MRC's first Water Billing is due to be issued from TechnologyOne at the end of November. Well done to Lynn and Georgia for working through this as it's had a number of challenges.
- **MaRCo:** Working with HR to put together a Human Resources page for the Intranet, with access to EAP info, Leave info, Return to Work and Injury Management info as well as Procurement and Project Management pages.
- Works have commenced to bring across over 150 templates for permits, approvals, leases, DAs, section 68s, enforcement, certificates, and bongs/guarantees. The TechOne system will be configured to enable staff to automate the creation of these documents, which creates further efficiencies and reduces data entry errors. These are due for completion early next year to enable testing.

Governance

- 2022/2023 Annual Report finalised published to the website as at the 30 November 2023
- Informal GIPA Requests YTD: 45- Number of GIPA requests down on previous years
- Formal GIPA Requests YTD: 0

Waste and Compliance

- The Automated Depot project has officially commenced construction with Civil & Earth mobilising to site and completing the site cut.
- The DA for the Leachate Pond project has been issued and Northern Construction Group will now commence construction of the Leachate Pond in the Northern paddock of the landfill site.
- Emergency Management Plans have been developed for all other small waste facilities.
- Final round of fire hazard reduction inspections has occurred.
- Second and last new Ranger vehicle was delivered in November.
- Many templates, forms and checklists have been developed for the TechOne team to ensure the system is set up in a way that aids conducting inspections, enforcement and reporting correctly and efficiently.
- Work has continued on the draft policy and guidelines for Mobile and Temporary food businesses.
- Tonnages continue to hit the Moama Landfill post floods with on average 25,000t per annum.
- Waste staff are working cohesively to keep waste facilities in a good condition and clean.
- Riley Edwards moved across to the Transport team after 5 months with the Waste Team at the Moama Landfill. Riley contributed a lot in his short time to the facility and proved to be a good young operator with a bright future. We wish him all the best with the Transport crew.

Finance

- **2022/23 Financial Statements** – Council has received the Final Management Letter. External auditor Mr Brad Bruhn presented to Council at the 28 November council ordinary meeting. This was the last step to close out the 2022/23 external audit. Preparation to now commence on the 2023/24-year financial statements with the aim of having a shell set of statements by end of April 2024.
- **Quarterly budget review process** – 1st quarter budget review has been completed and reported to Council at the 28 November 2023 council ordinary meeting.
- **Policy Reviews** – Council's hardship and credit card policies were scheduled to go to the November 2023 Audit Committee meeting for review, but these policies are still under draft/ review, and they will now go to the February 2024 ARIC meeting.

ATTACHMENTS

1. Monthly Operational Report - November 2023 (under separate cover) 

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) DRAFT MINUTES FOR THE MEETING HELD ON THE 9TH NOVEMBER 2023

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the DRAFT Minutes of the Audit, Risk and Improvement Committee (ARIC) held on the 9th November 2023 be noted by Council.

DISCUSSION

There were no recommendations to Council resulting from meeting held on the 9th November 2023.

Draft Minutes attached.

ATTACHMENTS

1. Draft ARIC Minutes - 9 November 2023 [↓](#) 

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes**

9 November 2023

**MINUTES OF MURRAY RIVER COUNCIL
AUDIT RISK & IMPROVEMENT COMMITTEE MEETING
HELD AT THE ADMINISTRATION OFFICES, COUNCIL CHAMBERS, 52 PERRICOOTA ROAD
MOAMA
ON THURSDAY, 9 NOVEMBER 2023 AT 4:00 PM**

1 OPENING & ATTENDANCE

Richard Ham - Chairperson, Suzanna Barry – Independent Member, Jean Sutherland – Independent Member, Jack Bond – Director Infrastructure, Kris Kershaw – Manager Finance, Sandra Gordon – Manager Governance & Risk, Penelope Corkill – Internal Auditors and Brad Bohun – External Auditors.

2 ACKNOWLEDGEMENT OF COUNTRY**3 APOLOGIES**

Cllr Neil Gorey – Councillor Delegate, Cllr Nikki Cohen – Councillor Delegate, Stephen Fernando – Director Corporate Services.

4 PREVIOUS MEETING**4.1 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the minutes of the Audit, Risk & Improvement Committee meeting held on 18 September 2023 be confirmed.

MOVED: Suzanna Barry

SECONDED: Jean Sutherland

4.2 BUSINESS ARISING FROM THE MINUTES

Chairperson Richard Ham congratulated Cllr Frank Crawley, previous Councillor delegate of the ARIC, on this election to the role of Mayor of Murray River Council.

Best wishes were also extended to Council's outgoing Mayor Chris Bilkey who has recently retired from Council. Cllr Bilkey has been the Mayor of Murray River Council since its inception in 2016.

4.3 ACTION FROM PREVIOUS MEETINGS

See below Item 6.2.3

5 DISCLOSURE OF INTEREST

Nil

Item 6.2.1 was promoted, to here, in the Agenda to accommodate conflicting commitments due to the change in the meeting date.

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes**

9 November 2023

6 STANDARD AGENDA ITEMS**6.1 FINANCIAL MATTERS****6.1.1 2022-2023 FINANCIAL STATEMENTS - AUDITED****RECOMMENDATION**

That the Audit, Risk and Improvement Committee (ARIC) receive the attached 2022-23 audited Annual Financial Statements (Statements) while noting the amendments to the original Statements presented previously.

AGREED**Discussion points:**

- The Statements were completed and lodged by the 31 October 2023 (the due date set by the Office of Local Government (OLG)).
- There was a marked decrease in the number of Councils that achieved the deadline for lodgement for the 2022-23 Statements
- The Financial Date Return (FDR) was also lodged on time.
- Completion of 2 grants acquittals are still to be completed.

Kris Kershaw, Manager Finance gave a comprehensive outline of changes made to the Income and Expenditure since the previous presentation of the Statement to the ARIC and a result of finalising the audit process.

[Brad Bohun joined the meeting at 4.40 pm](#)

Brad also confirmed that the Statements were lodged on time and indicated that this was a positive and pleasing result for Council.

As in previous years, Council's stance to not recognise the RFS fleet (Red Fleet) has resulted in the Statements being qualified.

Brad commented that receiving grant funding is a benefit in the initial stages when a new assets is commissioned however the ongoing costs – maintenance and depreciation – have a negative effect on subsequent statements.

Council's "Own Source Ratio" is in line with other regional councils of a similar size.

It was noted in the final paragraph of the Independent Auditor's Report states that the audit does not include, nor provide assurance – that the Council carries out its activities effectively, efficiently and economically.

Short discussion was held on the Performance Audits that are undertaken by OLG and Brad recommended that MRC should consider the findings found in them.

ACTION:

Brad Bohun to send through the current Performance Audit reports to Council / ARIC for consideration.

[Brad Bohun left the meeting at 4.55 pm](#)

The ARIC thanked Kris Kershaw for his efforts in preparing and getting the Statements lodged on time.

Comment was also made on difficulty resulting from the Financial Accountant resigning in April and then Council needed to employ a Contractor to assist with the preparation for the Statements.

Monthly reporting, that is now in place, is showing benefits.

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes**

9 November 2023

6.1.2 2023-24 UNAUDITED FINANCIAL YEAR TO DATE REPORT

RECOMMENDATION

That the Audit & Risk Committee (ARIC) receive the attached 30 September 2023 progress reports on Council's Income Statement and Statement of Financial Performance.

AGREED

The monthly reports are in place of the Quarterly Budget Reports. Trying to align the reports to the meeting dates will be much simpler.

The considerable shortfall in Grants received YTD are in part due to the Financial Assistance Grants being received in the previous reporting period and that some smoothing/fine tuning of the data is still to be undertaken - once completed will give a more accurate result.

Budget v Actual position should improve as the year progresses.

6.1.3 2022-2023 FINANCIAL STATEMENTS - ENGAGEMENT CLOSING LETTER

RECOMMENDATION

That the Audit, Risk and Improvement Committee (ARIC) receive the attached Engagement Closing Report of the Audit Office of New South Wales.

AGREED

6.1.4 2023-24 CAPITAL WORKS PROGRESS REPORT

RECOMMENDATION

That the Audit Risk & Improvement Committee (ARIC) receive the capital works progress report, as of 30 October 2023.

AGREED

6.1.5 QUARTERLY CREDIT CARD SPEND - CEO AND MAYOR

RECOMMENDATION

That the ARIC:

- 1. Receive the attached quarterly spend for the Mayor and CEO credit cards.**
- 2. Note the authorisation process used with the Technology One system.**
- 3. Provide any commentary and/ or feedback back to Council.**

AGREED

The Corporate Credit Card Policy will be presented to the next ARIC meeting for consideration.

ACTION:

Kris Kershaw to provide the Depreciation Report, undertaken by a consultant engaged by Council, to the next meeting of the Committee.

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes**

9 November 2023

6.2 INTERNAL AUDITS

6.2.1 2023-2024 INTERNAL AUDIT PLAN

RECOMMENDATION

That the 2023-2024 ARIC Internal Audit Plan be noted and a 3 year Audit plan be developed.

AGREED

Penny Corkill, Centium discussed the proposed Internal Audits be considered for 2024 and beyond.

Council will conduct the following internal audits in the order listed:

- Emergency Management / Business Continuity
- Revenue - Fees and Charges
- Delegations and Authorised Persons Register

In addition, Council has tendered externally to undertake a Cyber Security audit. The tendering process is currently being finalised and the successful applicants awarded the Contract.

[Penny Corkill left the meeting at 4.15 pm](#)

6.2.2 2024 ARIC MEETING AND REPORTS TIMETABLE

RECOMMENDATION

That the Audit, Risk and Improvement Committee (ARIC) receives/notes the 2023-2024 Meeting and Report Timetable.

AGREED

It was agreed that the ARIC meetings should continue to be held on Mondays at 4pm – if this is suitable to the Councillor delegates.

April meeting to be reserved for consideration of both the budget and the rating strategy only (if required)

The review of the credit card expenditure be added to the Meeting Timetable.

6.2.3 AUDIT ACTION TRACKER

RECOMMENDATION

That the Audit, Risk and Improvement Committee (ARIC) receive/note the Audit Tracker as at the 2nd November 2023

AGREED

The 2022-2023 Management Letter will update some of the actions in the Audit Tracker.

The revised Economic Development Assistance Policy should be on the Tracker. The revised Policy should be presented to Council within the next couple of months

6.3 GOVERNANCE MATTERS

6.3.1 ARIC POLICY REGISTER - REVIEW DATES

RECOMMENDATION

That the Audit, Risk and Improvement Committee (ARIC) receive/note the Murray River Council (MRC) Policy Register – by review date.

AGREED

ACTION:

The newly adopted Budget and Borrowing policies to be added to the list of policies reviewed by the ARIC.

6.3.2 DRAFT 2022-2023 MRC ANNUAL REPORT

RECOMMENDATION

That the Audit, Risk and Improvement Committee (ARIC) receive/note the DRAFT 2022-23 MRC Annual Report.

AGREED

7 OTHER ITEMS

8 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.50 PM

THE NEXT MEETING OF MURRAY RIVER COUNCIL AUDIT RISK & IMPROVEMENT COMMITTEE (ARIC) WILL BE HELD ON THE 5th FEBRUARY 2024 , COMMENCING AT 4 PM. .

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD FO THE PROCEEDINGS OF THE AUDIT RISK & IMPROVEMENT COMMITTEE (ARIC) OF THE MURRAY RIVER COUNCIL HELD ON THURSDAY, 9 NOVEMBER 2023.

..... CHAIR

9.2.2 INVESTMENTS AND RESERVES REPORT AS AT 30 NOVEMBER 2023

File Number: -

Author: Kris Kershaw, Manager Finance

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That Council resolve to receive the Investments & Reserves Report, as of 30 November 2023.

BACKGROUND

Monthly report on cash and investments balances as of 30 November 2023, incorporating allocation by Fund and by Reserve classification.

As per the *Local Government Act 1993 (s625(1)) (the Act)*, Council may invest money that is not, for the time being, required by the council for any other purpose.

DISCUSSION

Shown below are the Liquid Asset Balances and Investments for the period ending 30 November 2023.

| DETAILS | SEPTEMBER 2023 | OCTOBER 2023 | NOVEMBER 2023 |
|-------------------------------|----------------------|----------------------|-------------------------|
| Cash Book Balance B/Fwd | \$ 4,987,861 | \$ 1,795,888 | \$ 2,520,346 |
| Add income for month | \$ 5,454,489 | \$ 7,617,294 | \$ 14,855,706 |
| Deduct expenditure for month | \$ 7,931,377 | \$ 7,392,836 | \$ 7,746,627 |
| CASH AVAILABLE | \$ 2,510,973 | \$ 2,020,346 | \$ 9,629,425 |
| Redeem/(Purchase) Investments | -\$ 715,085 | \$ 500,000 | \$ 1,750,000 |
| CASH BOOK BALANCE | \$ 1,795,888 | \$ 2,520,346 | \$ 11,379,425 |
| Add on-call account | \$ 2,270,255 | \$ 2,278,415 | \$ 3,786,973 |
| Add investments - Deposits | \$ 47,512,449 | \$ 45,012,449 | \$ 43,262,449 |
| Add investments - Shares | \$ 2,010 | \$ 2,010 | \$ 2,010 |
| CASH POSITION | \$ 51,580,602 | \$ 49,813,220 | \$ 58,430,857.05 |
| As per Bank Statements | \$ 2,915,238 | \$ 3,874,097 | \$ 10,516,903 |

Reserves by Fund

| Fund | General | Water | Sewer | Waste | Total |
|----------------|---------------|--------------|---------------|--------------|---------------|
| September 2023 | \$ 23,633,074 | \$ 8,536,722 | \$ 15,322,836 | \$ 4,087,970 | \$ 51,580,602 |
| October 2023 | \$ 22,322,411 | \$ 8,311,865 | \$ 15,297,960 | \$ 3,880,984 | \$ 49,813,220 |
| November 2023 | \$ 31,052,052 | \$ 7,967,695 | \$ 15,385,857 | \$ 4,025,253 | \$ 58,430,857 |

Status of Reserves

| Funds | General | Water | Sewer | Waste | Total |
|-----------------------|----------------------|---------------------|----------------------|---------------------|----------------------|
| Unrestricted | \$ 3,258,858 | \$ 2,384,641 | \$ 4,899,593 | \$ 472,179 | \$ 11,015,271 |
| Internally Restricted | \$ 7,910,970 | \$ 2,650,208 | \$ 7,176,625 | \$ 1,189,257 | \$ 18,927,060 |
| Externally Restricted | \$ 19,882,224 | \$ 2,932,846 | \$ 3,309,639 | \$ 2,363,817 | \$ 28,488,526 |
| Total | \$ 31,052,052 | \$ 7,967,695 | \$ 15,385,857 | \$ 4,025,253 | \$ 58,430,857 |

Details of Restricted Reserves

The following schedule provides details of the **Internally Restricted Reserves** categorised by Fund.

| Internal Reserves | General Fund | Water Fund | Sewer Fund | Waste Fund | Total |
|-----------------------------------|---------------------|---------------------|---------------------|---------------------|----------------------|
| Buildings | \$ 387,698 | \$ - | \$ - | \$ - | \$ 387,698 |
| Bushfire Services | \$ 45,278 | \$ - | \$ - | \$ - | \$ 45,278 |
| Caravan Parks | \$ 263,373 | \$ - | \$ - | \$ - | \$ 263,373 |
| Community Services | \$ 499,878 | \$ - | \$ - | \$ - | \$ 499,878 |
| Council Contribution - Co Funding | \$ 207,527 | \$ - | \$ - | \$ - | \$ 207,527 |
| Economic Development | \$ 42,780 | \$ - | \$ - | \$ - | \$ 42,780 |
| Employee Leave Entitlements | \$ 1,109,562 | \$ - | \$ - | \$ - | \$ 1,109,562 |
| Heritage Buildings | \$ 18,495 | \$ - | \$ - | \$ - | \$ 18,495 |
| Infrastructure Works | \$ 1,247,972 | \$ 2,650,208 | \$ 7,176,625 | \$ - | \$ 11,074,805 |
| Land Management | \$ 134,638 | \$ - | \$ - | \$ - | \$ 134,638 |
| Levee Bank | \$ 339,764 | \$ - | \$ - | \$ - | \$ 339,764 |
| Office Equipment/ IT | \$ 185,000 | \$ - | \$ - | \$ - | \$ 185,000 |
| Parks & Recreation | \$ 115,768 | \$ - | \$ - | \$ - | \$ 115,768 |
| Plant Fund | \$ 2,202,525 | \$ - | \$ - | \$ - | \$ 2,202,525 |
| Public Halls | \$ 35,018 | \$ - | \$ - | \$ - | \$ 35,018 |
| Quarries | \$ 289,500 | \$ - | \$ - | \$ - | \$ 289,500 |
| Risk Management | \$ 12,500 | \$ - | \$ - | \$ - | \$ 12,500 |
| S355 Committees | \$ 350,064 | \$ - | \$ - | \$ - | \$ 350,064 |
| Software | \$ 322,485 | \$ - | \$ - | \$ - | \$ 322,485 |
| Stormwater | \$ 101,145 | \$ - | \$ - | \$ - | \$ 101,145 |
| Waste Management Int | \$ - | \$ - | \$ - | \$ 1,189,257 | \$ 1,189,257 |
| | \$ 7,910,970 | \$ 2,650,208 | \$ 7,176,625 | \$ 1,189,257 | \$ 18,927,060 |

The next schedule details **Externally Restricted Reserves** categorised by Fund.

| External Reserves | General Fund | Water Fund | Sewer Fund | Waste Fund | Total |
|----------------------|----------------------|---------------------|---------------------|---------------------|----------------------|
| Unspent Grants | \$ 15,957,073.00 | \$ - | \$ - | \$ - | \$ 15,957,073.00 |
| Unspent Loan Funds | \$ - | \$ - | \$ - | \$ - | \$ - |
| Section 64/94 | \$ 3,860,864.00 | \$ 2,719,165.00 | \$ 3,309,639.00 | \$ - | \$ 9,889,668.00 |
| Water Purchase | \$ - | \$ 213,681.00 | \$ - | \$ - | \$ 213,681.00 |
| Waste Management Ext | \$ - | \$ - | \$ - | \$ 2,363,817.00 | \$ 2,363,817.00 |
| Other | \$ 64,287.00 | \$ - | \$ - | \$ - | \$ 64,287.00 |
| | \$ 19,882,224 | \$ 2,932,846 | \$ 3,309,639 | \$ 2,363,817 | \$ 28,488,526 |

Overdraft Limits

The Council's Bank Overdraft limit is \$650,000.

I hereby certify that the balances of the various funds of Council have been reconciled with the bank statements and investment register as on 30 November 2023. As per the *Local Government (General) Regulation 2021 – Reg212(1)(b)*, all investments have been made in accordance with the Act, applicable Regulations, and council's investment policy.



Kris Kershaw

Manager Finance

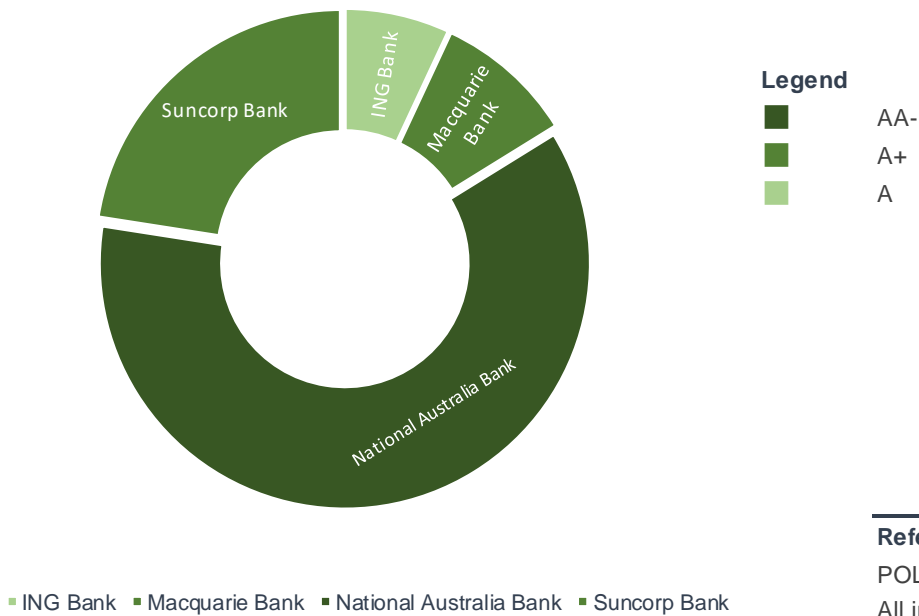
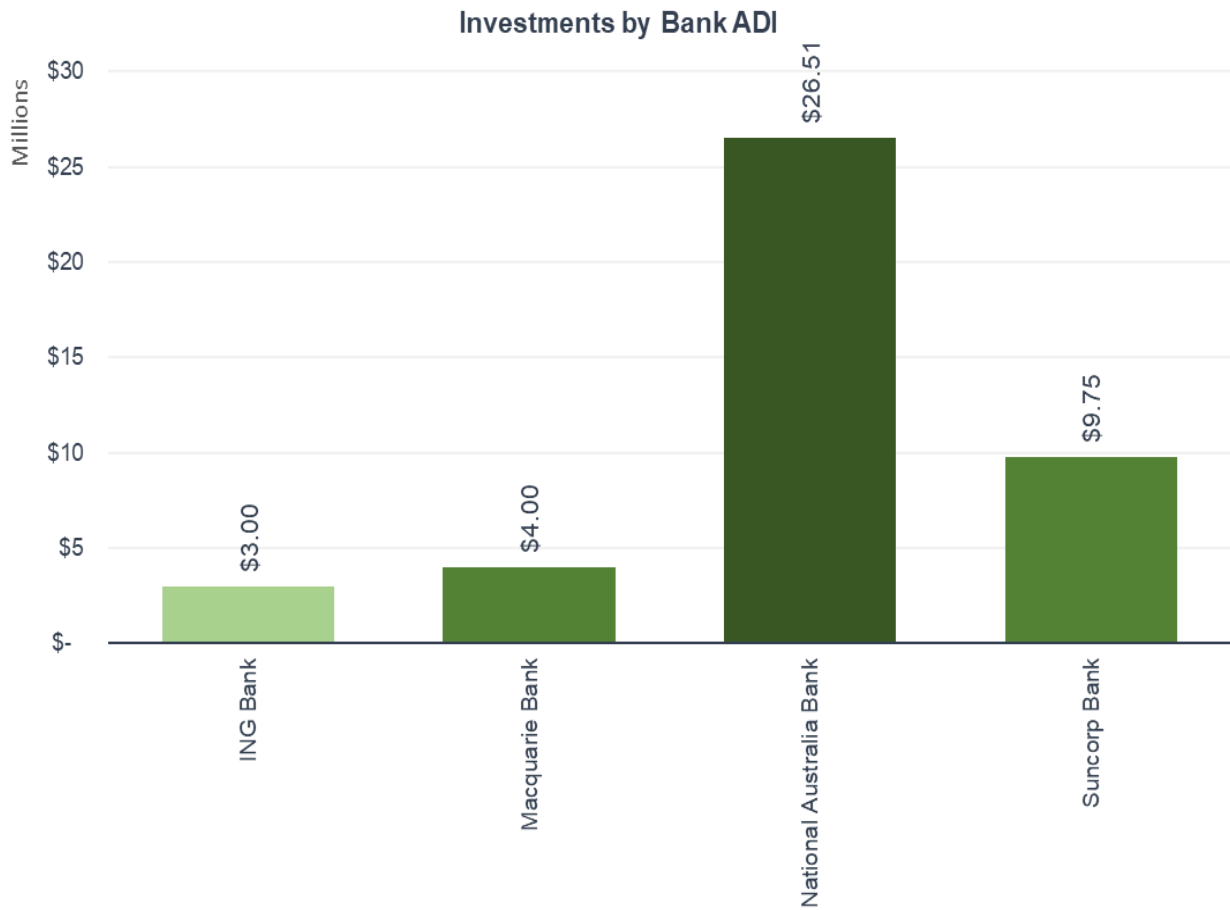
INVESTMENT REPORT AS ON 30 November 2023

As required by Section 212 of the Local Government (General) Regulations 2021 (the Regulation) and Section 625 of the Act, a summary of Council's surplus funds invested, totalling \$43,264,459, together with an analysis thereof are detailed below, including \$43,262,449 in Term Deposits and \$2,010 in other Investments (shares). The detailed list of the investments appears in Annex A.

It needs to be noted that Council currently has 61.28%, or \$26,512,449, invested with National Australia Bank. This is above the 60% allowed under the investment policy for a single AA- or higher institution. This continues to be rectified over the coming months as National Australia Bank term deposits mature.

Investments by Bank / ADI

| Bank / ADI | Amount | % |
|-------------------------|---------------------|----------------|
| ING Bank | \$ 3,000,000 | 6.93% |
| Macquarie Bank | \$ 4,000,000 | 9.25% |
| National Australia Bank | \$ 26,512,449 | 61.28% |
| Suncorp Bank | \$ 9,750,000 | 22.54% |
| | \$43,262,449 | 100.00% |

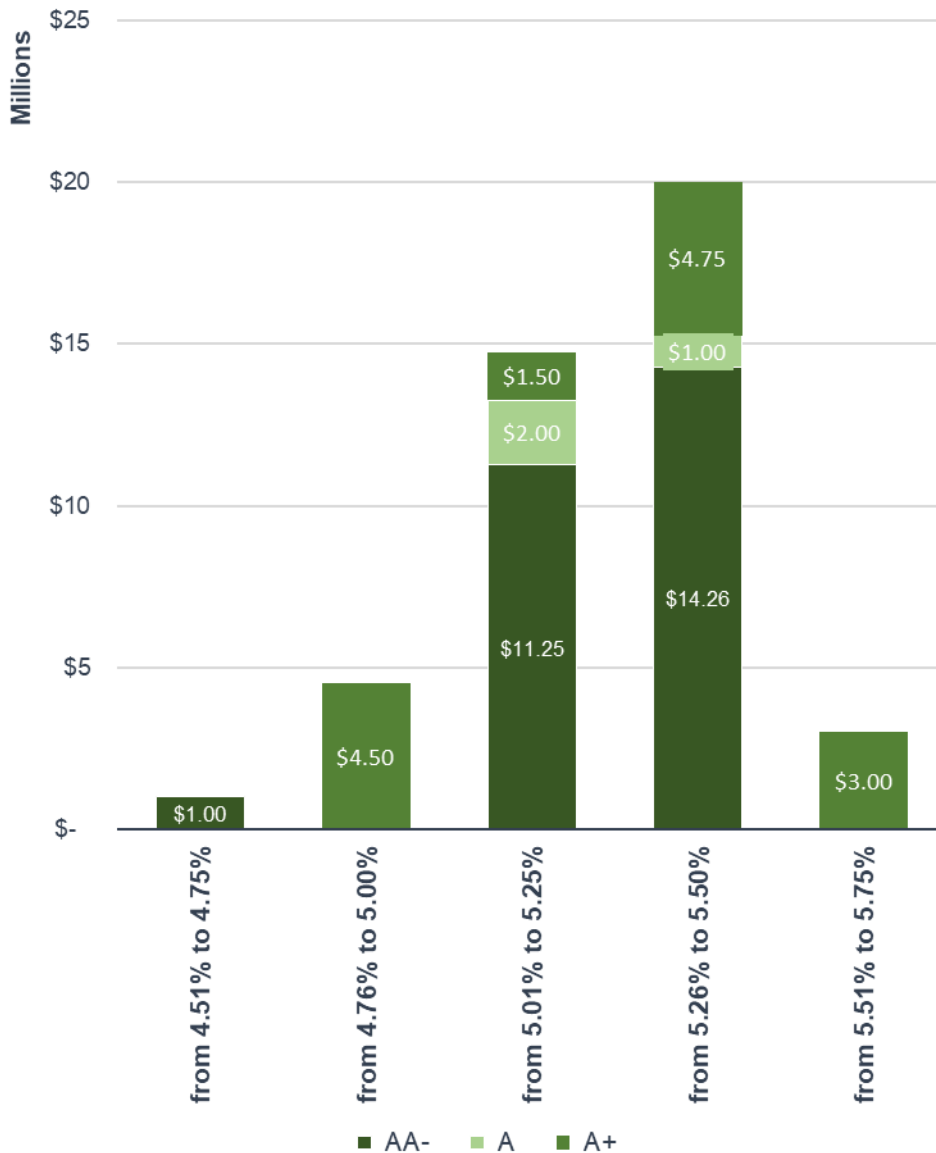


Reference MRC Policy

POL 203 Investment Policy
 All investments are governed under MRC POL 203 - Investment Policy

Investments by Interest Rates / Credit Rating

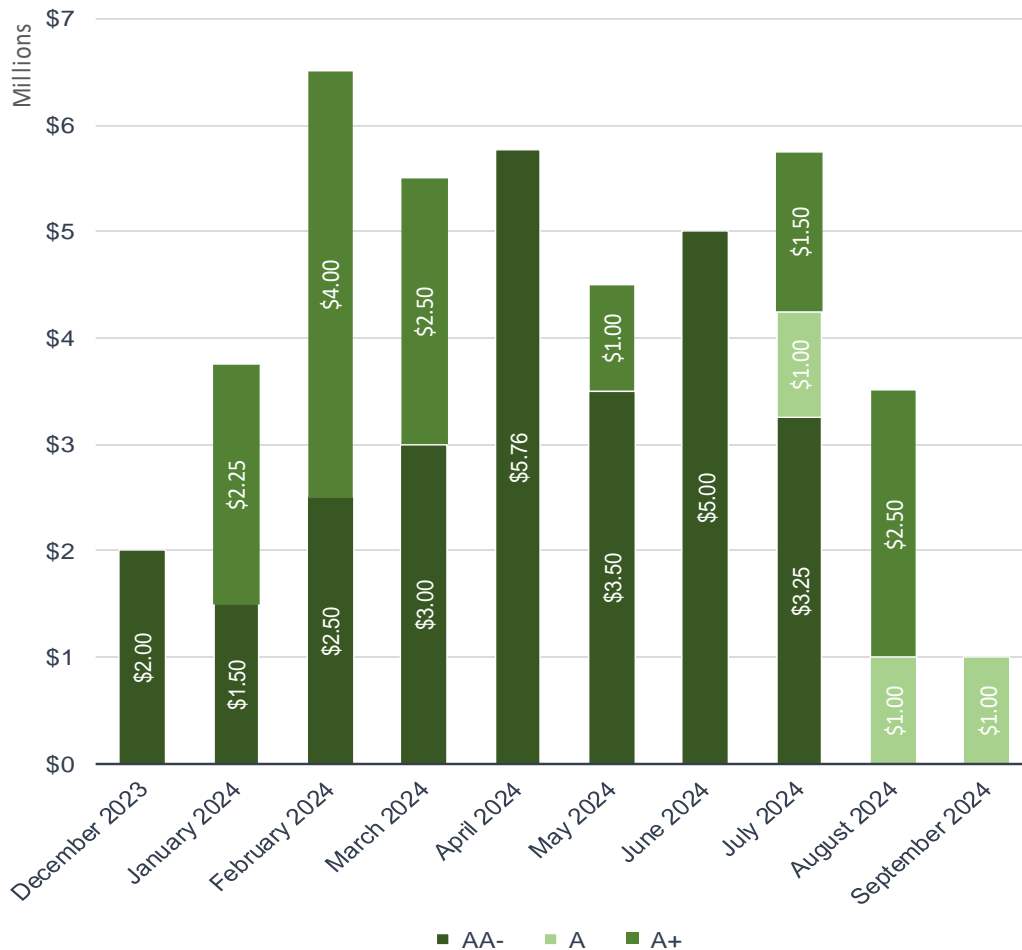
| Interest Rates | AA- | A+ | A | Total |
|---------------------|---------------------|---------------------|--------------------|---------------------|
| from 4.51% to 4.75% | \$1,000,000 | | | \$1,000,000 |
| from 4.76% to 5.00% | | \$4,500,000 | | \$4,500,000 |
| from 5.01% to 5.25% | \$11,250,000 | \$1,500,000 | \$2,000,000 | \$14,750,000 |
| from 5.26% to 5.50% | \$14,262,449 | \$4,750,000 | \$1,000,000 | \$20,012,449 |
| from 5.51% to 5.75% | | \$3,000,000 | | \$3,000,000 |
| | \$26,512,449 | \$13,750,000 | \$3,000,000 | \$43,262,449 |



The portfolio is now well invested in reasonable interest rates and the terms of these invested amounts vary according to planned cash flow of the Council. The objective is to optimize the cash flow needs and maximize the return on investments while ensuring compliance with the Local Government rules and Council's Investment Policy. This month, we have further reduced our exposure to unrated investments with portfolio reflecting a well secured diversification.

Investments by Maturity / Credit Rating

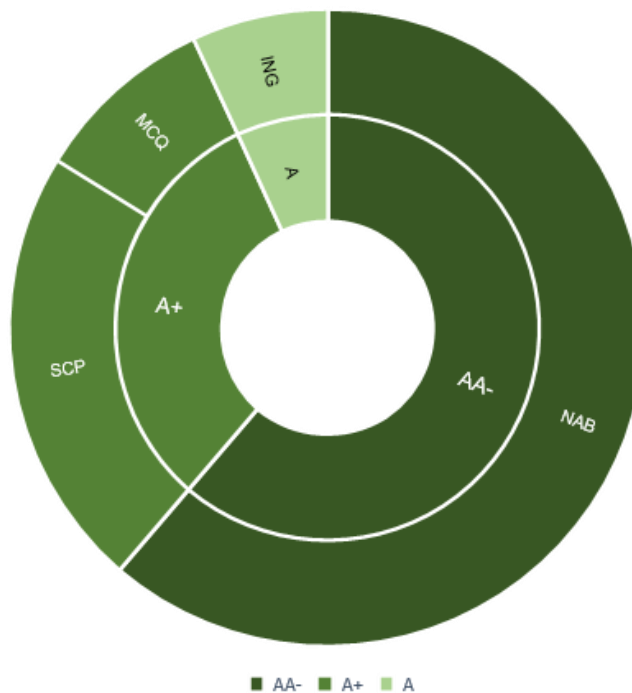
| Interest Rates | AA- | A+ | A | Total |
|----------------|---------------------|---------------------|--------------------|---------------------|
| December 2023 | \$2,000,000 | | | \$2,000,000 |
| January 2024 | \$1,500,000 | \$2,250,000 | | \$3,750,000 |
| February 2024 | \$2,500,000 | \$4,000,000 | | \$6,500,000 |
| March 2024 | \$3,000,000 | \$2,500,000 | | \$5,500,000 |
| April 2024 | \$5,762,449 | | | \$5,762,449 |
| May 2024 | \$3,500,000 | \$1,000,000 | | \$4,500,000 |
| June 2024 | \$5,000,000 | | | \$5,000,000 |
| July 2024 | \$3,250,000 | \$1,500,000 | \$1,000,000 | \$5,750,000 |
| August 2024 | | \$2,500,000 | \$1,000,000 | \$3,500,000 |
| September 2024 | | | \$1,000,000 | \$1,000,000 |
| | \$26,512,449 | \$13,750,000 | \$3,000,000 | \$43,262,449 |



Investments in Term Deposits are primarily based on projected interest rate movements as well as our planned cash flow requirements. During recent months, the interest rate has shown a momentum and strategy of investing for a shorter term has been adopted to redeem higher returns which may be available at shorter maturity. There have been instances where stronger 'A' rated banks / ADIs show lesser interest in taking new investments. We have been able to negotiate a good return for our investments with BBB+ banks in those instances, while limiting our exposure to this credit rating class within the provisions of MRC Investment Policy.

Investments by Credit Rating / Banks

| S&P Rating | Bank / ADI | Policy Limit by Credit Rating | Current Portfolio Concentration | Current Investment Total | Institutional Policy Limit | Institutional Holding |
|------------|-------------------------|-------------------------------|---------------------------------|--------------------------|----------------------------|-----------------------|
| AA- | National Australia Bank | 100% | 61% | \$26,512,449 | 60% | 61% |
| A+ | Macquarie Bank | 90% | 32% | \$4,000,000 | 25% | 9% |
| A+ | Suncorp Bank | | | \$9,750,000 | 25% | 23% |
| A | ING Bank | 90% | 7% | \$3,000,000 | 25% | 7% |
| | | | 100% | \$43,262,449 | | 100% |



MRC Term Deposit portfolio reflects a very well balanced spread across allowable credit ratings and evenly split across individual banks and ADIs. The portfolio spread is in compliance with MRC Investment Policy which provides guidelines to balance higher returns and optimizing risk to the lowest levels.

STRATEGIC IMPLICATIONS

5. Strategic Theme 5: A place of Prosperity and Resilience

5.2 - Encourage and support economic development across the region - Commercial Investment Strategy.

BUDGETARY IMPLICATIONS

The cash rate, as of 7 November 2023, is 4.35%. This has resulted in Council being able to achieve at least 5.00% or above interest rate when placing term deposits during November. Interest revenue will be reviewed as part of the quarterly budget review process to ensure that original budget set for interest revenue is in line with expected returns. Investments are placed with cash flow requirements as the main priority.

POLICY IMPLICATIONS

Murray River Council Investment Policy (POL203).

LEGISLATIVE IMPLICATIONS

Section 625 of the Local Government Act 1993

Regulation 212 of the Local Government (General) Regulations 2021

Section 14 of the Trustee Act 1925

RISK ANALYSIS

- **What can happen?**
Imprudent use of Council's Financial Assets
- **How can it happen?**
Non-Compliance of Investment Rules, Policies, and mandates
- **What are the consequences of the event happening?**
Potential loss of financial assets
- **What is the likelihood of the event happening?**
Very Low
- **Adequacy of existing controls?**
Very Good
- **Treatment options to mitigate the risk?**
Responsible management of financial resources invested in accordance with the Council's Investment Policy and mandates.

CONCLUSION

Murray River Council's liquidity position is satisfactory as on 30 November 2023.

ATTACHMENTS

1. **Investment Report November 2023** [↓](#) 

Murray River Council

Annex 'A'

Investment Details - November 2023

| Start Date | Maturity Date | Bank / ADI | Type | Investment | Interest Rate | Term (Days) | Interest Due upon Maturity | S&P Long Term Rating |
|--------------|---------------|------------|--------|----------------------|---------------|-------------|----------------------------|----------------------|
| 9/06/2023 | 5/12/2023 | NAB | TD | \$ 1,000,000 | 5.150% | 179 | \$ 25,256 | AA- |
| 9/06/2023 | 12/12/2023 | NAB | TD | \$ 1,000,000 | 5.150% | 186 | \$ 26,244 | AA- |
| 29/06/2023 | 16/01/2024 | NAB | TD | \$ 1,500,000 | 5.400% | 201 | \$ 44,605 | AA- |
| 11/07/2023 | 23/01/2024 | SCORP | TD | \$ 750,000 | 5.440% | 196 | \$ 21,909 | A+ |
| 29/06/2023 | 30/01/2024 | SCORP | TD | \$ 1,500,000 | 5.470% | 215 | \$ 48,331 | A+ |
| 3/05/2023 | 2/02/2024 | NAB | TD | \$ 1,000,000 | 4.750% | 275 | \$ 35,807 | AA- |
| 11/07/2023 | 6/02/2024 | SCORP | TD | \$ 750,000 | 5.560% | 210 | \$ 23,992 | A+ |
| 29/06/2023 | 13/02/2024 | NAB | TD | \$ 1,500,000 | 5.400% | 229 | \$ 50,819 | AA- |
| 11/07/2023 | 20/02/2024 | SCORP | TD | \$ 750,000 | 5.560% | 224 | \$ 25,591 | A+ |
| 31/07/2023 | 20/02/2024 | Macquarie | TD | \$ 1,000,000 | 5.000% | 204 | \$ 27,945 | A+ |
| 29/06/2023 | 27/02/2024 | SCORP | TD | \$ 1,500,000 | 5.470% | 243 | \$ 54,625 | A+ |
| 11/07/2023 | 5/03/2024 | SCORP | TD | \$ 750,000 | 5.560% | 238 | \$ 27,191 | A+ |
| 31/07/2023 | 5/03/2024 | Macquarie | TD | \$ 1,000,000 | 5.000% | 218 | \$ 29,863 | A+ |
| 30/06/2023 | 12/03/2024 | NAB | TD | \$ 1,500,000 | 5.450% | 256 | \$ 57,337 | AA- |
| 11/07/2023 | 19/03/2024 | SCORP | TD | \$ 750,000 | 5.560% | 252 | \$ 28,790 | A+ |
| 30/06/2023 | 26/03/2024 | NAB | TD | \$ 1,500,000 | 5.450% | 270 | \$ 60,473 | AA- |
| 11/07/2023 | 2/04/2024 | NAB | TD | \$ 1,000,000 | 5.410% | 266 | \$ 39,426 | AA- |
| 30/06/2023 | 9/04/2024 | NAB | TD | \$ 1,500,000 | 5.470% | 284 | \$ 63,842 | AA- |
| 17/07/2023 | 16/04/2024 | NAB | TD | \$ 1,012,449 | 5.350% | 274 | \$ 40,662 | AA- |
| 30/06/2023 | 23/04/2024 | NAB | TD | \$ 1,500,000 | 5.490% | 298 | \$ 67,234 | AA- |
| 18/07/2023 | 30/04/2024 | NAB | TD | \$ 750,000 | 5.350% | 287 | \$ 31,550 | AA- |
| 31/07/2023 | 7/05/2024 | NAB | TD | \$ 1,250,000 | 5.300% | 281 | \$ 51,003 | AA- |
| 24/10/2023 | 14/05/2024 | Macquarie | TD | \$ 1,000,000 | 4.780% | 203 | \$ 26,585 | A+ |
| 31/07/2023 | 21/05/2024 | NAB | TD | \$ 1,250,000 | 5.310% | 295 | \$ 53,646 | AA- |
| 3/08/2023 | 28/05/2024 | NAB | TD | \$ 1,000,000 | 5.200% | 299 | \$ 42,597 | AA- |
| 3/08/2023 | 4/06/2024 | NAB | TD | \$ 750,000 | 5.200% | 306 | \$ 32,696 | AA- |
| 9/08/2023 | 11/06/2024 | NAB | TD | \$ 1,000,000 | 5.200% | 307 | \$ 43,740 | AA- |
| 9/08/2023 | 18/06/2024 | NAB | TD | \$ 1,500,000 | 5.200% | 314 | \$ 67,101 | AA- |
| 10/08/2023 | 25/06/2024 | NAB | TD | \$ 750,000 | 5.200% | 320 | \$ 34,192 | AA- |
| 16/08/2023 | 25/06/2024 | NAB | TD | \$ 1,000,000 | 5.150% | 314 | \$ 44,304 | AA- |
| 23/08/2023 | 2/07/2024 | NAB | TD | \$ 750,000 | 5.150% | 314 | \$ 33,232 | AA- |
| 23/08/2023 | 2/07/2024 | NAB | TD | \$ 750,000 | 5.150% | 314 | \$ 33,232 | AA- |
| 30/08/2023 | 9/07/2024 | NAB | TD | \$ 1,000,000 | 5.150% | 314 | \$ 44,304 | AA- |
| 4/09/2023 | 16/07/2024 | SCORP | TD | \$ 750,000 | 4.850% | 316 | \$ 31,492 | A+ |
| 4/09/2023 | 16/07/2024 | SCORP | TD | \$ 750,000 | 4.850% | 316 | \$ 31,492 | A+ |
| 3/10/2023 | 23/07/2024 | NAB | TD | \$ 750,000 | 5.200% | 294 | \$ 31,419 | AA- |
| 5/09/2023 | 30/07/2024 | ING | TD | \$ 1,000,000 | 5.100% | 329 | \$ 45,970 | A |
| 5/09/2023 | 6/08/2024 | ING | TD | \$ 1,000,000 | 5.100% | 336 | \$ 46,948 | A |
| 19/09/2023 | 13/08/2024 | SCORP | TD | \$ 500,000 | 5.100% | 329 | \$ 22,985 | A+ |
| 7/11/2023 | 20/08/2024 | SCORP | TD | \$ 1,000,000 | 5.470% | 287 | \$ 43,011 | A+ |
| 29/11/2023 | 27/08/2024 | Macquarie | TD | \$ 1,000,000 | 5.210% | 272 | \$ 38,825 | A+ |
| 28/09/2023 | 24/09/2024 | ING | TD | \$ 1,000,000 | 5.350% | 362 | \$ 53,060 | A |
| | | SP | Shares | \$ 2,000 | | | | |
| | | WAWCU | Shares | \$ 10 | | | | |
| Total | | | | \$ 43,264,459 | | | \$ 1,683,325 | |

9.2.3 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 30 NOVEMBER 2023

File Number: -

Author: Kris Kershaw, Manager Finance

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That Council:

1. Receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 30 November 2023.

BACKGROUND

The purpose of this report is to inform Council of the unaudited financial performance and position of Council as of 30 November 2023. The report is provided in addition to the Monthly Operational Report and, with the exception of Council's working capital, reports on Council consolidated performance.

DISCUSSION

The Financial Report will be provided to Council on a monthly basis to provide an update on the current financial situation. It focuses on the components of the Income Statement (income and expenditure) and Statement of Financial Performance (assets and liabilities).

This report is not required to be reported under the Local Government Act 1993 (the Act) nor the Local Government (General) Regulation 2021 (the Regulation). However, it is provided to Council to compliment the MOR and quarterly budget review process (QBR).

Council adopted the 2023/24 Annual Budget, as part of the Operational Plan, on the 27 June 2023. Council has subsequently adopted the 1st quarterly budget review (to 30 September 2023) at the November 2023 Ordinary Council Meeting, which is reflected in the Income Statement attachment as the budget comparative.

This report will continue to be worked on over the next few months as it is developed further to incorporate Cashflow Statement and key financial sustainability indicators (ratios). For now, the report will focus on the Income Statement and Statement of Financial Performance.

The following highlights are some of the key results for the period ending 30 November 2023:

- The end of month cash and investments balance is \$58.43 million, of which \$3.26 million is unrestricted for the General Fund. This is above the current minimum limit of \$2.0 million threshold defined by Council in the Operational Plan. Cash and investments are reported to Council each month under a separate report.
- Council has delivered 30.43% of the year-to-date capital budget excluding commitments for 2022/23, totalling \$12.47 million. Council has a revised 1st quarter budget review budget capital allocation of \$40.98 million for the 2023/24 year.
- Council's working capital as of 30 November 2023 is \$12.62 million. This is the difference between current assets minus current liabilities and is an indication of Council's liquidity. This is also known as the unrestricted current ratio. Benchmark for this ratio is 1.5 or greater – As of 30 November 2023, Council's unrestricted current ratio is 3.48.

Income Statement

Income and Expenditure

What was charged to our ratepayers/customers compared to what was spent in delivering our services.

For the period under review, Council's operating deficit sits at (\$819,000). This is above the overall projected 2024 budgeted net operating result of (\$3.08) million for the period ending November 2023. A revised depreciation expense as part of the first quarter budget review, along with favourable grant funding received and the issue of the first water bills for the 2023/24 financial year have contributed to the overall improvement when compared to budget. Budget realignment, as part of the first quarter budget review, was also another contributing factor for the improvement.

It should be noted that with the Council meeting been held earlier in the month instead of the usual fourth Tuesday of the month, not all of the end of month processes has been completed at the time of this report been compiled. End of month process takes up to 10 business days to complete, however for this report there was only 2 business days available to perform tasks.

Note that this is the Income Statement result only and not the overall net budget result (once capital expenditure, reserve movements, and other funding movements are considered).

Income Statement for 30 November 2023 is provided as an attachment.

A review of some of the budget vs actual differences is discussed as follows:

Income

- User charges and fees are tracking above budget now due to water billing for the first period to end of November 2023 been raised and issued. Waste revenue from the Moama landfill site has also contributed to the better-than-expected result to the end of November 2023.

- Interest and investment income needs to be revised as part of the second quarter budget review process (ending December 2023). Council is receiving a much better return on term deposits interest than originally expected.

- Grants for operating purposes is tracking lower than budget expectation due to timing of grant funding being received in relation to the Financial Assurances Grant and capital projects funded by grants.

Expenditure

- Materials and contracts expenditure is tracking lower than budget expectation due to timing of expense payments.

- Borrowing costs budget needs to be spread over the 12 months for 2023/24 year rather than for the months of December 2023 and June 2024 – end of month process is to accrue interest expense on loans.

- Depreciation actual will equal depreciation budget until all asset registers are placed into OneCouncil (Tech 1) asset registers. Assets team is currently working through this process with the aim of having all asset registers in the system during this financial year.

Statement of Financial Performance

The value of resources Council has to service our community. Net Equity at the end of the November 2023 period stood at \$1.04 billion.

Statement of Financial Performance for 30 November 2023 is provided as an attachment.

A review of some of the actual differences between the years comparison is discussed as follows:

Assets

- Cash and cash equivalents have increased from \$7.27 to \$15.17 million due to Council, in part, receiving grant funding of over \$7.61 million in late November 2023. Investment maturities recalled by Council late November 2023 also helped to increase cash at bank.
- Investments has decreased to \$43.26 million on account of Council recalling funds on maturity of term deposits to pay for accounts payable.
- Receivables of \$11.51 million is consistent when compared to the 2022/23 balance of \$12.55 million.

Liabilities

- Current payables overall balance has decreased from the 2022/23 closing balance of \$7.14 million to \$4.10 million to November 2023 as a result of Council paying down its overall accounts payable balance. The accounts payable balance is subject to timing variances as accounts payable is run weekly every Thursday.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.6 - Provide clear, concise and consistent information that is easily accessible to our customers - Improve externally provided information and communication.

BUDGETARY IMPLICATIONS

Maintaining a balanced budget throughout the financial year and remaining financially sustainable remain key objectives. Budget risks identified throughout the year are to be mitigated as part of Council's ongoing quarterly budget reviews.

Council adopted the 2023-24 Operational Plan, including the annual budget, at the June 2023 Ordinary Council Meeting, any reports on any budget variations will be via the quarterly budget review process.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- What can happen?

Council expends operational or capital expenditure that is not budgeted for, resulting in possible financial risks.

- **How can it happen?**

By failure to not perform regular review of budgets.

- **What are the consequences of the event happening?**

Minor - Council ends up with an operating deficit greater than the budget adopted, resulting in financial risks.

- **What is the likelihood of the event happening?**

Possible.

- **Adequacy of existing controls?**

Adequate.


- **Treatment options to mitigate the risk?**

Financial risks can be managed on a project basis or through savings identified in the operational expenditure budgets. Council finance staff to maintain a budget risk register which will flag budgetary issues that require addressing in the quarterly budget review process.

CONCLUSION

The unaudited Financial Report is presented to Council to provide an overview of Council's overall financial performance as of 30 November 2023.

ATTACHMENTS

1. **Income Statement Report** [↓](#) 
2. **Statement of Financial Performance Report** [↓](#) 

Murray River Council

Income Statement

for the year ended 30 June 2024

from period 01 July to 30 November

Unaudited budget and actual figures are allocation up to the month of reporting.

| Actual 2023 | \$'000 | Notes | Revised QBR 1 unaudited budget 2024 | Actual 2024 | % Var Current Bud v Act |
|--|--|-------|---|----------------|----------------------------|
| Income from continuing operations | | | | | |
| 19,096 | Rates and annual charges | B2-1 | 8,666 | 8,917 | 103% |
| 9,097 | User charges and fees | B2-2 | 3,238 | 5,967 | 184% |
| 1,567 | Other revenue | B2-3 | 460 | 430 | 93% |
| 21,270 | Grants and contributions provided for operating purposes | B2-4 | 3,734 | 2,790 | 75% |
| 33,698 | Grants and contributions provided for capital purposes | B2-4 | 7,787 | 6,211 | 80% |
| 1,599 | Interest and investment income | B2-5 | 749 | 1,227 | 164% |
| 287 | Other income | B2-6 | 108 | 127 | 118% |
| | Gain on Sale of Assets | D2-1 | | | |
| 86,614 | Total income from continuing operations | | 24,742 | 25,669 | 104% |
| Expenses from continuing operations | | | | | |
| 19,288 | Employee benefits and on-costs | B3-1 | 8,326 | 8,534 | 102% |
| 22,817 | Materials and services | B3-2 | 9,115 | 7,746 | 85% |
| 382 | Borrowing costs | B3-3 | | 17 | 0% |
| 23,245 | Depreciation, amortisation and impairment for non-financial assets | B3-4 | 9,891 | 9,891 | 100% |
| 1,061 | Other expenses | B3-5 | 492 | 300 | 61% |
| 4,800 | Net losses from the disposal of assets | B4-1 | | | |
| 71,593 | Total expenses from continuing operations | | 27,824 | 26,488 | 95% |
| 15,021 | Operating result from continuing operations | | (3,082) | (819) | 27% |
| 15,021 | Net operating result for the year attributable to Council | | (3,082) | (819) | 27% |
| (18,677) | Net operating result for the year before grants and contributions provided for capital purposes | | (10,869) | (7,030) | 65% |

Murray River Council

Statement of Financial Position

for the year ended 30 June 2024

from period 01 July to 30 November

| \$'000 | Notes | Actual 2024 | Actual 2023 |
|---|-------|------------------|------------------|
| ASSETS | | | |
| Current assets | | | |
| Cash and cash equivalents | C1-1 | 15,166 | 7,266 |
| Investments | C1-2 | 43,262 | 49,944 |
| Receivables | C1-4 | 11,511 | 12,549 |
| Inventories | C1-5 | 493 | 520 |
| Other | C1-11 | 679 | 254 |
| Total current assets | | 71,110 | 70,533 |
| Non-current assets | | | |
| Investments | C1-2 | 2 | 2 |
| Receivables | C1-4 | 483 | 483 |
| Inventories | C1-5 | 315 | 315 |
| Infrastructure, property, plant and equipment | C1-8 | 983,445 | 980,865 |
| Intangible Assets | C1-10 | 10,401 | 10,401 |
| Investments accounted for using the equity method | D2-2 | | |
| Total non-current assets | | 994,647 | 992,066 |
| Total assets | | 1,065,756 | 1,062,599 |
| LIABILITIES | | | |
| Current liabilities | | | |
| Payables | C3-1 | 4,102 | 7,140 |
| Contract liabilities | C3-2 | 12,920 | 5,269 |
| Lease liabilities | C2-1 | 106 | 184 |
| Borrowings | C3-3 | 309 | 476 |
| Employee benefit provisions | C3-4 | 3,442 | 3,686 |
| Provisions | C3-5 | 102 | 102 |
| Total current liabilities | | 20,982 | 16,856 |
| Non-current liabilities | | | |
| Lease liabilities | C2-1 | 354 | 354 |
| Borrowings | C3-3 | 2,023 | 2,173 |
| Employee benefit provisions | C3-4 | 512 | 512 |
| Provisions | C3-5 | 6,612 | 6,612 |
| Total non-current liabilities | | 9,501 | 9,652 |
| Total liabilities | | 30,483 | 26,508 |
| Net assets | | 1,035,273 | 1,036,092 |
| EQUITY | | | |
| Current years surplus | | (819) | 15,021 |
| Accumulated surplus | | 745,736 | 730,715 |
| IPPE revaluation reserve | | 290,356 | 290,356 |
| Council equity interest | | 1,035,273 | 1,036,092 |
| Total equity | | 1,035,273 | 1,036,092 |

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

Nil

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

9.4.1 BARTLETT STREET - FOOTPATH CONNECTIVITY - BUDGET VARIATION

File Number: -

Author: Matthew Sherman, Project Manager Meninya Street Precinct Project

Authoriser: Rod Croft, Director Planning & Environment

RECOMMENDATION

That Council approves the reallocation of \$20,000.00 of unspent funds from the Horseshoe Lagoon Lightning Reinstatement project (approx. \$43,000 under budget) to cover the cost of Bartlett Street footpath investigation and design.

BACKGROUND

Murray River Council included an allocation of \$495,000 into the Budget for the 2023/24 Financial Year to complete the project lifecycle for the construction of a footpath on Bartlett Street Moama. The footpath will establish a key connection between the new Echuca Moama Bridge and points of interest such as the Moama Soundshell and Horseshoe Lagoon via Bartlett Street. Currently this area is an unsealed road and is frequently used by pedestrians and cyclists whilst completing the twin town walk or detouring Meninya Street.

DISCUSSION

Due an administrative error, this project has commenced the design process through the completion of procurement and contract award without internal funding allocation. A budget amount of \$495,000 was approved and listed in the Operational Plan for the project during 2023/24, although further investigation identified that this was to be backed by external grant funding, not internal resources. As a letter of offer has been provided to the successful applicant in response to the submitted fee proposal, Council is under a contractual obligation.

In order to proceed and avoid consequences outlined in the report, the officer's recommendation is to utilised unspent funds from an existing project to cover the investigation and design cost of \$16,750.00 plus contingency to total a value of \$20,000.00.

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.10 - Strategic planning which produces consistent, strategic, transparent outcomes - Streetscaping / Master Planning / Placemaking.

BUDGETARY IMPLICATIONS

The Officers recommendation is to reallocate \$20,000.00 of unspent funds from an internal project that has achieved cost savings during procurement. Funding can be reallocated from the Horseshoe Lagoon Lighting Reinstatement project which had an initial budget of \$90,000.00. Procurement was completed for this project with a contract value of approximately \$43,000.00. Reallocation of the proposed amount will result in sufficient funding to complete each project plus contingency.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**

Due to an administrative error, Council has encountered an issue where procurement has been completed for a project where internal funding was not allocated.

- **How can it happen?**

\$495,000 was outlined in the 2023/24FY Operational Plan for the construction of Bartlett Street Footpaths which has been misinterpreted. The Officer was under the impression internal funds were allocated for this project when in fact it was reliant on contributions.

- **What are the consequences of the event happening?**

Council has provided a letter of offer accepting a fee proposal resulting in a contractual obligation to the successful applicant to complete the works. Failure to see this through would result in a breach of contract and potential costs in doing so.

- **What is the likelihood of the event happening?**

Likely.

- **Adequacy of existing controls?**

Adequate.

- **Treatment options to mitigate the risk?**

Suitable. Reallocate unspent internal funds to cover the cost of the contract plus a minor contingency amount.

CONCLUSION

The recommendation of the officer is to approve the reallocation of unspent internal funds to cover the cost of the design contract to avoid the identified consequences outlined in the report. The recommendation does not require any additional expenditure from Council, only the reallocation of unspent funds. If approved, this will result in the Bartlett Street Footpath reaching shovel ready status for construction and therefore supporting future grant funding applications that target master planning, placemaking, accessibility and connectivity.

ATTACHMENTS

Nil

9.4.2 AMENDMENT TO FEES AND CHARGES

File Number: -

Author: Jessica McFarlane, Manager Building Services

Authoriser: Rod Croft, Director Planning & Environment

RECOMMENDATION

1. That Council agree to an amendment to the Council 2022/23 fees and charges in relation to Caravan Parks, Camping Grounds & Manufactured Home Estates – Initial Application Fee for Approval to Operate (ATO)".
2. That Council, as per Section 610F of the *Local Government Act 1993*, place the amended fee on public exhibition for a period of 28 days.

BACKGROUND

The current listing in Council's fees and charges shows the cost for Caravan Parks, Camping Grounds & Manufactured Home Estates – Initial Application Fee for Approval to Operate (per site) is \$8.65 per site. Due to the time taken to access such applications and drawing comparisons from Council's in the area on their approach to such application fees.

DISCUSSION

A price on application for all Caravan Parks, Camping Grounds & Manufactured Home Estates – Initial Application Fee for Approval to Operate allows a standard set fee for all like applications whilst the per site fee of \$8.65 establishes a fee that is tailored to each site. Individual sites will incur a fee proportionate to the time taken to assess the application relative to the size of the site.

The standard application fee also covers application administrative processes. It is proposed to amend the fees to initial set application fee for all applications to \$545.46 + GST (\$600) and then charge an additional fee of \$8.65 per site as per current fees and charges.

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.11 - Strategic planning which produces consistent, strategic, transparent outcomes - Town Planning / Land Use Strategies

BUDGETARY IMPLICATIONS

The amendment to the fees and charges to a standard initial fee would ensure that all Council costs are included in the charges with no additional expense incurred by Council.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Section 610F of the Local Government Act 1993 states that:

1. A council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and had considered any submissions duly made to it during the period of public notice.

2. Public notice of the amount of a proposed fee must be given (in accordance with the regulations) in the draft operational plan for the year in which the fee is to be made.
3. However, if, after the date on which the operational plan commences:
 - (a) A new service is provided, or the nature or extent of an existing service is changed, or
 - (b) The regulations in accordance with which the fee is determined are amended,
The council must give public notice (in accordance with section 705) for at least 28 days of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations.
4. This section does not apply to a fee determine by a council for an application made in a filming proposal, if that fee is consistent with a scale or structure of fees set out in an applicable filming protocol.

RISK ANALYSIS

- **What can happen?**

Additional costs incurred by Council if the amended initial application cost is not supported.

- **How can it happen?**

Current fees & charges listed do not cover costs of full assessment and administrative processes.

- **What are the consequences of the event happening?**

Moderate

- **What is the likelihood of the event happening?**

High

- **Adequacy of existing controls?**

Low

- **Treatment options to mitigate the risk?**

Support the amendment.

CONCLUSION

That Council support the recommendation to amend the fees and charges regarding caravan Parks, Camping Grounds & Manufactured Home Estates – Initial Application Fee from \$8.65 per site to \$545.46 + GST (\$600) plus \$8.65 per site.

ATTACHMENTS

Nil

9.4.3 DEVELOPMENT APPLICATION 16.2022.318.1 - 9 LOT (TORRENS TITLE) SUBDIVISION - 13 MAIDENSMITH DRIVE, MOAMA

File Number: -
Author: Jessica McFarlane, Manager Building Services
Authoriser: Rod Croft, Director Planning & Environment
Applicant: Planright
Owner: Layfield Road Pty Ltd
Proposal: DA 10.2022.318.1 Subdivision of land comprising nine (9) lots, road construction and associated infrastructure
Location: Lot 13 DP 258661, 13 Maidensmith Drive, Moama

RECOMMENDATION

1. That Council note that this is a review of determination, as the original Development Application was refused on 6 June 2023.
2. That Council refuse Development Application 10.2022.318.1 for the subdivision of land comprising nine (9) lots, road construction and associated infrastructure on Lot 13 DP 258661, 13 Maidensmith Drive, Moama, due to the following reasons:

- a) Pursuant to section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, the site is not considered suitable for the proposed development given the flood prone nature of the land and increased risk to life from people trying to access the site during periods of flood events.
- b) Pursuant to section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Section 5.8 of State Environmental Planning Policy (Biodiversity and Conservation) in relation to flooding.
- c) Pursuant to section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 5.21 of Murray Local Environmental Plan 2010 in relation to flood planning.
- d) Pursuant to section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Chapter 11 of Murray Development Control Plan 2012 in relation to development on flood prone land.
- e) Pursuant to section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979 the site is not suitable for the development.
- f) Pursuant to section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979 the development is not in the public interest.

Or

3. That Council approves Development Application 10.2022.318.1 for the subdivision of land comprising nine (9) lots, road construction and associated infrastructure on Lot 13 DP 258661, 13 Maidensmith Drive, Moama.
4. In the event that the Council approves the Development Application 10.2022.318.1, that the Council give the CEO (and his delegate) authorisation to amend and finalise the DRAFT Conditions for approval referenced in this report as appropriate.

BACKGROUND

Following refusal of the Development Application (**Refused DA**) on 6 June 2023, a meeting was held between Council officer's and the Applicant on 22 June 2023 to discuss the reasons for refusal.

The subject s8.2A Review of Determination Application (**the DA**) was lodged on 19 July 2023 for a nine (9) lot subdivision, road construction and associated infrastructure.

A recent meeting was held between Council officers, the applicant and owner on 20 November 2023 to discuss the flooding issue relating to the proposed subdivision. Council expressed its view that while the majority of the reasons for refusal could be satisfied, the proposal could not be supported on flooding grounds.

During the assessment process, Council sought its own legal advice from Kell Moore in relation to the applicability of the Draft Echuca-Moama-Torrumbarry Flood Study (**the Draft Study**) to the proposed DA which was considered in making this determination.

DISCUSSION

This review application seeks consent for review of determination of 10.2022.318.1 for the subdivision of land comprising nine (9) lots, which was refused on 6 June 2023.

In accordance with Section 8.3 of the Act, an applicant may request Council to review a determination of a development application, other than for a complying development, integrated development, designated development, or a determination made by Council in respect to an application by the Crown. The development application does not fall into any of these categories; therefore the applicant may request a review.

Section 8.3 (3) provides that the Council may review a determination if in the event that the applicant has made amendments to the development described in the original application, the consent authority is satisfied that the development, as amended, is substantially the same as the development described in the original application.

A review of the original and amended documentation has found that there are fundamental similarities between the original and the amended design (being subject of the 8.3 review) and the nature of the intended land use remains the same. Accordingly, it is concluded that the amended scheme is substantially the same as the original proposal. Accordingly, it is considered that the proposal satisfies the requirement of Section 8.3 (3) of the Act.

Based on the information provided with this review application, Council is not satisfied that the proposed development addresses the reasons for refusal.

This report provides an assessment of Review of Determination Application (DA) 10.2022.318.1 for the subdivision of land comprising nine (9) lots at Lot 13 in DP 258661, 13 Maidensmith Drive, Moama NSW 2731.

The application was refused for the following reasons:

1. *The application is inconsistent with Section 1.7 'Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994' of the Environmental Planning and Assessment Act 1979.*
2. *The application is inconsistent with Section 5.21 Flood planning of the Murray Local Environmental Plan 2011.*
3. *The application is inconsistent with the aims of Chapter 2 Vegetation in non-rural areas of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.*
4. *The application is inconsistent with Chapter 7.4 Movement Network of the Murray Development Control Plan 2012.*
5. *The application is inconsistent with Chapter 8 Urban Release Areas of the Murray Development Control Plan 2012.*

In response to the above reasons for refusal, the following comments are made.

- 1. The application is inconsistent with Section 1.7 'Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994' of the Environmental Planning and Assessment Act 1979.**

It is also noted that the site is not mapped 'Key Fish Habitat', therefore not warranting consideration of the provisions under the *Fisheries Management Act 1994*.

Concern had previously been raised as part of the refused DA regarding the proposed removal of vegetation on the site to accommodate the proposed subdivision and associated civil works. Upon further review of the submitted documentation having regard to the provisions of the *Biodiversity Conservation Act 2016*, it is argued that the proposed vegetation removal is minimal and will not adversely impact the biodiversity values of the site. The application has satisfied and addressed the above reason for refusal.

- 1. The application is inconsistent with Section 5.21 Flood planning of the Murray Local Environmental Plan 2011.**

The development site is not identified on the Flood Planning Map under the Murray Local Environmental Plan 2011 (MLEP 2011).

However, the site is mapped under the Draft Echuca-Moama-Torrumbarry Flood Study (the **Draft Study**). The Draft Study identifies the site as being inundated by flooding events exceeding 1% and 2% Annual Exceedance Probability (AEP) ('1 in 50 year' and '1 in 100 year' events) (refer to **Figure 1** below). In accordance with the Draft Study, in the event of a 1% AEP flood event, properties west in west Moama are submerged by floodwater from the Murray River's breakout at Perricoota Road. In a 2% AEP flood event, properties to the west of Moama, near Perricoota Road, are expected to be affected by floodwaters from the Murray River and spread through Tindarra Resort.

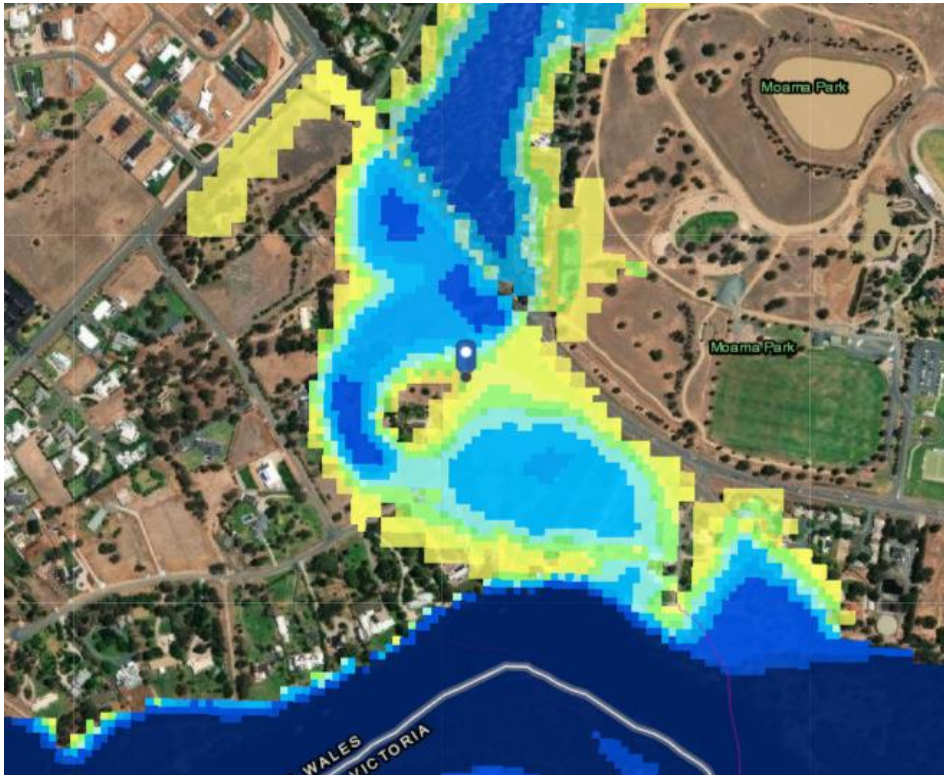


Figure 1. Flood mapping at the 1% and 2% AEP Flood Depth under the Draft Flood Study. Red marker identifies subject site. (Source: *Echuca-Moama-Torrumbarry Flood Study*)

The question has been raised during the assessment stage of the refused DA and now this DA, whether Council is required to consider the Draft Study in its assessment and ultimate determination of the DA.

Following the meeting between Council and the Applicant on 22 June 2023, advice was provided to Council, prepared by Hugh Melville of Melville & Hicks Lawyers outlining the following in response to the applicability of the Draft Study in Council's assessment:

In our view, Council considering the flood study as part of the examination of the development approval was incorrect at law and without a proper basis.

Firstly, the consideration of a recent flood study was a recommendation. It was not a mandatory requirement.

Secondly, the flood study referred to in Ms Coulon's email contained the reference to being (sic) "in prep.". It is now known to us that the flood study referred to is a joint exercise with the Campaspe Shire Council, which to date, has not adopted it and may not ultimately adopt it. The fact is that the flood study is still in draft and cannot have a bearing on Council's consideration of development approvals that are currently before it. As far as the Applicant is aware the flood study is not available to the public.

Unless you can show otherwise, Council ought not be making decisions based on draft plans or plans and studies which have not been adopted. Council given it was merely a recommendation and given the flood study is a draft which has not yet been completed, let alone adopted, Council should have ignored the recommendation entirely.

Thirdly, the land at 13 Maidensmith Drive Moama is not shown as a flood affected parcel on the flood maps linked to the Murray River Council's 2011 Local Environment Plan. Council should have only made its determination based on the adopted flood mapping plans. It is therefore clear that one of the statements in the Refusal that "the application is inconsistent with Section 5.21 Flood planning of the Murray Local Environment Plan 2011" clearly flawed and without any basis.

Briefly as fourth but relevant point, the land at 13 Maidensmith Drive Moama did not suffer from inundation in the flood event of October / November 2022. We would have expected this to be known to Council and added to the assessment as to whether the proposed development would be inconsistent with a draft flood study and the LEP.

Further supporting information from the applicant, dated 22 September 2023, notes that the owner would agree to a restriction being imposed as a DA condition requiring dwellings to be built above the flood level. This suggestion is noted and may normally be considered as a mitigation measure; however, the proposal does not seek consent for dwellings on each lot. Should a future proposal seek consent for an integrated subdivision (i.e. subdivision and dwelling), this could be considered.

Irrespective of the Draft Study, of relevance in determining the suitability of development of the site is Clause 5.21(2) of MLEP 2012 which states:

*(2) Development consent must not be granted to development on land the consent authority considers to be within the **flood planning area** unless the consent authority is satisfied the development—*

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

Clause 5.21(5) states:

***flood planning area** has the same meaning as it has in the Flood Risk Management Manual.*

In accordance with the Flood Risk Management Manual 2023 (**the Manual**) the 'flood planning area' is defined as:

The area of land below the Flood Planning Level (FPL).

The FPL for this site and the wider Perricoota Road area is 96m AHD (1% AEP of 95.5m AHD + 500mm freeboard). Based on survey detail submitted with the DA, the site is largely below the FPL, including more than 1m in some areas. Therefore, for the purposes of assessing the proposed subdivision in accordance with Clause 5.21, the site is flood prone and required to be assessed against the provisions of Clause 5.21 of the MLEP 2012.

It is understood that Clause 5.21 does not reference or call up the flood planning map under the MLEP but calls up the Flood Risk Management Manual when assessing flood prone land if there are discrepancies between Council's flood mapping and properties below the FPL.

Chapter 11 of the Murray Development Control Plan (**MDCP**) 2012 outlines the decision guidelines that are to be considered in considered the merits of proposed development in terms of flooding impacts. The MDCP also directly calls up the Flood Risk Management Manual in determining the suitability and appropriateness of a development within the flood planning area. Similar to the above, it is argued that the proposal has failed to have regard to the flood risk posed by the proposed subdivision.

Council have received feedback from the Biodiversity and Conservation Division of the NSW Department of Planning and Environment (**BCD**) in relation to the flood affectation. It is noted that BCD opposes the proposed development on flooding grounds and states the following:

Council have been progressing with completing flood related studies consistent with the Flood Risk Management Manual 2023 (the Manual) to fill knowledge gaps across the municipality, including at Moama. The Manual specifically recommends that development decisions should be based on the best available information and advice on flooding and constraints that flooding places on land.

Preliminary riverine flood modelling for Moama indicates that this development site has some level of flood risk. BCD therefore consider a precautionary approach to development in this location is warranted.

The actual flood risks across Moama (including this site) will be determined once the Echuca-Moama-Torrumbarry Flood Study is finalised. Only then can informed decisions can be made to ensure development of land is commensurate with known flood behaviour, constraints, and risk.

BCD supports Council in their decision not to grant consent while the full extent of flood risks remain unknown.

In undertaking flood risk management, the Manual requires council to identify, maintain and make accessible the best available flood information to support informed decision-making. The Draft Study represents the best available flood information in this case to help inform this assessment and ultimate determination.

The subject site is located on River Murray land, therefore subject to the provisions of Part 5.2, Section 5.9 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*. Section 5.9 outlines specific principles which are to be considered by the consent authority when determining an application. In relation to flooding, the following matters are to be satisfactorily addressed:

Where land is subject to inundation by floodwater—

- (a) the benefits to riverine ecosystems of periodic flooding,*
- (b) the hazard risks involved in developing that land,*

- (c) *the redistributive effect of the proposed development on floodwater,*
- (d) *the availability of other suitable land in the locality not liable to flooding,*
- (e) *the availability of flood free access for essential facilities and services,*
- (f) *the pollution threat represented by any development in the event of a flood,*
- (g) *the cumulative effect of the proposed development on the behaviour of floodwater, and*
- (h) *the cost of providing emergency services and replacing infrastructure in the event of a flood.*

To date, the applicant has not undertaken any appropriate flood assessment undertaken by a suitably qualified professional of the proposal in relation to the above. In the absence of this, Council cannot be confident in its assessment of the flood risk associated with the proposed development on the subject site and on surrounding sites.

Based on the above, the proposal is not found to be compatible with the flood function and behaviour on the land. The flood information presented to-date by the applicant has not satisfactorily demonstrated that the proposal will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties. Without any suitable assessment and measures to manage risk to life in the event of a flood, the proposal remains unacceptable.

1. *The application is inconsistent with the aims of Chapter 2 Vegetation in non-rural areas of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.*

The proposed vegetation removal is minor and not considered to adversely impact the biodiversity values of trees and other vegetation, while the proposal will preserve the amenity of the site and surrounding area. The proposal also includes tree replacement as per the supporting landscape plan, and should the DA be approved, this would form a condition of consent. The application has satisfied and addressed the above reason for refusal.

2. *The application is inconsistent with Chapter 7.4 Movement Network of the Murray Development Control Plan 2012.*

The previous assessment of the refused DA raised the following concern:

The subdivision application includes the construction of a cul-de-sac which is inconsistent with the requirements of the subchapter. The proposed layout does not adequately connect with the existing area or integrate with future developments (including Maidensmith Drive and the land to the north of the subject land). Any consent issued will therefore include a Deferred Commencement condition of consent requiring a through road to be constructed.

Although the preference is for the cul-de-sac to connect with the existing road network or integrate with future development, preventing development of the site for a future road connection that may or may not occur is not a reasonable outcome. Importantly, Chapter 7, Part 7.4 of the DCP stipulates:

The use of cul-de-sacs in subdivision design should only be contemplated in circumstances where constraints dictate a through street cannot be accommodated.

The adjoining site to the west has no known plans to develop or subdivide, and therefore cannot connect to the development site. This is considered a reasonable constraint preventing a through street from being provided. On this basis, the proposal should be considered on merit and within the context of the wider Moama release area, including to the north and west which also includes similar cul-de-sac arrangements. A cul-de-sac is satisfactory and supported on merit.

3. *The application is inconsistent with Chapter 8 Urban Release Areas of the Murray Development Control Plan 2012.*

As above, the DA was previously refused on the grounds that the proposed subdivision did not provide for integration with future development. Similarly, refusal of the application on the grounds of not being able to provide for integration with a future development is not warranted in this case.

It would be unreasonable to refuse the proposal on the basis that a cul-de-sac is provided due to neighbouring properties not being developed. The proposal is satisfactory and supported in this regard.

Subject Site

The site subject to this development application is located at 13 Maidensmith Drive MOAMA 2731 on Lot: 13 DP: 258661. Land size is 3,423m². The site is zoned R2 Low Density Residential under the Murray LEP 2011 and is mapped as River Murray land under the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The land is also mapped as an Urban Release Area, whilst the lot size provisions affecting the property are 3000m². The land is not mapped as Bush Fire Prone Land, Flood Prone Land, Terrestrial Biodiversity (Native Vegetation), Key Fish Habitat (Aquatic Biodiversity), Wetlands, RAMSAR Wetlands, a Watercourse, Urban Release Area, mining resources or contaminated land. The site does not contain any known items of environmental heritage significance. The site is irregular in shape and contains an existing dwelling house and ancillary development, along with native vegetation. Please see the NSW Planning Portal website for more information.

Figure 2 – Aerial imagery of subject land from 2023 (Source: MetroMap)



Figure 2. Aerial imagery of subject site from 2023 Source: Metromap

Proposal

The development application seeks consent for the subdivision of land comprising nine (9) lots, road construction and associated infrastructure. A small amount of vegetation is proposed to be removed as part of the development located within the subject site. The subdivision nominates prescribed building envelopes on each lot. The proposal retains an existing dwelling to be located on Lot 5.

A draft planning agreement applies to the subject development. The relevant landowner (Layfield Road Pty Ltd) has offered to enter into a draft planning agreement in relation to the funding of the construction of a new roundabout to service the proposed development. This matter is to be heard at a future Council meeting.

As outlined above, the application is inconsistent with the flood requirements of the MLEP 2011. The Murray Strategic Plan Use Plan also identifies this area as unsuitable for any additional development which is incompatible with the flood provisions under MDCP 2012, Section 5.21 of the Murray LEP, and Section 5.9 of the SEPP (Biodiversity Conservation) 2021.

STATUTORY ASSESSMENT PROCESS

| | |
|-------------------------------|-----------------------|
| Application lodged | 19/07/2023 |
| DA Panel | N/A |
| Neighbour Notification | 3/08/2023 – 2/09/2023 |
| Further information requested | N/A |
| Further information received | N/A |
| Site Inspection | N/A |

TOWN PLANNING ASSESSMENT

The Town Planning assessment is covered in this report.

CONCLUSION

Whilst the risk of flooding is subjective from the Council Officer based on the current flood modelling, it is acknowledged that further work needs to be completed which relates to a Floodplain Risk Management Plan for the Echuca/Moama area. This plan should consider this area specifically and identify the hazard and risk at the site in the context of actual flood behaviour, and the connection of this site to the river. It is likely that this area isn't as high risk to flooding as other areas in East Moama, and there could be a pathway for approval in future if that was the case once the Floodplain Risk Management Plan has been completed.

As outlined within the attached Assessment Report, an assessment of the proposal on its merits has concluded the proposed development does not comply with the relevant considerations and is likely to pose an adverse outcome for the site and community. The proposed development is inconsistent with the flood provisions of the Murray LEP 2011 and Murray DCP 2012 along with being inconsistent with the provisions of the Murray Strategic Land Use Plan to locate new urban development on flood free land. It is therefore recommended the application be **refused** development consent.

ATTACHMENTS

1. Draft DA conditions [↓](#) 

A. Conditions of development consent—the Act

Section 69: Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*

Section 70: Erection of signs

Section 71: Notification of *Home Building Act 1989* requirements

Section 72: Entertainment venues

Section 73: Maximum capacity signage

Section 74: Shoring and adequacy of adjoining property

Section 81: Build-to-rent housing

Please refer to the NSW State legislation for full text of the above Sections under Part 4 Division 2 of the *Environmental Planning and Assessment Regulation 2021*.

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B. Planning conditions

General Conditions which must be fulfilled

1. Approved plans

The subdivision must be carried out in accordance with relevant documentation submitted with Development Application No. **10.2022.318.1**, except where amended by the conditions of this consent.

Where a preliminary plan conflicts with specific requirements set out in the subject conditions of consent, the preliminary plans are deemed subservient.

All conditions of consent must be fulfilled at the expense of the Applicant.

Reason: To ensure the development is carried out as assessed.

2. Water supply work, sewerage work and stormwater drainage work

Water supply work or sewerage work which is plumbing and drainage work within the meaning of the [Plumbing and Drainage Act 2011](#) must comply with that Act and the regulations under that Act. Any water supply work or sewerage work which is not plumbing and drainage work under that Act, and any stormwater drainage work, must comply with the [Plumbing Code of Australia](#).

Reason: Council and Statutory requirement of [Local Government \(General\) Regulation 2021](#).

3. Aboriginal Cultural Heritage

No Aboriginal objects may be harmed without an approval from Heritage NSW under the [National Parks and Wildlife Act 1974](#).

If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:

- Not further harm the object(s);
- Immediately cease all work at the particular location;
- Secure the area to avoid further harm to the Aboriginal object(s);
- Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location;
- Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the [Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales](#). All reasonable precautions must be taken to prevent damage to Aboriginal objects.

Reason: To protect Aboriginal heritage and to comply with the [National Parks and Wildlife Act 1974](#).

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4. Soil

A suitable soil chemical analysis and investigation report is required if any evidence of contamination on the subject site is found during works. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

Reason: To ensure the subject site is not contaminated.

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Compliance with Government Department conditions of consent

5. Essential Energy

The Applicant must comply with all conditions and requirements outlined in Essential Energy correspondence (Dated 23 February 2023), attached to this Development Consent as Appendix 1.

Reason: To ensure compliance with Essential Energy conditions of consent.

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DA NO. 10.2022.318.1**PAGE 5.****Conditions which must be fulfilled prior to the release of the Subdivision Works Certificate****6. Subdivision Works Plans**

Full Engineering Plans (Subdivision Works Plans) in respect to the provision of the following services must be submitted with the Subdivision Works Certificate application:

- a) Road Design, including roundabout details.
- b) Vehicle access (driveways).
- c) Sewer.
- d) Filtered and Raw Water.
- e) Stormwater Management (including utilising Water Sensitive Urban Design).
- f) Environmental and sedimentation details.
- g) Details of any fill material to be brought on site.
- h) Concrete pedestrian and bicycling shared paths (2.5m wide)(including footpath within reserve from existing Maidensmith Drive to proposed subdivision to provide connectivity link to Perricoota Road shared path.
- i) Concrete footpaths (1.5m wide).
- j) Streetscaping/landscaping.
- k) Tree protection measures to be implemented.
- l) Street lighting (including intersections and lighting within proposed Public Reserve for security).
- m) Certified Essential Energy (electricity) plans.
- n) Street names and street numbering.
- o) Indicative details of utilities (gas, telecommunications).
- p) Indicative bus stop details (location/infrastructure).
- q) Proposed fencing along boundary of proposed Public Reserve and lots 4 and 5.

These plans must be generally in accordance with the preliminary plans required under Condition D1 of this consent. Where a preliminary plan conflicts with specific requirements set out in the subject conditions of consent, the preliminary plans are deemed subservient.

Details of where any excavated material is to be stored must be submitted to and approved by Council.

These plans must be prepared to the satisfaction of Council. The plans must be prepared in accordance with Council's 'Guidelines for Subdivisions and Development Standards' and must be consistent with conditions of this consent. These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

Note: Subdivision works plans must be pre-approved by Council prior to an application for Subdivision Works Certificate being lodged on the NSW Planning Portal.

Reason: To ensure the development is appropriately serviced.

7. Stormwater Management Plan

A Stormwater Management Plan must be prepared and submitted to Council with the application for a Subdivision Works Certificate. This Stormwater Management Plan must provide a suitable stormwater disposal system to service the area and provide details as to the staging of the development of this system. The plan must be consistent with the requirements of Council's Infrastructure Department. The plan must incorporate Water Sensitive Urban Design techniques and be consistent with *Managing Urban Stormwater: Soils and Construction* (i.e. 'The Blue Book' produced by LANDCOM). All infrastructure proposed as part of the plan as well as any required upgrades to existing infrastructure must be fully funded by the Applicant. The plan must be consistent with the required Streetscape Plan. These plans must be approved by Council prior to the release of the Subdivision Works Certificate.

Reason: To ensure stormwater from the subdivision is managed and disposed of in an acceptable manner.

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8. Water Sensitive Urban Design

The Applicant must demonstrate the development complies with Water Sensitive Urban Design principles. Compliance with Water Sensitive Urban Design requirements (including environmental targets etc.) must be demonstrated by using 'MUSIC', 'STORM' or another similar relevant software program. These details must be approved by Council prior to the release of the Subdivision Works Certificate.

Reason: To ensure the subdivision incorporates Water Sensitive Urban Design principles.

9. Streetscape/Landscaping Plan

A Streetscape Plan must be prepared, submitted to and approved by Council prior to the release of the Subdivision Works Certificate. This plan must be prepared by a suitably qualified person to the satisfaction of Council. The plan must detail the use of only local native species (including eucalypts and forage species), and include a range of plant life forms, such as trees, shrubs, grasses and ground covers.

Walkway reserve plantings must be of a mature installation size to the satisfaction of Council.

The plan must build upon the preliminary plan submitted as part of the development application and must provide for the following:

- Proposed street tree plantings.
- Plantation reserves where applicable.
- Details of plants, relating to size, planting regime and similar.
- The new roundabout at the intersection of Perricoota Road/Lignum Road/proposed new road must incorporate/retain the existing vegetation within the road reserve.
- Landscape Plan for Perricoota Road entry to be submitted for approval.
- Existing trees to be retained must be assessed by suitably qualified arborist for Risk management and subsequent works.

Once approved, the Applicant is responsible for the funding and completion of required planting in accordance with the approved plan.

Reason: To ensure the development is satisfactorily landscaped, and to comply with Department of Planning and Environment - Biodiversity and Conservation Division recommendations.

10. Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan must be prepared and submitted to Council with the application for a Subdivision Works Certificate. Exposed surface soil must be stabilised as soon as possible to avoid potential erosion and dust issue. Any stockpile of earth on the site must not be higher than 2m. This plan must be approved by Council prior to the release of the Subdivision Works Certificate.

Reason: To prevent water pollution, to comply with the [Protection of the Environment Operations Act 1997](#), and to ensure erosion and sediment is appropriately managed during construction.

11. Engineering Supervision and Plan Checking Fees

Engineering Supervision and Plan Checking Fees (2% of Construction Cost of roads, stormwater drainage, water, sewer, paths, and any other required infrastructure) must be paid prior to the release of the Subdivision Works Certificate.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

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12. Council Infrastructure

Recent photographs of Council's infrastructure near the proposed works must be submitted to Council, to the satisfaction of Council's Infrastructure Department, prior to the release of the Subdivision Works Certificate.

Reason: To ensure Council receives appropriate documentation prior to works commencing.

13. Imported Fill Material

Any imported fill must comprise either uncontaminated Virgin Excavated Natural Material (VENM)(as defined within the *Protection of the Environment Operations Act 1997*) or Excavated Natural Material (ENM)(as defined within the NSW EPA Resource Recovery Order '*The excavated natural material order 2014*').
Certification supporting any source fill material must be provided to Council prior to the release of the Subdivision Works Certificate.

Reason: To ensure fill which is placed on the site is not contaminated and to comply with relevant EPA requirements.

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Conditions which must be fulfilled prior to the commencement of any works

14. Subdivision Works Certificate

A Subdivision Works Certificate must be **submitted to and approved by Council** prior to any subdivision works taking place. The Subdivision Works Certificate must be lodged via the [NSW Planning Portal](#).

Note: Subdivision works plans must be pre-approved by Council prior to an application for Subdivision Works Certificate being lodged on the NSW Planning Portal.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

15. Notification of works commencing

The Principal Certifier and Council must be given written notice, at least 48 hours prior to the commencement of any subdivision works on the site.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

16. Erosion and sedimentation controls

Erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with: "[Erosion and Sediment Control – A Resource Guide for Local Councils](#)".

Reason: To prevent water pollution and protect the amenity of the adjoining area and to comply with the [Protection of the Environment Operations Act 1997](#).

17. Temporary water closet

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

Reason: To ensure suitable facilities are provided for workers during construction and to comply with requirements for Work Health and Safety on worksites.

18. Tree protection

Prior to works commencing, a Tree Protection Zone (TPZ) must be established for all existing trees to be retained within and adjoining the development site in accordance with Australian Standard 4970-2009 'Protection of Trees on Development Sites'. Unless with the prior written consent of Council, all works, including stockpiles, storage of machinery or plant and vehicle access is to be excluded from a TPZ. All TPZs must be effectively maintained until all works are complete, to the satisfaction of Council.

Reason: To protect existing vegetation.

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Conditions which must be complied with during works and in perpetuity

19. Vehicles during construction

Vehicle access to the construction site must be restricted to a single, all-weather driveway. This access point must be stabilized and maintained until construction onsite is completed. Vehicles must be clean and free of debris prior to leaving the site during construction. Deposited material may be ordered to be removed at the Applicant/operator's expense.

Reason: To ensure sediment is not trafficked onto Council's road network.

20. Council property

Any damage or deterioration to any portion of the footpath and/or kerb and guttering or other Council property including road reserves, during construction must be reinstated to its original condition at the owner's expense to the satisfaction of Council.

Reason: To maintain safe access for pedestrians and to protect the amenity of the adjoining area.

21. Time of work

Work must not commence on the site before 7am on weekdays and Saturdays and 8am on Sundays and public holidays. All works must cease by 8pm on any day.

Reason: To protect the amenity of the area.

22. No pollution of waterways

The Applicant must take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.

Reason: To comply with the requirements of NSW Environmental Protection Authority.

23. Disposal of waste

Designated waste containment areas must be provided on site and must be maintained to prevent any windblown litter escaping from the site. The Applicant must also ensure all waste generated from construction of the development is disposed of at a site which can lawfully accept the waste.

Reason: To comply with the requirements of NSW Environmental Protection Authority and the [Protection of the Environment Operations Act 1997](#).

24. Minimise noise

The operating noise level of plant and equipment during subdivision works must not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the [Protection of the Environment Operations Act 1997](#) apply to the development, in terms of regulating offensive noise.

Reason: To preserve the environmental health and amenity of the adjoining area.

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25. Dust Control Measures

Adequate measures must be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- a) All materials must be stored or stockpiled at the best locations;
- b) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent runoff occurs;
- c) All vehicles carrying spoil or rubble to or from the site must at all times be covered to prevent the escape of dust or other materials;
- d) Cleaning of footpaths and roadways must be carried out regularly; and
- e) Rumble grids must be installed at access points to the site.

Reason: To preserve the environmental health and amenity of the adjoining area.

26. No obstruction of road reserve permitted

The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

Reason: To protect the amenity of the area.

27. Vegetation

There must be no clearing of any vegetation other than the eight (8) trees outlined in red on the plan: "Building envelope[sic] Plan" File number S7433 (Dated 16/12/2022) prepared by Planright Surveying. It is also noted existing trees within the road reserve are not permitted to be removed and must be protected during works.

Reason: To comply with the Biodiversity Conservation Act 2016 and to protect the natural environment.

DA NO. 10.2022.318.1**PAGE 11.****Conditions which must be fulfilled prior to the release of the Subdivision Certificate****28. Subdivision Certificate**

A Subdivision Certificate Application must be submitted to and approved by Council. The Subdivision Certificate Application must be lodged via the [NSW Planning Portal](#). The application must include formal subdivision plans, an Administration Sheet and relevant Instrument Sheet (if applicable). Easements must be shown over all services and covenants as required by the conditions of consent must be incorporated into the appropriate instruments.

A completed copy of Council's checklist outlining how all conditions have been met must be provided along with supporting documentation. The Subdivision Certificate is not released prior to all applicable conditions of consent for this development being complied with to the satisfaction of Council.

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

29. Section 7.11 and Section 64 charges

The payment of Section 7.11 Development Contributions and Section 64 sewerage and water headworks charges are applicable and must be paid to Council prior to the release of the Subdivision Certificate. The fees will be charged and calculated in accordance with Council's Adopted Fees and Charges at the time the application for Subdivision Certificate is lodged with Council.

Section 64 Servicing Charges (Murray)

| | |
|---|---|
| DEVELOPMENT | Large Residential Lot (> 2000m ²) x 8 |
| CONTRIBUTION RATE (% OF EQUIVALENT TENEMENT (ET)) | Sewer 100% Water 120% |
| SEWER Rate of 1 ET for 2022/23 Financial Year = \$1,471.40 | Rate at time of SC lodgement per lot x 8 |
| FILTERED WATER Rate of 1.2 ET for 2022/23 Financial Year = \$3,789.06 | Rate at time of SC lodgement per lot x 8 |
| RAW WATER Rate of 1.2 ET for 2022/23 Financial Year = \$415.14 | Rate at time of SC lodgement per lot x 8 |

Section 7.11 Development Contributions (Murray)

| | |
|---|--|
| DEVELOPMENT | Conventional lot x 8 |
| CONTRIBUTION RATE (% OF EQUIVALENT TENEMENT (ET)) | 100% |
| ROAD UPGRADE Rate of 1 ET for 2022/23 Financial Year = \$1,877.20 | Contribution as per VPA |
| OPEN SPACE | Rate at time of SC lodgement per lot x 8 |

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| | |
|---|---|
| Rate of 1 ET for 2022/23 Financial Year = \$470.48 | |
| COMMUNITY FACILITIES Rate of 1 ET for 2022/23 Financial Year = \$165.20 | Rate at time of SC lodgement per lot x 8 |
| WASTE Rate of 1 ET for 2022/23 Financial Year = \$313.65 | Rate at time of SC lodgement per lot x 8 |
| STORMWATER Rate of 1 ET for 2022/23 Financial Year = \$470.48 | Contribution as per "Perricoota Road Drainage Basin Project" \$11,000 |

Please contact Council's Infrastructure Department for a Fee Invoice at time of Subdivision Certificate lodgement.

It is noted Council staff do not have delegation to vary Council's adopted Contributions Policy and any variations are required to be approved by Council. The Applicant may request a review of determination under Section 8.3 of the *Environmental Planning and Assessment Act 1979* within 6 months of the date of this notice. A fee is payable to Council.

The subject Section 7.11 Development Contributions are imposed under the former Murray Shire Council Section 94 Development Contributions Plan 2011, of which is available for inspection at Murray River Council's Moama office, 52 Perricoota Road, Moama NSW 2731, or on Council's website at www.murrayriver.nsw.gov.au.

Reason: To comply with Council's Development Contribution policies.

30. Restriction on use - Flooding

Prior to the issue of the Subdivision Certificate a Section 88B Instrument and one copy are to be submitted to Council for approval. The final plan of subdivision and accompanying Section 88B Instrument shall properly reflect the requirements of the conditions of the development consent and provide for the following:

No dwelling or other habitable building shall be constructed on the burdened lot with a floor level of less than the height of the Flood Planning Level of 96m Australian Height Datum (500mm above the 1% AEP flood event level of 95.5m AHD).

This restriction on use shall bind all persons who claim under the owners of the lots burdened as stipulated in Section 88E (5) of the Conveyancing Act 1919.

Murray River Council is to be noted as the authority authorised to release, vary, or modify this restriction on use.

Reason: To ensure the development is carried out as assessed.

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31. Conveyancing Act 1919 Instruments

A copy of an instrument prepared in accordance with the *Conveyancing Act 1919*, must be submitted with the application for a Subdivision Certificate for Council's endorsement.

The instrument must contain the following:

- The creation and registration on Title of Building Envelopes over all allotments in accordance with the submitted "Building envelope[sic] Plan" File number S7433 (Dated 16/12/2022) prepared by Planright Surveying. A restrictive covenant must also be created over all allotments outlining a dwelling house, outbuilding or any other structure must not be constructed outside of the building envelopes. The building envelopes and restriction must be in favour of Murray River Council.
- Any vegetation on site must not be removed without the consent of Council.
- No additional fencing other than approved as part of the Subdivision Works Certificate is permitted on the boundary of the created Public Reserve and proposed lots 4 and 5. The restriction must be in favour of Murray River Council.
- Council holds no responsibility for the construction/maintenance/replacement of fencing on the boundary of the created Public Reserve and proposed lots 4 and 5. The restriction must be in favour of Murray River Council.
- Murray River Council is provided indemnity (exemption from liability for damages) from any personal injury or property damage which may occur as a result of flooding over the allotments.
- An easement for water supply and electricity supply purposes 16m & 20m and variable width must be created over proposed lots 1-5 and benefitted relevant authorities.
- An easement to drain water 3m wide must be created over proposed lots 1-9 and benefitting Murray River Council.

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of the Subdivision Certificate.

Reason: To ensure the development is carried out as assessed.

32. Fencing

Appropriate fencing along the created public reserve must be erected as per the approved Subdivision Works Certificate plans prior to the release of the Subdivision Certificate.

Reason: To ensure the amenity of the area is not adversely impacted upon.

33. Electricity

The Applicant must provide all allotments with electricity at their own cost. A Notice of Arrangement (NOA) requested from the Distribution Network Service Provider (DNSP) being Essential Energy must be supplied to Council. The NOA will confirm a satisfactory electricity supply has been provided to each of the proposed lots within the development. The request for an NOA is to be made to the 'Contestable Works' section of Essential Energy.

It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity, which may include the payment of fees and contributions.

Alternatively, written correspondence/evidence outlining final agreement has been made between the electricity provider and the Applicant to provide electricity to each allotment must be obtained.

The submitted written correspondence/evidence must be to the satisfaction of Council.

Reason: To satisfactorily service the lots created.

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34. Natural gas

The Applicant must provide all allotments with natural gas, at their own cost. The Applicant must consult with the relevant natural gas provider and must obtain suitable written correspondence/evidence from this provider stating natural gas services have been provided to each allotment.

Alternatively, written correspondence/evidence outlining final agreement has been met between the relevant natural gas provider and the Applicant to provide natural gas services to each allotment must be obtained.

The submitted written correspondence/evidence must be to the satisfaction of Council.

Reason: To satisfactorily service the lots created.

35. Telecommunications and fiber-ready facilities

The Applicant must provide all allotments with fibre-ready telecommunication connection, at their own cost. Prior to the issue of the Subdivision Certificate, the Applicant must consult with the relevant telecommunications carrier and must provide evidence satisfactory to Council outlining arrangements have been made for:

- (i) the installation of fibre-ready facilities to all individual lots in the subdivision to enable fibre to be readily connected to any premises which is being or may be constructed on those lots. The development must demonstrate the carrier has confirmed in writing they are satisfied the fibre ready facilities are fit for purpose, and
- (ii) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots in the subdivision demonstrated through an agreement with a carrier.

Alternatively, written correspondence/evidence outlining final agreement has been met between the telecommunications carrier and the Applicant to provide fibre-ready telecommunications services to each allotment must be obtained and provided to Council.

The submitted written correspondence/evidence must be to the satisfaction of Council.

Reason: To satisfactorily service the lots created and to comply with the (Commonwealth) [Telecommunications Act 1997](#).

36. Government Agencies

Prior to the release of the Subdivision Certificate, the Applicant must provide evidence to Council outlining how relevant conditions from Government Agencies listed in the subject Development Application have been complied with. The evidence must be to the satisfaction of Council and the relevant Government authority.

Reason: To ensure Government Department requirements are met.

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The following infrastructure must be provided to service the development:

- a) **Road network.**
- b) **Vehicle access (driveways).** A formed driveway access to Council specifications must be provided to relevant allotments as outlined on the approved Subdivision Works Certificate(s). A separate application must be made to Council for approval to construct any driveway access. Please contact Council's Infrastructure Department for further information.
- c) **Sewer.** Each allotment must be connected into Council's reticulated sewerage system.
- d) **Filtered and Raw Water.** Each allotment must be provided with filtered and raw water supply. Note: Separate filtered and raw water meters are not required to be installed prior to the release of the Subdivision Certificate.
- e) **Stormwater Management.** Each allotment must be provided with appropriate stormwater infrastructure.
- f) **Concrete pedestrian and bicycling shared paths (2.5m wide).**
- g) **Concrete footpaths (1.5m wide).**
- h) **Streetscaping.** Streetscaping, revegetation works, buffer plantings and associated infrastructure must be *completed* in accordance with the approved plan. The Applicant is responsible for the maintenance and care, including replacement with similar species/age plants of all streetscaping/plantings for a period of twelve (12) months from release of the Subdivision Certificate/completion of all streetscaping/plantings.
- i) **Street lighting.**
- j) **Street names, and street numbering** (shown on plans).
- k) **Bus stops**(if applicable).

All infrastructure must be provided at the Applicant's expense to Council's standards and in accordance with Council's policy.

Reason: To ensure the development is appropriately serviced.

38. Works as Executed Plans

Works as Executed (WaE) plans of all infrastructure and services must be provided to Council in electronic format (i.e. PDF and AutoCAD dwg. formats). The submitted WaE plans must be to the satisfaction of Council and must contain the true and correct locations and details of all installed infrastructure. The Applicant must also provide Council with an asset value for all installed infrastructure which will be transferred to and/or managed by Council, along with street numbering shown on submitted plans.

Reason: To ensure Council receives true and correct details/location for all installed infrastructure and services in the form of Works as Executed plans.

39. Compaction of lots

Prior to the release of the Subdivision Certificate, the Applicant must provide Council with the appropriate evidence outlining the entirety of the lots has been filled and compacted to the relevant Australian Standards (if applicable). This evidence must be to the satisfaction of Council.

Reason: To ensure the lots are filled and compacted.

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A 5% Deposit of Construction costs of roads, stormwater drainage, water, sewer, streetscaping and any other required infrastructure is applicable and must be paid with the Subdivision Certificate application. This deposit will be held by Council for the defects liability period of twelve (12) months and will be used in the circumstance of needing to repair any defects. The deposit will be refunded when a Final Release Certificate is issued by Council's Infrastructure Department.

Reason: To comply with the requirements of Council's Infrastructure Department.

41. Defects liability period

The Applicant must maintain all streetscaping and civil works for a period of twelve (12) months. During this defect liability period, landscape inspections must be undertaken every 3 months with Council and works completed based on Council's instructions. After this 12 month period, the Applicant must contact Council and arrange a Final Release Inspection of all civil and streetscape works, at which stage all defects must be rectified.

Reason: To comply with the requirements of Council's Infrastructure Department.

42. CCTV Footage

The Applicant must supply Council with appropriate CCTV footage of all sewer and stormwater assets. This must include highlighted defects before and after repair.

Reason: To comply with the requirements of Council's Infrastructure Department.

43. High security water

The Applicant must provide Council with evidence the required volume of high security water has been allocated to each allotment or transferred to Council in accordance with Council policy. A total of 12.5mL is required for the development (proposed Lot 5/13 Maidensmith Drive, Moama has existing use -HSW not required).

The following rates apply:

- a) 1,500kL per lot 3,000m² (7 lots)
- b) 2,000kL per lot greater than 3,000m² (1 lot)

These details must be submitted to and approved by Council.

Reason: To comply with Council's Policy for the provision of water by developers.

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Advice to Applicant

Long Service Levy

It is noted a Subdivision Works Certificate will not be issued with respect to the plans and specifications for any subdivision work unless any long service levy payable under the [Building and Construction Industry Long Service Payments Act 1986](#) (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid. Council will advise if the Long Service Levy is payable when the Subdivision Works Certificate for each stage is lodged.

Reason: To comply with the [Building and Construction Industry Long Service Payments Act 1986](#).

Notice of inspections

Council as the Principal Certifier is to give the Applicant a minimum of 48 hours notice prior to any critical stage inspection or any other inspection under Section 6.12 of the [Environmental Planning and Assessment Act 1979](#).

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

Bonding of works

It is noted a request for bonding of works will be treated on its merits and a Bank Guarantee may also be required. Bonding of works may be accepted where actual construction works cannot be undertaken due to wet weather or other delays. 120% of actual costs of works will be charged. Section 64 and 7.11 Contributions must be paid direct to Council prior to release of Subdivision Certificate.

Reason: To advise of information regarding bonding of works.

Private covenants may apply

The land subject to this consent may have restrictive private covenants applying to it. It is the responsibility of the Applicant and owner/builder to ensure private covenants are adhered to. In accordance with Section 3.16 of the [Environmental Planning and Assessment Act 1979](#), Council does not enforce or regulate private covenants and therefore accepts no responsibility for checking the compliance of development with such covenants.

Reason: To advise of the details of Section 3.16 Suspension of laws etc by environmental planning instruments of the [Environmental Planning and Assessment Act 1979](#) and Section 1.9A of Council's Local Environmental Plans.

Before You Dig Australia

Underground assets may exist in the area subject to this application. In the interests of health and safety and to prevent damage to third party assets, please contact Before You Dig Australia at www.byda.com.au before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting Before You Dig Australia, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care which must be observed when working in the vicinity of plant or assets on the relevant property by contacting Before You Dig Australia in advance of any construction or planning activities.

Reason: To protect underground assets.

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Compliance with conditions

It is the responsibility of the Applicant to check, understand and seek assistance where needed to ensure full compliance with the conditions of this Development Consent. Please contact Murray River Council on 1300 087 004 or admin@murrayriver.nsw.gov.au if there is any difficulty in understanding or complying with any of the above conditions.

Reason: To ensure the Applicant is aware of their obligations.

Compliance with legislation

The development must be in accordance with the relevant provisions and Regulations of the Biodiversity Conservation Act 2016, the Fisheries Management Act 1994, the Heritage Act 1977, the Local Government Act 1993, the National Parks and Wildlife Act 1974, the Protection of the Environment Operations Act 1997, the Roads Act 1993, the Rural Fires Act 1997, the Water Management Act 2000 and all other applicable legislation.

Reason: To comply with relevant legislation.

Offence to pollute waters

The Applicant should be aware that under Section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

Reason: To comply with NSW Environment Protection Authority requirements.

Disability Discrimination Act 1992

It is the Applicant's responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). Note: Compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.

Reason: To comply with the Disability Discrimination Act 1992.

Engineering Guidelines

The Applicant must comply with Council's Engineering Guidelines for Subdivisions and Development Standards (as applicable) in conjunction with advice from Council.

Reason: To ensure the development is carried out in accordance with Council's Development Requirements.

C. Section 68 Approval under the Local Government Act 1993

nil

9.4.4 MURRAY LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO CHANGE ZONING FROM RU1 PRIMARY PRODUCTION TO R2 LOW DENSITY RESIDENTIAL AND E1 LOCAL CENTRE FOR LOTS 1-2 IN DP1283567, LOT 1 IN DP1231552 AND LOT 1-3 IN DP854487 LOCATED AT 420-508 PERRICOOTA ROAD, MOAMA NSW 2731.

File Number: -

Author: Jessica McFarlane, Manager Building Services

Authoriser: Rod Croft, Director Planning & Environment

Applicant: Habitat Planning Pty Ltd

Owner: Perricoota Views Pty Ltd (Murrindaal Park)

Proposal: The proposal seeks to amend the Murray Local Environmental Plan 2011 (LEP) to vary the zoning of the site on Lot 1 in DP1283567 and Lots 1–3 in DP854487 from RU1 Primary Production Zone to R2 Low Density Residential Zone. Lot 1 in DP1283567 from RU1 Primary Production Zone to E1 Local Centre Zone. Subsequently, reductions in minimum lot sizes proposed for Lots 1 in DP1283567 and Lots 1–3 in DP854487, from a minimum lot size of 100 hectares to a minimum lot size of 2,000m². Further, the minimum lot size for the E1 Local Centre Zone is proposed to be abolished.

Location: Lots 1-2 in DP1283567, Lot 1 DP1231552 and Lots 1–3 in DP854487 – 420-508 Perricoota Road, Moama

RECOMMENDATION

That:

1. Council endorse the Planning Proposal prepared by Habitat Planning Pty to amend the Murray Local Environmental Plan 2011 (LEP) to vary the zoning of the site on Lot 1 in DP1283567 and Lots 1–3 in DP854487 from RU1 Primary Production Zone to R2 Low Density Residential Zone. Lot 1 in DP1283567 from RU1 Primary Production Zone to E1 Local Centre Zone. Subsequently, reductions in minimum lot sizes proposed for Lots 1 in DP1283567 and Lots 1–3 in DP854487, from a minimum lot size of 100 hectares to a minimum lot size of 2,000m². Further, the minimum lot size for the E1 Local Centre Zone is proposed to be abolished.
2. The Planning Proposal be sent to NSW Department of Planning and Environment (DPE) for a 'Gateway Determination' in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
3. Council staff complete all actions, as outlined in the Gateway Determination and send the Planning Proposal to the NSW Parliamentary Counsel's Office (PCO) requesting Parliamentary Counsel's Opinion and drafting of a new/amended Murray Local Environmental Plan (LEP).
4. Council notes if valid objections are received via the public exhibition process, a further report will come back to council for consideration.

BACKGROUND

Habitat Planning Pty Ltd have lodged a Planning Proposal on behalf of the landowner, Perricoota Views Pty Ltd (Murrindaal Park), over land formally described as Lots 1-2 in DP1283567, Lot 1 in DP1231352 and Lot 1–3 in DP854487. Addressed as 420-508 Perricoota Road, Moama NSW 2731 (the site). The proposal seeks to amend the *Murray Local Environmental Plan 2011* (LEP) to vary the zoning of the site on Lot 1 in DP1283567 and Lots 1–3 in DP854487 from RU1 Primary

Production Zone to R2 Low Density Residential Zone. Lot 1 in DP1283567 from RU1 Primary Production Zone to E1 Local Centre Zone. Subsequently, reductions in minimum lot sizes proposed for Lots 1 in DP1283567 and Lots 1–3 in DP854487, from a minimum lot size of 100 hectares to a minimum lot size of 2,000m². Further, the minimum lot size for the E1 Local Centre Zone is proposed to be abolished.

In support of the Planning Proposal, the following plans and documentations has been provided by the Applicants:

- Development Concept Plan prepared by Terraco.
- Consistency with Riverina-Murray Regional Plan 2041 prepared by Habitat Planning.
- Consistency with State Environmental Planning Policies by Habitat Planning.
- Consistency with Section 9.1 Ministerial Directions by Habitat Planning.

DISCUSSION

The Planning Proposal to change the current land zone and minimum size is to be reviewed against the following planning instruments applying to the site and development:

- Riverina Murray Regional Plan 2041
- Murray River Council Local Strategic Planning Statement 2020 – 2040
- Murray River Council Local Housing Strategy 2023-2041

Riverina Murray Regional Plan 2041

The *Riverina Murray Regional Plan 2041* provides a 20-year strategic planning framework to guide decision-making and development in the Riverina Murray region. It provides eighteen (18) objectives to achieve the strategic vision for the region. The proposal is to be reviewed against the relevant provisions of the Regional Plan.

Table 3: Assessment Against Riverina Murray Regional Plan 2041

| CONSISTENCY WITH RIVERINA-MURRAY REGIONAL PLAN 2041 | |
|---|---|
| Objectives and Actions | Assessment Response |
| Part 1 – Environment | |
| <i>Objective 1 – Protect, connect and enhance biodiversity throughout the region.</i> | Part 1 of the Regional Plan provides objectives to deliver positive environmental outcomes. The site is not mapped as containing biodiversity values and is predominantly clear of native vegetation following a review of the Biodiversity Values Map and Threshold Tool and the Spatial Viewer mapping. Objective 1 met, future development of the site is not considered to impact biodiversity values given the historic use of the site for primary production and the unvegetated nature of the site which is not considered to contain high biodiversity values. |
| <i>Objective 2 – Manage development impacts within riverine environments</i> | Complies with objective 2 and its actions. The Murray River waterbody is located opposite the Perricoota Road network. Future development of the site can manage impacts within the riverine environment by implementing mitigative measures to limit erosion and sediment runoff into the Murray River waterbody and for dust generation. |
| <i>Objective 3 – Increase natural hazard resilience</i> | The site is not mapped as containing flood hazards pursuant to the Spatial Viewer mapping tool. However, the site is adjacent to mapped flood hazards located proximate to the front property boundary. Lots 1 in DP1283567 and Lot 1-2 in DP854487 are identified as containing bushfire buffer hazards within the front portion but not directly linked with hazardous vegetation. Given the distance from the mapped flood and bushfire hazards, the Applicant is to demonstrate natural resilience for future development of the site. Subsequently, the proposal can comply with Objective 3 and Part 1 of the Regional Plan subject to preliminary studies. |
| Part 2 – Communities and places | |

| CONSISTENCY WITH RIVERINA-MURRAY REGIONAL PLAN 2041 | |
|--|---|
| <i>Objective 4 – Support Aboriginal aspirations through land use planning.</i> | Following a review of the Aboriginal Heritage Information Management System (AHIMS), known Aboriginal sites or places are not recorded in or near the above location within a 200m radius. However, one (1) aboriginal site has been identified within a 1km radius of the site. The proposal is consistent with Objective 4. |
| Objectives and Actions | Assessment Response |
| <i>Objective 5 – Ensure housing supply, diversity, affordability and resilience.</i> | The proposal to rezone and provide minimum lot sizes from 100 hectares to 2,000m ² can contribute to housing supply through higher yield. Housing affordability can be improved by contributing to supply and housing diversity can be achieved by different lot sizes which enables a wide range of housing typologies. Subsequently, the proposal can comply with Objective 5 subject to the demonstrated planning need for the proposed lot sizes. |
| <i>Objective 6 – Support housing in regional cities and their sub-regions</i> | Subject to demonstrated planning need, the proposal can support housing in regional cities and their sub-regions. Objective 6 can be met by the proposal. |
| <i>Objective 7 – Provide for appropriate rural residential development.</i> | Not applicable in this regard, the proposal does not relate to rural zoned land. Additionally, the Planning Proposal seeks to override the current LEP provisions to enable an R2 Low Density Residential Zone. |
| <i>Objective 8 – Provide for short-term accommodation</i> | Not applicable, the proposal seeks to rezone the land for residential use. |
| <i>Objective 9 - Plan for resilient places that respect local character.</i> | Moama and the character of the locality are comprised of a river lifestyle and small to large residential allotments, scenic views, and agricultural activities comprised of farmsteads, orchards, and vineyards. The proposal to rezone the land from RU1 Primary Production to R2 Low-Density Residential may undermine the agricultural character of the sites in this matter. The potency of the impacts is not considered to detract from the overall character of the locality adjoining land which includes residential uses on small to large lots. Further, the applicant is to demonstrate flood planning to achieve resilience for future residential uses over the site as part of the Planning Proposal Application. As such, it is considered that the proposal can plan for resilient places that are consistent with the local character. |
| <i>Objective 10 – Improve connections between Murray River communities</i> | Future development of the site can improve connections by avoiding the creation of lots with direct frontage to Perricoota Road. The provision of inter allotment roads that networks enable efficient ingress and egress can also improve the connection between Murray River Communities. Moreover, future planning of the site can include provisions for further road extensions should the adjoining properties be developed. Subsequently, the proposal can comply with Objective 10. |
| <i>Objective 11 – Plan for integrated and resilient utility infrastructure</i> | It is noted that an Engineering Services Report has been provided by the Applicant and demonstrates that all essential services and utilities are available within proximity to fully cater for this proposed subdivision. The Applicant can demonstrate integrated and resilient utility infrastructure as part of the subsequent works. Therefore, the proposal can comply with Objective 11 as per the Engineering Services Report. |
| Part 3 – Economy | |
| <i>Objective 12 – Strategically plan for rural industries</i> | Not applicable in this regard, the proposal does not relate to rural industries. |
| <i>Objective 13 - Support the transition to net zero by 2050</i> | Sustainability design principles can be embedded in the final development through planning and construction practices. The proposal, therefore, complies with Objective 13. |
| <i>Objective 14 – Protecting and promoting industrial and manufacturing land</i> | Not applicable in this regard, the proposal does not relate to industrial or manufacturing land. |
| <i>Objective 15 – Support the economic vitality of CBDs and main streets</i> | Not applicable in this regard, the proposal is not contained within a CBD or main street setting. |
| <i>Objective 16 – Support the visitor economy</i> | The proposal to rezone the site to R2 and E1 can indirectly support the visitor economy by improvising liveability within the area attracting regional and state migration. Migrants can attract visitors which can further support the visitor economy. |
| <i>Objective 17 – Strategically plan for health and education precincts</i> | Not applicable in this regard, the proposal does not relate to health and education precincts. However, there is an opportunity for the E1 Zone proposed to attract health-related tenancies upon development. |
| <i>Objective 18 – Integrate transport and land use planning</i> | There is an opportunity to integrate transport and land use planning to avoid direct access from Perricoota Road if required. |

The Murray River Council Local Strategic Planning Statement 2020 – 2040 (LSPS) sets out the 20-year vision for land use planning in Murray River Council. It outlines how the Council will manage growth and change to maintain the high levels of environmental amenity, liveability and landscape quality that characterise the local government area (LGA). The Planning Proposal is to be reviewed against the applicable planning priorities identified within the LSPS.

Theme 1 - a Robust, Growing, and Innovative Economy.

Planning Priority 1 of Theme 1 relates to the protection of prime productive agricultural land from conflicting land uses and promoting agricultural activities and improvements. The Planning Proposal seeks to rezone an existing RU1 Primary Production land into an R2 Low Density Residential and E1 Local Centre zones effectively, which does not comply with Planning Priority 1 of Theme 1. It is requested that the Applicant provide further documentation to demonstrate compliance with Planning Priority 1.

Planning Priority 2 of Theme 1 relates to the growth and strengthening of tourism which is not applicable in this regard. The proposal relates to a residential and local centre use over the site.

Planning Priority 3 of Theme 1 relates to the creation of an 'open-for-business' identity. It is noted that new business park facilities are being investigated for incoming commercial and industrial enterprises. As per the LSPS, the proposal is development which continues the development pattern expected for Moama in a northwest direction. Subsequently, the development is consistent with Planning Priority 3, in providing retail and business opportunity within the estate given the location and proximity to the town centre and taking the pressure off the town centre with the endorsement of the Meninya Street Precinct Plan.

Theme 2 - liveable communities with social capital.

Planning Priority 4 relates to housing growth, supply, and density. The vision is to provide a variety of large-lot and rural-lifestyle housing in the LGA, close to settlements. Specifically, large residential lots that range in size from 4,000m² to 8,000 m². Further, Perricoota Road is also identified within the Moama & District Rural Residential Strategy for Rural-style living catering for minimum lot sizes ranging from two to five hectares. The LSPS seeks to build on the Moama & District Rural Residential Strategy to deliver strategically planned rural lifestyle housing throughout the LGA, to provide a point of difference in the current housing market while protecting productive agricultural land.

In light of the above, the proposal to override the minimum lot size provisions for the proposed R2 Low Density Residential Zone to enable a minimum lot size of 2,000m² and remove the minimum lot requirements for the E1 zone proposed does not technically comply with the vision of Planning Priority 4 of Theme 2. Having said that this is referring to housing density only, and the proposed E1 zone relates to retail/commercial opportunity therefore the minimum lot size direction is not relevant for this component. It also noted that larger lot and rural lifestyle future residential areas has been identified in the Murray River Council Local Housing Strategy in the North-West location, which is the intent of the LSPS Planning Priority 4, and not in this location. In light of this information the planning proposal is consistent with the theme.

Planning Priority 5 relates to recreation and open space. Not applicable in this regard, the Planning Proposal relates to land rezoning for future residential and limited retail/commercial uses.

Planning Priority 6 pertains to servicing and utility infrastructure. As demonstrated previously, there is an opportunity for the site to connect to reticulated water infrastructure. However, an extension is required to facilitate the connection as the existing water infrastructure does not extend to the subject lot frontage. The Applicant is already aware and is in the initial phases of planning for water and sewer connections that will ensure that future water and sewer infrastructure aligns with future growth and reflects the planned housing strategy. Subsequently, the development complies with Planning Priority 6 and Theme 2 of the LSPS.

Theme 3 – Environment, Heritage And Climate Change

Planning Priority 7 seeks to identify and protect environmental values. As detailed above, the site is not mapped as containing biodiversity values and is clear of remnant vegetation pursuant to the Spatial Viewer mapping tool. The development is deemed to comply with Planning Priority 7.

Planning Priority 8 relates to culture and heritage celebration. Pursuant to AHIMS Web Services, the site is not mapped as containing aboriginal sites or places within a 200m radius as per the AHIMS. As such, the development complies with Planning Priority 8.

Planning Priority 9 of Theme 3 relates to climate change and natural hazards. As per the Spatial Viewer mapping tool, the site is not mapped as containing flood hazards but is partially within a bushfire buffer area. It is considered that future development proposals can incorporate sustainable development principles. The Draft Echuca/Moama Flood study released has not identified this land within the flood planning area, therefore this site is not impacted by flooding. Subsequently, the proposal is deemed to comply with Planning Priorities 7, 8 and 9 and Theme 3 in its entirety.

Murray River Council Local Housing Strategy 2023-2041

The Murray River Council Local Housing Strategy (LHS) provides a guide for future growth and development of the LGA. It is noted that the LHS is currently in draft form and pending final endorsement following the public exhibition process. There are 10 key challenges that are identified in the LHS and provide a lens for the Implementation Plan Framework. The key challenges are summarised as follows:

1. Ensure adequate land supply in the right locations and the right time;
2. Promote housing diversity and affordability;
3. Reinforce commercial centres;
4. Protect settlement character;
5. Conserve primary industry land;
6. Conserve environmental assets;
7. Ensure development is sustainable;
8. Maintain efficient services;
9. Consolidate urban centres; and
10. Avoid natural hazards.

Adequate Land Supply in the Right Locations and the Right Time

The proposal is to rezone the subject land to facilitate a subdivision proposal of approximately 108 lots on the fringe of the developed area in Moama. The proposal will result in the creation of larger lots that will contribute to land supply, in the right locations and the right time test as there is no large lots land supply in Moama that is currently on the market or in the immediate pipeline. Therefore, the site has been identified in the short-term development sequencing area in the Local Housing Strategy for residential development. It is however noted that the E1 zone proposed is not included in the development sequencing outline as the LHS only focussed on housing.

Promote Housing Diversity and Affordability

Housing diversity and affordability outcomes can be achieved by the proposed development through the provision of approximately 108 large residential allotments. The rate and size of the allotments can accommodate a wide range of housing typologies to cater for different housing needs. As stated above there is no supply of large lot residential blocks in Moama, therefore this proposal provides an alternative market additional to traditional house blocks. As such, the development is deemed to comply with key challenge two (2) of the LHS.

Reinforce Commercial Centres

As per the lodgement material, the Planning Proposal is associated with an E1 zone to facilitate Local centre uses. The development material does not necessarily illustrate how the inclusion of an E1 zone within the subject site will reinforce existing commercial centres within the Moama locality. However, via the land-owners pre-DA meetings with Council and preliminary designs for this local centre E 1 zone proposed to create a small retail hub that supports not only the development but serve as a destination point to facilitate uses such as dining etc modelled on the success of the Three Black Sheep café that is situated within a previous subdivision in Moama. It should also be noted that a local business is already legally operating within the area that is identified for local centre E 1 zoning.

Placed-based initiatives identified for Moama mentions *the desire for boutique commercial destinations, which can also be nodes for housing diversity areas.*

Therefore, the proposal is considered consistent and appropriate.

Protect Settlement Character

Semi-rural primary production land use and river-style living on medium to large residential allotments make up the settlement character of the immediate locality. The Planning Proposal is generally consistent with the established residential character observed on the north and east of the premises. As such, the proposal is considered to comply by maintaining the settlement character of the immediate and surrounding areas.

Conserve Primary Industry Land

The proposal is to rezone an existing RU1 - Primary Production zoned land to an R2 – Low Density Residential and E1 Local Centre effectively. To facilitate a 108-lot subdivision for low density residential uses and Local Centre. As per the Preliminary Site Investigation and applicable zone, the site is currently utilised for agricultural, commercial and residential uses. It has been indicated that the use of the site has remained relatively unchanged since the 1970s through to present times and vineyards formerly covered the majority of the site and these were gradually removed from 2010. The land is a small rural holding and has been used for winter cereal crops in recent years, and is considered low agricultural value land.

The Planning Proposal to rezone the subject site is not considered to fragment an existing agricultural land as the entire site is small scale and surrounded by small rural land holders. However, this area in terms of primary production land is considered as fringe residential, which is land awaiting activation for residential development in accordance with the growth development area identified in the LHS. The proposal is considered to comply with Key Issue 5 of the Draft Housing Strategy.

Conserve Environmental Assets

Impacts on environmental assets are not envisaged for the Planning Proposal. As per the aerial photographs, the site is clear of remnant vegetation and is not mapped as containing heritage impacts. Therefore, the proposal complies with Key Issue 6 relating to the conservation of environmental assets.

Ensure Development is Sustainable

The proposal is not considered to threaten the community's ecological, social or economic systems subject to detailed biodiversity studies. However, it is considered that the removal of 49.54 hectares of existing agricultural-zoned land to facilitate residential and local centre development can impact intergenerational equity given the historic and current use of the land for primary production. However, the land is a small rural holding, as is considered a low value agriculture land (growing only seasonal/winter cereal crops). Therefore, the subject land is identified within the Draft Housing Strategy as a Short-term Land Release. Therefore, the Planning Proposal is not inconsistent with Key Issue 7 in part.

Maintain Efficient Services

Servicing and Utilities Infrastructure has been included as part of the lodgement material and prepared by Terraco Pty Ltd. The report findings conclude that all essential services and utilities are available within proximity to site and can facilitate the subdivision of the site. As such, the development is considered to comply with Key Issue 8 of the Draft Strategy.

Consolidate Urban Centres

As per the Draft Housing Strategy, the subject site is wholly contained within the urban growth boundaries. As such, the proposal is considered to comply with Key Issue 9.

Avoid Natural Hazards

It has been identified that parts of the site are impacted by mapped bushfire hazard overlay. In support of the Planning Proposal, the Applicant provided a Bushfire Assessment Report prepared by Habitat Planning. The finding of the report concludes that appropriate bushfire protection measures in the form of a 10-metre APZ are to be applied along the western, northern and southern boundaries of the development. As per the Spatial Viewer, additional natural hazards are not mapped on the property. The proposal is deemed to comply with Key Issue 10 of the Draft Housing Strategy.

Part 2 of the LHS relates to The Right Place and the Right Time and seeks to implement the 10 key challenges at the local levels. In this regard, the subject site is identified in the preferred sequence and yield figure for urban land. The minimum lot specified ranges from 2,000-4,000m².

Further, Part 2 of the LHS implementation Plan provides Place-Based Initiatives at the local levels. Table 4 provides a review of the planning proposal against the Place-Based Initiatives for the Moama Locality.

Table 4: Place-Based Initiatives Review

| PLACE-BASED INITIATIVES – MOAMA | | |
|--|--|---|
| Initiatives | Methods | Assessment Response |
| <ul style="list-style-type: none"> Introduce a long term place-based plan to guide local works and services including water and sewer upgrades to ensure that these are paced with development | <p>Engage in a catchment-based planning approach that covers the whole urban area, but also which addresses logical staging within each water and sewer sub-catchment which may include a longer-term approach out to the urban boundary area.</p> | <p>Future planning proposal over the site is to consider local works and services including water and sewer upgrades and to understand and characterise the community.</p> |
| <ul style="list-style-type: none"> Establish a confirmed and detailed urban growth boundary around Moama. This should accommodate the potential future rezoning areas as shown in the report and consideration of other land uses including commercial and industrial land together with any associated rezonings.. | <p>Implement as an overlay through an LEP amendment as part of the consolidated instrument. Consider including rural residential and rural smallholding areas.</p> | <p>As per the Draft Housing Strategy, the site is wholly contained within urban growth area for Moama.</p> |
| <ul style="list-style-type: none"> Within an overall place-based approach to planning for Moama, introduce a precinct-based model at a smaller spatial scale, hubbed around walkable neighbourhood centres or boutique commercial destinations, which can also be nodes for housing diversity areas. | <p>Engage in broad-based community collaboration in establishing the theme and character of new precincts as well as identifying existing and valued character of current developed areas.</p> | <p>Can comply, the Applicant can engage with the broader community as part of the Development Application to establish theme and character requirements as required by the Council. Note that this proposal includes a boutique commercial destination node represented as a small local centre E1.</p> |
| <ul style="list-style-type: none"> Avoid rezoning additional residential lands, except for some intensification areas in the existing town area. | <p>Ensure effective use of the residential land monitor to guide decisions regarding future land zonings.</p> | <p>Not applicable in this regard, the proposal is to rezone an existing RU1 Primary Production Zone for residential use.</p> |
| <ul style="list-style-type: none"> Work with Echuca on an integrated planning approach | <p>Look to the total offering of land across the twin towns and recognise where one has a natural advantage over the other.</p> | <p>Can comply, the site is identified in the preferred sequencing and yields figure and is within the urban growth area for Moama.</p> |

As demonstrated above, the Planning Proposal is consistent with Part 2 of the LHS.

Subject Site

SITE CHARACTERISTICS

The site in this matter is comprised of four (4) allotments formally described as Lot 1 DP 1283567 and Lots 1, 2 & 3 in DP854487 and can be located at 420-508 Perricoota Road, Moama NSW 2731. Lot 1 DP 1283567 is 27.56 hectares in total area with principal road frontage to. While Lots 1-3 in DP854487 have a combined total land area of 13.80 hectares with principal road frontage to Perricoota Road. Whilst Lot 3 in DP854487 is accessed via an access handle off Perricoota Road. The topography of the sites is generally flat with minor changes in elevation observed across the site profile. **Figure 1** and **2** provides a view of the subject site.



Figure 1: Satellite Photograph Extract and Subject (Archister, 2023)



Figure 2: Aerial Photograph Extract and Subject Depiction (Metro Maps, 2023)

There is an opportunity for the site to be connected to Council's reticulated water infrastructure which traverses parallel to Perricoota Road and terminates at the southwestern end of Lot 1 in DP1283567 as per **Figure 3**.

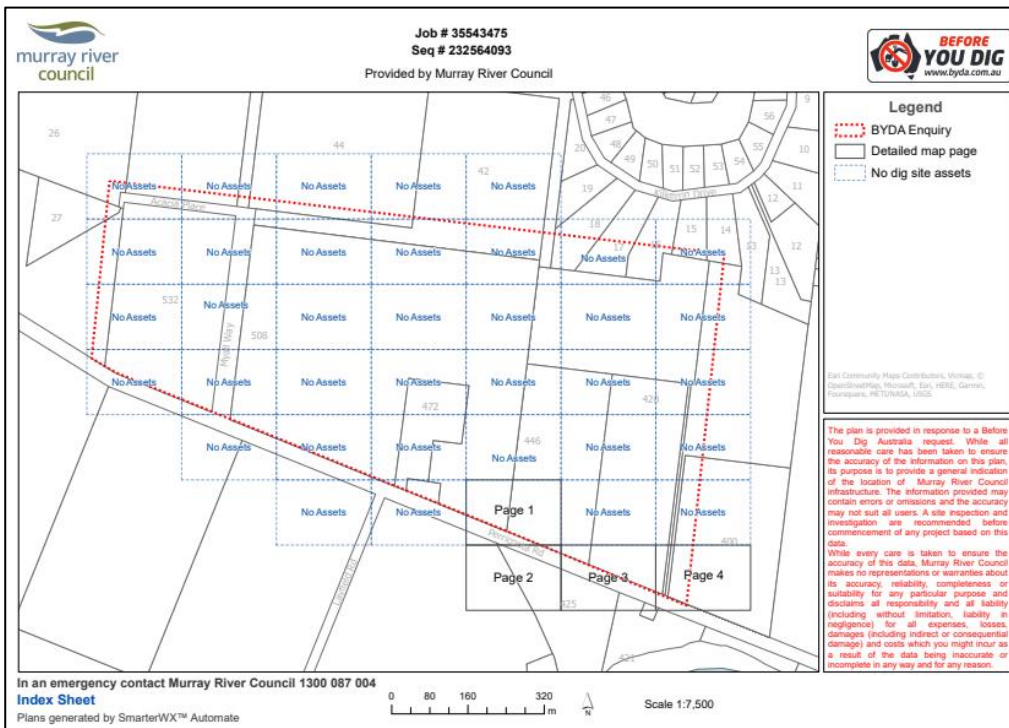


Figure 3: Before You Dig Extract (Before You Dig Extract, 2023)

As per the extracts in Figure 3 and 4, there is no record of reticulated sewer infrastructure within proximity to the site.

Further, there are also opportunities for the site to be connected to electricity and telecommunications infrastructure which can be located along road frontage based on aerial imagery and Before You Dig as contained in Figure 5.

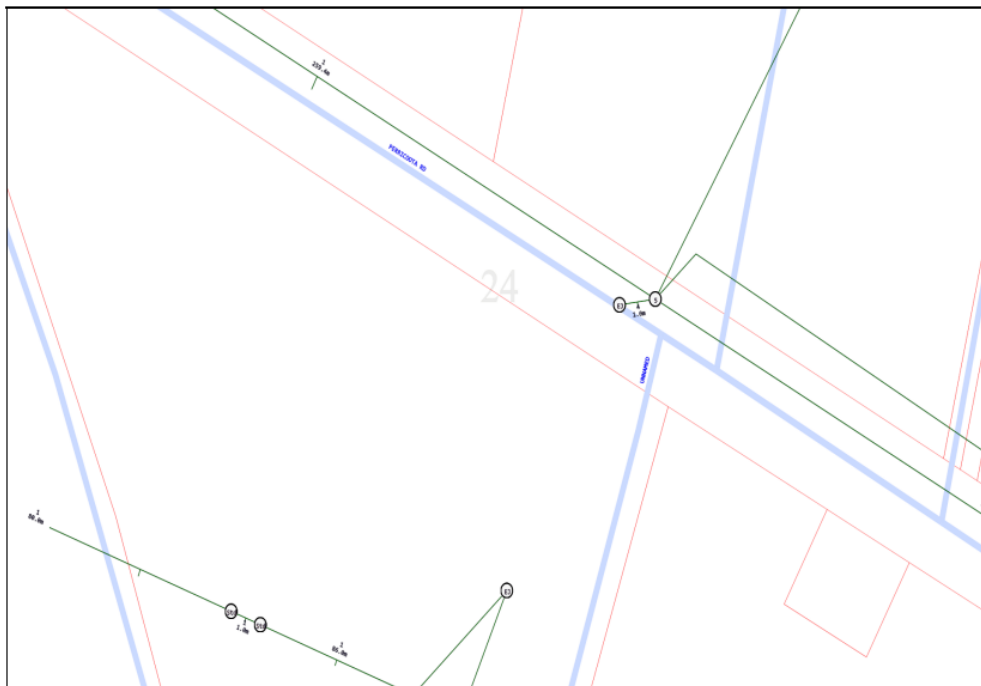


Figure 5: Before You Dig Extract of NBN Infrastructure (Before You Dig Extract, 2023)

Pursuant to the *Murray Local Environmental Plan 2011*, the subject site is zoned RU1 Primary Production. **Figure 6** provides an extract from the Planning Portal Spatial Viewer to overview the zoning of the site and immediate surrounding areas.

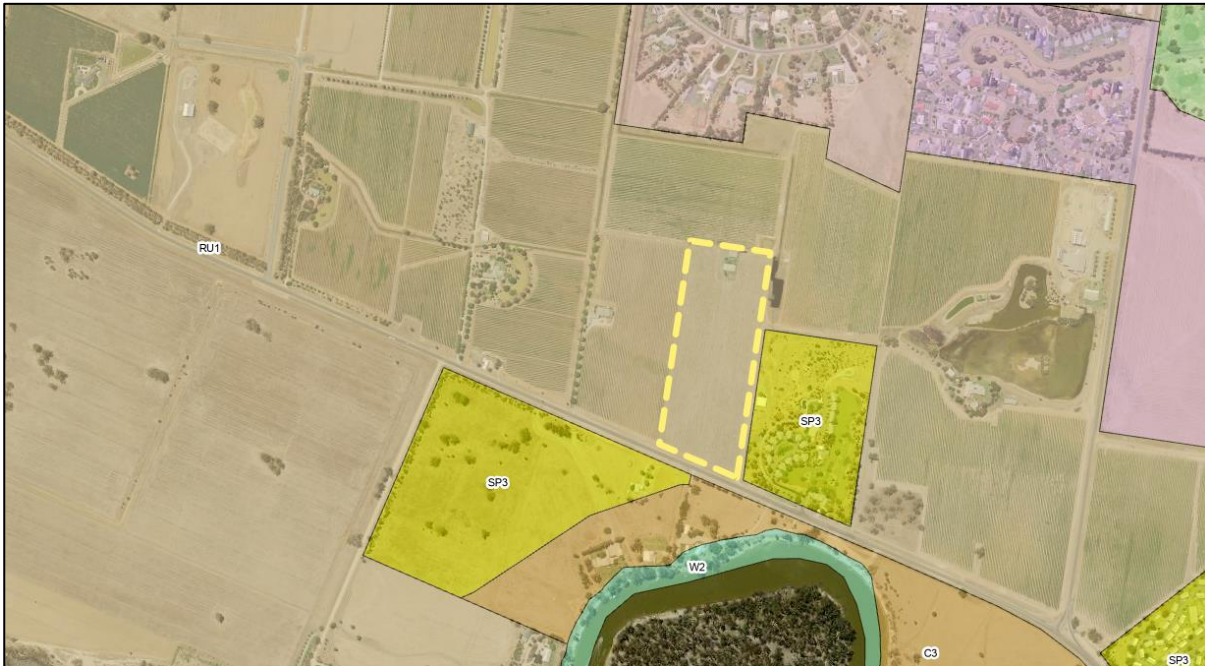


Figure 6: Zoning Map Extract (Planning Portal Spatial Viewer, 2023)

As summarised in **Table 1**, the proposal seeks to amend the *Murray Local Environmental Plan 2011* to override the existing zoning of the site and the minimum lot sizes.

Proposal

The proposal is to amend the *Murray Local Environmental Plan 2011* to vary the RU1 Primary Production Zone for Lot 1 in DP1283567 and Lots 1–3 in DP854487 to propose R2 Low Density Residential Zone.

Override the minimum lot size for Lots 1 in DP1283567 and Lots 1–3 in DP854487 from 100 hectares to a minimum lot size of 2,000m².

To vary RU1 Primary Production Zone for Lot 1 in DP1283567 to propose an E1 Local Centre Zone to create a small scale destination retail/commercial area that complements the development and western side of Moama.

Remove minimum lot size requirements for the proposed E1 Local Centre Zone. Figures 7 and 5 provide an extract of the Applicant's proposed plans to illustrate the potential Land Rezoning and the Minimum Lot Size maps.

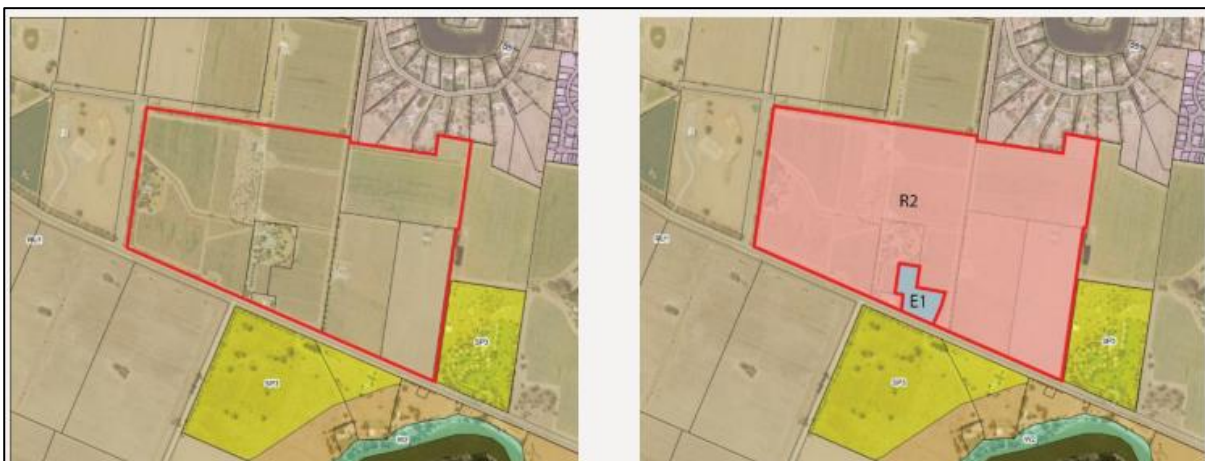


Figure 7: Existing Land Zoning and Proposed Land Zoning Map*Figure 7: Existing Minimum Lot Size and Proposed Minimum Lot Size Map*

As part of the lodgement material, the Applicant provided an indicative project timeline for the proposed Planning Proposal. The Planning proposal is anticipated to take twenty-nine (29) weeks from lodgement stage to notification stage, subject to submissions and issues raised.

Utility, electricity, and telecommunication infrastructure augmentation are required to facilitate the development proposed over the site. The Applicant would be required to demonstrate envisaged services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed funding arrangements for infrastructure provision at DA stage for the Subdivision.

As per the application material, changes are not proposed to the existing contribution plan by the Applicant nor envisaged. Future development of the site would be subject to the contributions rate for the applicable zone under the Council's adopted Development Contributions Plans. Further, state infrastructure contributions may also be applicable to the future development of the site.

The planning proposal is not associated with the outcomes of a previous consultation undertaken by the Applicant and Council.

STATUTORY ASSESSMENT PROCESS

To facilitate the implementation of the Planning Proposal to vary the LEP provisions to change the zoning of the site and to override the minimum lot requirements, an amendment is required to be made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*. Additional legislative implications are not envisioned by the Planning Proposal.

TOWN PLANNING ASSESSMENT

As above and see attached Scoping Report.

CONCLUSION

In reviewing the Planning Proposal against the local planning context, the existing site conditions, and the strategic merits applicable to the premises and proposal. It is considered that there are sufficient grounds to endorse the Planning Proposal application to enable a Gateway Determination by the Department of Planning and Environment (DPE) for the proposal to:

- amend the Murray Local Environmental Plan 2011 to vary the RU1 Primary Production Zone for Lot 1 in DP1283567 and Lots 1–3 in DP854487 to propose R2 Low Density Residential Zone.
- Override the minimum lot size for Lots 1 in DP1283567 and Lots 1–3 in DP854487 from 100 hectares to a minimum lot size of 2,000m² and;


- To vary RU1 Primary Production Zone for Lot 1 in DP1283567 to propose an E1 Local Centre Zone.

The lot is not constrained by any factors which would limit the future development of the site. There is an opportunity for the site to connect to reticulated infrastructure subject to the findings of a preliminary service investigation at the cost of the developer.

Whilst the proposal results in changes to the site, zoning and reductions in minimum lot sizes, the variations proposed are not considered to introduce new impacts with potency that detract from the existing built form of the locality. The proposed minimum lot size reduction is considered to present a suitable intensification of residential lot density that is a housing product desired in Moama and consistent with the short-term sequential release mapping in the LHS.

The Proposal aligns with existing strategic outcomes of the Murray Shire Strategic Land Use Plan, the Murray River Council Local Housing Strategy and is consistent with all overarching local and regional strategic plans, guidelines, and assessment criteria.

ATTACHMENTS

1. **Habitat Planning Proposal - 420-508 Perricoota Road, Moama** 
2. **Attachment - Consistency with Riverina Murray Regional Plan 2041** 
3. **Attachment - Proposed Concept Plan Terraco** [↓](#) 



| Rev | Revision Description | Date | Designed | Checked | Approved |
|-----|----------------------|------------|------------|---------|----------|
| F | Layout Amendments | 26/2/2023 | | | |
| E | Layout Amendments | 28/9/2022 | R. Dewborn | P. Bove | |
| D | Layout Amendments | 16/9/2022 | | | |
| C | Layout Amendments | 19/4/2022 | | | |
| B | Adjust Lot Numbers | 28/2/2022 | | | |
| A | Original Issue | 17/11/2021 | | | |
| | Drawn | | | | |

Notes/Legend
 All dimensions and boundary locations shown are approximate only and subject to final survey & design.

TERRACCO
 Civil Engineers
 Project Managers
 Development Consultants

Terraco P/L
 ABN 12 681 695 976
 9 Wood Court
 East Sandgate, VIC 3550
 Ph: 03 5441 5795
 Fax: 03 5441 5506
 E: info@terraco.com.au
 Web: www.terraco.com.au

Scale (m) 1:10000
 All lengths are in metres and all levels are in Australian Height Datum (Original Sheet Size is A1)
 Drawing File: 20176 Layout.dwg
 LTO Ref: -
 Council Ref: -
 Water Auth. Ref: -
 Our Ref: 20176
 Version: F
 Sheet: 1 of 1

Murray River Shire - Memo
 Oakbridge Developments
 420 Perricoota Road
 Preliminary Overall Layout

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 BARHAM RECREATION RESERVE COMMITTEE AGM

File Number: -

Author: Karen Buckley, Manager of Local Connections

Authoriser: Sarah Ryan, Director Community and Economic Development

RECOMMENDATION

That Council

1. Revoke existing members of the Barham Recreation Reserve Committee of Management and
 - (a) Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the November 2023 AGM.

BACKGROUND

At its Section 355 Annual General Meeting of the Barham Recreation Reserve Committee, held on 13 November 2023, Elections were held to elect all committee positions and office bearers.

DISCUSSION

Present at this meeting were: Tim Coote, Sandy Lang, Bobbie Eaton, Neil Gorey, Julie Frankling, Ian Sampson, Banny O'Farrell, Jack Lambert, Luke Keogh (MRC), Karen Buckley (MRC)

A motion was carried for the following elections:

President: Sandy Lang

Vice President: Tim Coote

Secretary: Julie Frankling

Treasurer: Michelle Robinson

General Committee: Bobbie Eaton, Ian Sampson, Banny O'Farrell, Jack Lambert

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.1 - Create and maintain safe and accessible community spaces that enhance healthy living and promote active lifestyles - Sports and recreation facilities and spaces.

BUDGETARY IMPLICATIONS

Scope of committee financial transactions is low. [Type here](#)

POLICY IMPLICATIONS

Murray River Council Asset Management Policy (POL305).

Murray River Council Section 355 Committee Policy (POL119).

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

RISK ANALYSIS

- **What can happen?**

Council and Committees fail to meet obligations.

- **How can it happen?**

Committees are generally unaware of the full extent of their roles and responsibilities particularly in relation to WH&S, operational procedures and systems, procurement and financial reporting.

Council has a responsibility to provide requisite support and guidance to committees to ensure they understand their responsibilities and have necessary skills and capacity to fulfill obligations.

- **What are the consequences of the event happening?**

A number of Section 355 committees are very fragile and their medium to longer term viability is questionable.

Council is under considerable pressure to comply with onerous obligations relating to the support and management of section 355 committees under the Local Government Act

- **What is the likelihood of the event happening?**

Likely

- **Adequacy of existing controls?**

Moderate

- **Treatment options to mitigate the risk?**

Council needs to carefully consider the structure required to best support committees.

A new interim role of Manager Local Connections has been created to work collaboratively with committees of Council to assist them to meet their obligations as required by S355 of the Local Government Act 1993 and to improve governance and risk mitigation.

Steps will be taken to optimise the viability of committees where appropriate; consider the scope of support council will provide to support committees; determine the criteria that will trigger council's intervention in the operations of Section 355 committees, and what the intervention will be; plan for contingency management options, and fully recognise the cost of this in council's long term financial plans.

CONCLUSION

Advice of committee members has been received and Council should endorse Barham Recreation Reserve Committee, new committee members nominated at the November 2023 AGM.

ATTACHMENTS

1. **Barham Recreation Reserve Committee AGM - November 2023**  

Barham Recreation Reserve Committee Inc.

Annual General Meeting

Commenced: 7:00 pm, 13th November 2023, Barham Recreation Reserve.

Present Tim Coote, Sandy Lang, Bobbie Eaton, Neil Gorey, Julie Frankling, Ian Sampson, Banny O'Farrell, Jack Lambert, Luke Keogh (MRC), Karen Buckley (MRC)

Apologies: Greg Lake, Melissa Davies

Business arising from last minutes: None

Previous Minutes: read & accepted

Moved by Julie Frankling

Seconded by Ian Sampson

Correspondence in:

Correspondence Out:

- Koondrook Barham Bridge – advert for AGM
- Minute Book to MRC

Moved by Julie Frankling

Seconded by Bobbie Eaton

Treasurers Report: provide via email by Michelle Robinson

- NAB Acc: 082 572 509610290 - \$39805.69
- Books sent to MRC

Moved by Julie Frankling

Seconded by Tim Coote

Chairman's Report:

- Sandy thanked everyone for the year past, their tireless work and support to the reserve.

Sandy handed Chair to Karen Buckley (MRC Manager of Local Connections) to conduct election of office bearers.

Election of Office Bearers:

Karen declares all positions vacant, elections commenced. *Karen thanked all members that had taken a position for the past year.*

Chairperson

Nominations called for:

No nominations received.

Sandy Lang offered to take on chair, for only one more year, hoping that new faces would be present next AGM,

No other nominations, voting, **All in Favour**

Congratulations to Sandy Lang as Chairperson

Vice Chairperson

Nominations called for:

Tim Coote nominated by Sandy Lang

Seconded by Ian Sampson

No other nominations, voting, **All in Favour**

Congratulations to Tim Coote as Vice Chairperson

Treasurer

Nominations called for:

Michelle Robinson, nominated by Tim Coote, seconded by Julie Frankling

No other nominations, voting, **All in Favour**

As Michelle is not present, Julie will contact Michelle 14.11.2023, and confirm if she would like to continue in the role.

Secretary

Nominations called for:

Julie Frankling, nominated by Banny O'Farrell, seconded by Tim Coote

No other nominations, voting, **All in Favour**

Congratulations to Julie Frankling as Secretary

The committee of the Barham Recreation Reserve will be formed by a representative of user groups, and those present this evening and Michelle Robinson.

Karen congratulated those accepting a position, and passed Chair back to Sandy Lang as the appointed Chair of BRRC.

General Business:

- More regular meeting in coming year to encourage new people to attend
- Continue with bi-monthly meeting
- Thank you to Karen for Chairing the AGM Election of office bearers

Murray River Council Representative: as appointed and directed by council. Currently Neil Gorey

Meeting closed: 7.20pm

9.5.2 SECTION 355 COMMITTEE MEETING MINUTES AS AT NOVEMBER 2023

File Number: -

Author: Karen Buckley, Manager of Local Connections

Authoriser: Sarah Ryan, Director Community and Economic Development

RECOMMENDATION

That Council receive and note the November 2023 Section 355 Committee Report.

BACKGROUND

Council Section 355 Committees are to provide minutes of each committee meeting to keep Council informed of the committee's activities

DISCUSSION

Council has 25 x Section 355 committees. These committees are made up of community volunteers who oversee the day-to-day management of facilities owned by council and/or provide advice to Council about such facilities.

The death of a Section 355 Committee Volunteer in NSW has exacerbated the need for Council to review the operating model of all our community committees to ensure that volunteers are well supported and managed from recruitment right through to execution of delegated responsibilities.

Karen Buckley has joined the Economic Development team on a secondment from the Community Services team. Karen's new role as Manager Local Connections, will be responsible for working collaboratively with committees to assist them to meet their obligations as required by S355 of the Local Government Act 1993 and to improve governance and risk mitigation.

Minutes are attached to this report for Council's information.

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.2 - Create and maintain safe and accessible community spaces that enhance healthy living and promote active lifestyles - Public buildings.

BUDGETARY IMPLICATIONS

Scope of Committees financial transactions vary.

POLICY IMPLICATIONS

Murray River Council Asset Management Policy (POL305).

Murray River Council Section 355 Committee Policy (POL119)

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

RISK ANALYSIS

- **What can happen?**
Committees and Council fail to meet their obligations.
- **How can it happen?**

Committees are generally unaware of the full extent of their roles and responsibilities, particularly in relation to WH&S, operational procedures and systems, procurement, and financial reporting.

There have not been the resources within council to provide requisite support and guidance to committees to ensure they understand their responsibilities and have necessary skills and capacity to fulfill obligations. This is not a reflection on the committee and expertise of Council staff, it is about the need to appropriately and adequately resource and support committees.

- **What are the consequences of the event happening?**

A number of Section 355 committees are very fragile and their medium to longer-term viability is questionable.

Council is under considerable pressure to comply with onerous obligations relating to the support and management of section 355 committees under the Local Government Act (and other Acts).

- **What is the likelihood of the event happening?**

Likely

- **Adequacy of existing controls?**

Moderate

- **Treatment options to mitigate the risk?**

Council needs to carefully consider the structure required to best support committees whilst managing all legal obligations.

A new interim role of Manager Local Connections has been created to work collaboratively with committees of Council to assist them to meet their obligations as required by S355 of the Local Government Act 1993 and to improve governance, risk mitigation, and long-term sustainability.

Steps will be taken to optimise the viability of committees where appropriate; consider the scope of support council will provide to support committees; determine the criteria that will trigger council's intervention in the operations of Section 355 committees, and what the intervention will be; plan for contingency management options, **and fully recognise the cost of this in council's long term financial plans.**

CONCLUSION

The following actions have been raised at recent committee meetings.

Barham Recreation Reserve Committee

- MRC lodged an insurance claim for vandalism to reserve on the 10.11.2023, 23 trees uprooted or entirely removed, fencing etc. estimated costs between \$30 - \$40 k. This incident was very disappointing to the committee and council as a whole.
- Volunteer engagement – on going issue in many areas of the community. How is the BRRC going to recruit new members, or find a pathway to managing the reserve in its current volunteer capacity.




Barham School of Arts Hall Committee

- Once again no Financial Report available, other than the report for October and there were no changes to that report for the November meeting. Geoff will follow up by contacting Karen Buckley to find out what is happening as far as getting regular up to date financial reports. All payments for hire of the premises go through Council, Lions [S355 committee] don't handle any of the money.
- There is a tear in the carpet over near the wall opposite the kitchen servery. It's very hard to see.

Koraleigh Hall and recreation Reserve Committee

- Purchase of new kitchen - Community Grant of \$3,000 successful.

ATTACHMENTS

1. **Barham Recreation Reserve Committee - Meeting Minutes November 2023** [↓](#) 
2. **Barham School of Arts Hall Committee - Meeting Minutes November 2023** [↓](#) 
3. **Koraleigh Hall & Recreation Reserve Committee - Meeting Minutes November 2023** [↓](#) 

Barham Recreation Reserve Committee Inc.

Meeting Commenced: 7.20pm, 13th November 2023, Barham Recreation Complex.

Present Tim Coote, Sandy Lang, Bobbie Eaton, Neil Gorey, Julie Frankling, Ian Sampson, Banny O'Farrell, Jack Lambert, Luke Keogh (MRC), Karen Buckley (MRC)

Apologies:

Greg Lake, Melissa Davis

Previous Minutes – provided to all members via email and in hard copy.

Moved by Julie Frankling

Seconded by Jack Lambert

Business Arising from previous minutes.

Correspondence in:

- 26.07.2023 – Suzanne Paul – Re: safety railing request
- 11.09.2023 – MRC - Karen Buckley – safety railing update
- 04.10.2023 – MRC – Invitation to join the Sustainable MRC Focus Group
- 04.10.2023 – MRC – Karen Buckley – Community Building partnership 2023 round
- 09.10.2023 – MRC – Karen Buckley – Approval of Council delegate (Neil Gorey)
- 31.10.2023 – MRC – Karen Buckley – ATO advise Re: charging GST on behalf of Council
- 27.10.2023 – The Bridge – AGM advert

Correspondence Out:

- 28.07.2023 – Suzanne Paul – Receipt of letter
- 04.10.2023 – Forward - MRC – Invitation to join the Sustainable MRC Focus Group
- 04.10.2023 – Forward - MRC – Karen Buckley – Community Building partnership 2023 round
- 09.10.2023 – Forward - MRC – Karen Buckley – Approval of Council delegate (Neil Gorey)
- 23.10.2023 – Matthew Maher Invoice 95 – Sale of 2nd hand Massey Ferguson Tractor
- 27.10.2023 – Suzaanne Paul – update on safety railing
- 31.10.2023 – The Bridge – AGM proof approval

Moved by Julie Frankling

Seconded by Robert Eaton

Treasurers Report: provided by Michelle Robinson, attached to minutes.

- NAB Acc - \$39805.69 13th November 2023

Moved by Julie Frankling

Seconded by Jack Lambert

User Groups Reports:

Polocrosse – Ian - finished for the season, very successful again. Does clash with the nationals in 2024, unsure if they will have them on same date.

Pony Club – Melissa - no report

Cricket – Tim - maybe using Barham wicket this season. Brad 7 Eric Lake in charge of this at present. Tim doing Koondrook. Town has joined the Swan Hill league for the 2024 season.

Reserve – Tim – have had trouble sourcing slotted pipe, has arrived, will arrange to get delivered and then provide a quote to finish the next section at far goal posts. In extreme rain the water just cannot get away. Still some more dirt to be crated in to complete filling of drain. Always sprinklers to be repaired. **Can we please send a thank you to Colville fabrication for their assistance in getting fencing repaired after vandals damaged the reserve on 10.11.2023. Julie to write a thank you letter on behalf of BRRC.**

Shipping container – what is KBFNC doing about it, was to be removed, or put in a suitable location and visually improved. **Julie to follow up with club.**

Bobbie – accident when vehicle hit fence at corner of Gonn St & North Barham Rd, damaged fencing, at pump shed corner. Who pays to repair? **Luke will look into this.**

KBFNC – Julie – Sent a concept plans of BBQ area to Luke – awaiting comment. A DA will be required. Part of the assessment process MRC will look at ‘need’ for another asset on council land. Possible it is focused on KBFNC and not wider community. **Luke to provide feedback.**

MRC – Neil Gorey

- Appreciated the work Luke Keogh & Karen Buckley from MRC, in providing communication between local government and Section 355 Committees.
- Suggested that young ones step up and take on a role in the aging committee to assist.

MRC – Luke Keogh

- Light program is complete – Fobs available this evening – Luke passed 5 to Julie, 1 x Ambulance NSW, 1 x football Club, 1 x Football Manager, 1 x Netball Manger, 1 x spare. The fobs were placed in the safe at the complex 13.11.2023. Julie to pass onto KBFNC.
- Gonn St toilet block to be demolished, new block to replace.
- Dump Point to be installed
- Facelift of area off Gonn St to commence
- Solar on new toilet block
- Removal of decommissioned light pole x 1 (other to be removed at BRRC cost, but organised by Luke with contractors.
- Soil test completed on oval – renovations to be undertaken prior to next football season

General Business:

MRC - Luke

- Lodged an insurance claim for vandalism to reserve on the 10.11.2023, 23 trees uprooted or entirely removed, fencing etc. estimated costs between \$30 - \$40 k.
- Extremely disappointing for the community and council as a whole. Tireless work to keep the facilities, and to have them damaged was very upsetting for all. Luke met with NSW police.

- Security – MRC will investigate, but it will not eliminate this activity but hopefully deter it in the future.
- Media report – Julie has had a request from The Bridge to make comment on the vandalism – advised Llyod that I would check with MRC first - Karen advised that I cannot do that under the Council Media Policy – **Julie to advise Lloyd to contact with MRC on this matter.**

Karen Buckley – Manager of Local Connections – discussed her role with MRC, appointed to educate and support the management of Section 355 committees under the Act. Also explaining to all present that office bearers are elected then details are provided to council for approval, this is a back process but never less it is the process and we must adhere to all processes of council.

As an officer bearer or committee member we are bound by the same policies as an employee or councilor of MRC. We act on behalf of the MRC as a committee of management of a council asset being the Barham Recreation Reserve.

Karen's role will include providing support material (templates for meeting minutes, invoices etc.) as these are developed.

User groups – casual hire of facilities, these need to be charged correctly for a person/entity charging a fee. i.e., person charging a fee in exchange for a service on council assets. This is going to be challenging when it is very hard to monitor this activity 24/7.

Booking procedure – not available at present, needs to be developed asap, as the burden falls back on volunteers to ensure these are dealt with correctly. **Luke to provide a procedure.**

Volunteer engagement – on going issue in many areas of the community. Our is the BRRC going to recruit new members, or find a pathway to managing the reserve in its current volunteer capacity.


Sandy thanked Luke and Karne for attending.

Christmas meeting, Monday the 11th December, venue to be confirmed.

Meeting closed: 8:30 pm

Meeting Dates 2023

11.12.2023 Dinner Meeting

BARHAM-KOONDROOK SCHOOL OF ARTS COMMITTEE MEETING**SECTION 355 LGA BARHAM SCHOOL OF ARTS HALL REPORT:****MEETING OF 13/11/2023****Meeting commenced about 8.10 pm.****PRESENT:** *CHAIR:* T Barker, J Boyd, B Campbell, D Agelakis, R Millar, A Millar, P Williamson, J Whelan, B Rash, G Barker, A Mathers, G Minnis.**GUEST:** Councillor N Gorey.**APOLOGIES:** C Pye, J Pye, J Griffin, C Webster, G Webster, R Daws, G Cook. **J Boyd*** Welcomed Councillor Gorey to the meeting.

*Not much to report. Bookings have improved significantly.

* The Dance Group have the hall booked until mid December.

*Concerned about the untidy state the Reception Rooms are often left in after Council meetings e.g., Cigarette butts/ash and crumbs etc left on the floor.

*Ash tray has disappeared from outside, where it used to be on one of the columns, he and Geoff will follow up on that. Probably provide a temporary ash tray for Bingo nights

G Barker* Once again no Financial Report available, other than the report for October and there were no changes to that report for the November meeting. Geoff will follow up by contacting Karen Buckley to find out what is happening as far as getting regular up to date financial reports

*All payments for hire of the premises go through Council, Lions don't handle any of the money.

G Minnis* There is a tear in the carpet over near the wall opposite the kitchen servery. It's very hard to see.**T Barker*** There was a cigarette butt found inside the Reception Room after a Council function. It MAY have just been brought in on someone's shoe?? Staff should be reminded that smoking in the premises is not allowed.**Councillor Gorey:** Commented on several issues raised. He will also make enquiries about the financial report situation.**FINANCIAL REPORT:** Not available.**Meeting Finished: 8-27pm.**



Koraleigh Hall and Rec. Reserve Committee Meeting Minutes

| | |
|-------------------------------------|--|
| Date/time of meeting | 25/10/2023 7.15 pm |
| Location of meeting | Koraleigh Rec. Reserve |
| Attendees | Brian Hoare Cassie Andrews Mary Hoare Liam Hoare Peter Thompson Bev Thompson Sandra Andrews Gina Bailey |
| Apologies | Vern Andrews Laura Pearce Sue Russell MRC Manager Local Connections Karen Buckley |
| Guests | Greater Wakool Sward Cr Ann Crowe Jim Crowe |
| Conflicts of interest | Nil identified |
| Approval of Previous Minutes | Moved: Mary Hoare Seconded: Liam Hoare |

| | |
|--|---|
| <p>Business arising from previous minutes</p> | <ul style="list-style-type: none"> * Treasurer's books returned from auditor. * Key Register in progress, new keys needed for Key Boxes. * Purchase of new Rec Reserve kitchen. Community Grant of \$3,000 successful. Work in progress. * Mary to contact Karen Buckley regarding Electricity for Rec Reserve and Hall to be put in Council name, still to be paid by Rec Reserve and Hall funds. * Confirmation needed over fees for Rec Reserve and Hall hire from MRC. * Lisa Howieson, BKIT, waiting for information regarding costs of Hall from MRC. * Tennis lighting should be in place by end of November, tennis court/fencing should be repairing by early November. <p>Moved: Cassie Andrews Seconded: Peter Thompson</p> |
|--|---|

| | |
|---------------------------------|--|
| <p>Treasurers Report</p> | <ul style="list-style-type: none"> * The closing balance for the Recreation Reserve is \$10,408.71. Power -\$48.66. Interest +\$0.05. * The closing balance for the Hall is \$10,268.55. Power -\$123.16. Interest +\$0.06. * NSW Power Bill Relief * AEC \$300 <p>Moved: Cassie Andrews Seconded: Gina Bailey</p> |
|---------------------------------|--|

| | |
|-----------------------------|---|
| Email Correspondence | <ul style="list-style-type: none">* Secretary to Members 28/10/23: meeting minutes 25/10/23* Karen Buckley email 4/10/23: Community Grant.* MRC email 25/10/23: Community Grants Program application success.* MRC letter 4/10/23: Invitation to join Sustainable Focus Groups.* Karen Buckley email 25/10/23: meeting apology. Update on tennis lighting/court fixtures. <p>Moved: Peter Thompson Seconded: Sandra Andrews</p> |
|-----------------------------|---|

| | |
|-------------------------|---|
| General Business | <ul style="list-style-type: none">* Koraleigh water Supply* Master Plan for Community Centre, Brian to contact Luke Keogh for Committee to meet with him when next in Koraleigh. Ann Crowe to contact Karen Buckley to work out next step in consultation with MRC for Community Centre.* Gina Bailey enquiring about Fees for Hall hire. |
|-------------------------|---|

Meeting Closed 8.45 pm

Next Meeting Date: Wednesday November 22, 2023
 Time: 7pm
 Venue: Koraleigh Rec Reserve

9.5.3 COUNCILLOR ATTENDANCE AT 2024 AUSTRALIA DAY EVENTS**File Number:** -**Author:** Melinda Barrett, Business Unit Support Officer - Eco Dev & Tourism**Authoriser:** Sarah Ryan, Director Community and Economic Development**RECOMMENDATION**

That at least one Councillor is nominated to attend one of the six (6) Australia Day events across the Murray River Council area.

BACKGROUND

Every year on Australia Day (26 January) events are held in communities across the Murray River Council area.

Australia Day is an important community celebration and Council has a strong history of supporting all events within the region both financially and through Councillor attendance.

Once Councillors have nominated their attendance at the Australia Day celebrations, event organisers will be informed in order to appropriately incorporate the Councillor's attendance.

Councillors will be provided with a speech they may wish to use along with relevant information regarding Australia Day Award recipients.

A submission has been made to the Australia Day Council of NSW to host an Ambassador. Notification of whether the application was successful has not yet been received.

DISCUSSION

It is recommended that a councillor is allocated to attend one of the six (6) Australia Day events. Below is a list of events, as they usually occur. If the details change, or an event is cancelled, Councillors will be notified and may attend an alternative location.

Allocating Councillors during the December meeting will enable timely communication with event organisers and Councillors including production and distribution of the order of proceedings.

| Location | Details |
|-----------------|---|
| Koraleigh | 7:00am – Koraleigh Recreation Reserve Activities: Breakfast, presentations and flag raising ceremony |
| Tooleybuc | 7:30am – Mensforth Park Activities: Breakfast, presentations and flag raising ceremony |
| Barham | 9:00am – Riverside Park Activities: Breakfast, presentations and flag raising ceremony |
| Moulamein | 8:00am – The Triangle Activities: Breakfast, presentations and flag raising ceremony |
| Wakool | 7:00am – Wakool Hall Activities: Breakfast, presentations and flag raising ceremony |
| Mathoura | 8:00am – Soldiers Memorial Park Activities: Breakfast, presentations and flag raising ceremony |

STRATEGIC IMPLICATIONS

5. Strategic Theme 5: A place of Prosperity and Resilience

5.8 - Continue to develop strong and resilient communities - Promotion of local attractions.

BUDGETARY IMPLICATIONS

Nil.

Each community event has been notified of their allocation for the 2024 Australia Day event.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**

Nil.

- **How can it happen?**

Nil.

- **What are the consequences of the event happening?**

Nil.

- **What is the likelihood of the event happening?**

Nil.

- **Adequacy of existing controls?**

Nil.

- **Treatment options to mitigate the risk?**

Nil.

CONCLUSION

Australia Day is a great opportunity to promote our diverse communities and the achievements of award recipients.

Council participation in these events will further foster community connectedness and belonging, inspire residents and help to promote volunteerism.

ATTACHMENTS

Nil

9.5.4 2023 AUSTRALIAN REGIONAL TOURISM CONVENTION REPORT

File Number: -

Author: Kristy Hayes, Tourism officer

Authoriser: Sarah Ryan, Director Community and Economic Development

RECOMMENDATION

That Council receive and note the 2023 Australian Regional Tourism Convention (ARTC) report.

BACKGROUND

Attended by over 250 people, the 2023 Australian Regional Tourism Convention (ARTC) is was held in the City of Newcastle 10-12 October 2023.

The convention is a must-attend event for anyone contributing to the future of regional tourism in Australia and is tailored for all sectors of the tourism industry. It is a great networking opportunity and forum to exchange ideas about ways to grow a sustainable regional destination and to showcase best practice success.

The 2023 ART Convention theme is Creating the Regional Visitor Economy of the Future.

DISCUSSION

Over three days, the program energised, educated, and inspired with insightful information and practical tools to ensure strong and sustainable growth for our local visitor economy.

Destination NSW was the strategic partner of the event and engages and collaborates extensively with other arms of state government, local tourism organisations and the industry to realise the vision of the NSW Visitor Economy Strategy 2030 to be the premier visitor economy in the Asia Pacific.

Regional NSW plays a key role in this vision and has a target of \$25 billion in visitor expenditure by 2030.

Tourism Officer Kristy Hayes represented Murray River Council at the three-day conference.

STRATEGIC IMPLICATIONS

5. Strategic Theme 5: A place of Prosperity and Resilience

5.10 - Promote and grow tourism across the region - Growing Tourism across the LGA.

BUDGETARY IMPLICATIONS

Funds budgeted for conference fees, travel, and accommodation.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- What can happen?

Nil

- **How can it happen?**

NA

- **What are the consequences of the event happening?**

NA

- **What is the likelihood of the event happening?**

NA

- **Adequacy of existing controls?**

NA

- **Treatment options to mitigate the risk?**

NA

CONCLUSION

The 2023 LGNSW Australian Regional Tourism Convention (ARTC) provided a platform for Tourism Officers to be educated on the latest best practice and trends in tourism, and network with industry leaders.

ATTACHMENTS

1. **2023 Australian Regional Tourism Convention** [!\[\]\(3dc92c626ede9fa1b47e2e010104b5c4_img.jpg\) !\[\]\(71e9a2c5583c3d2a2fe005f4239e5d39_img.jpg\)](#)



Australian Regional Tourism 2023 Convention

Tuesday 10th October – Thursday 12th October 2023

Newcastle City Hall

Kristy Hayes
Murray River Council
Tourism Officer
October 23rd 2023

Australian Regional Tourism Convention 2023



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Tourism Officer Kristy Hayes represented Murray River Council at the three-day conference.



Australian Regional Tourism Convention 2023

**Day 1**

The conference kicked off with a famil; a premier whale watching experience aboard our custom-built adventure boat. The tour focused closely on the annual Humpback Whale (*Megaptera Novaeangliae*) migration along the east coast. In addition to watching the whales up close, the experience traveled along the stunning Newcastle coastline with the added chance of encountering dolphins and long-nosed fur seals. Lunch then followed at the Newcastle Cruising Yacht Club overlooking the Newcastle Harbour providing an opportunity to meet and exchange ideas with 20 other Tourism Officers from all over Australia.

After lunch Registration commenced at the City Hall followed by a welcome reception at Bartholomews Restaurant and Bar which provided an opportunity to network, relax, and get to know each other.

**Day 2**

The morning started with welcome addresses from MC Lyne Schinella, Lord Mayor of Newcastle Councillor Nuatali, ART Deputy Chair Hamish Fell and Senator The Hon Don Farrell.

Destination NSW then spoke about their marketing activities and how we can be involved. They also went into detail about the NSW Government Visitor Economy Strategy 2030 roadmap to support all industries involved in the visitor economy to recover from the impact of drought, bushfires and COVID-19 and to grow in the future. The strategy sets a bold vision for NSW to be the premier visitor economy of the Asia-Pacific by 2030. The current phase is recovery, this involves a number of major infrastructure projects will be completed during this period, including the new Western Sydney Airport in 2026. This will provide a major stimulus to grow and expand the visitor economy in NSW. Visitor expenditure is expected to grow strongly during this time to reach over \$50 billion by 2026. By 2030, the momentum gained through the increased capacity and investment in the visitor economy over the previous phases will accelerate growth, with visitor expenditure targeted to reach \$65 billion.

Australian Regional Tourism Convention 2023



Austrade then presented in more detail about “Thrive 2030”, expanding on Destination NSW presentation. The detailed presentation included;

Strategy overview

THRIVE 2030 is industry-led and government-enabled. To drive success, the strategy:

- Provides a vision
- Sets targets
- Outlines policy priorities.

THRIVE 2030 vision

THRIVE 2030 envisions a visitor economy that:

- Delivers quality experiences for visitors
- Includes businesses that:
 - are globally competitive
 - are profitable
 - grow sustainably
- provides jobs, growth and infrastructure that benefit Australian communities.

The strategy outlines priorities are to address:

- The challenges created by COVID-19
- Pre-existing structural trends and issues.

Three themes guide these priorities:

- Diversifying markets, experiences and destinations. For example, respectful inclusion of First Nations peoples and cultures
- Modernising the visitor economy workforce, infrastructure and business practices
- Collaborating between industry and government at every level, including by using high quality data and insights.

Australian Regional Tourism Convention 2023



THRIVE 2030 targets

THRIVE 2030 aims to return the sector to pre-pandemic visitor spend and sustainable growth:

- Returning it to \$166 billion by 2024
- Growing it to \$230 billion by 2030.

The strategy aims for regional Australia to capture about 40% of this spend.

Strategy phases

There are 3 phases of the strategy's implementation.

Recovery Phase 2022–2024

This will focus on rebuilding the visitor economy. It will do this by:

- Driving domestic visitation
- Driving targeted international visitation
- Addressing priority supply-side issues, such as workforce shortages

Consolidation Phase 2025–2027

This aims to achieve a consistent growth to meet targets. It will do this by:

- Pursuing a targeted, diverse portfolio of markets
- Investing in new products and destinations
- Improving business practices
- Continuing to build workforce capability

Acceleration Phase 2028–2030

This aims to speed up growth, increase service quality and grow visitation. It will do this by building on the investment in earlier phases. This includes through improvements in business processes and technology.

Australian Regional Tourism Convention 2023



THRIVE 2030 initiatives

They plan to lead a variety of initiatives to address THRIVE 2030 policy priorities. These include:

- [supporting Australian tourism and travel](#)
- [growing tourism workforce and skills](#)
- [developing an international diversification strategy for Australia's visitor economy](#)

Luke Jeffreys, Senior Economist at the Australian Regional Institute then presented "A helicopter view of the Economy". His presentation gave an insight into where we are and take this into consideration when developing where we want to be. Key points included;

- * Economic growth in developed countries is slowing
- * Developing and middle-income countries are growing quickly and will comprise 6 of the 7 largest economies by the middle of this century
- * The world is aging, and the population is expected to peak toward the end of this century; many developing countries have already peaked
- * Australian economic growth outlook is modest, but stable
- * Housing availability is a major impediment to growth, and unlikely to be resolved soon
- * Job vacancies are at record numbers and unemployment is forecast to remain low



Australian Regional Tourism Convention 2023



The next topic of discussion was “Sustainable Tourism, if not now, when?” and included several panel speakers including Elissa Keenan from Ecotourism Australia, Stewart Moore from Earthcheck and Nick Barker from Reflection Holiday Parks. Some key takeaways were;

Definition of Sustainable Tourism

Understanding that sustainable tourism involves minimizing negative impacts on the environment, culture, and communities while maximizing the positive benefits.

Environmental Conservation

Emphasizing the importance of preserving natural resources, protecting biodiversity, and reducing the carbon footprint associated with travel.

Community Involvement

Recognizing the significance of involving local communities in tourism planning and development to ensure they benefit economically and socially from tourism activities.

Cultural Respect

Acknowledging the need to respect and preserve local cultures and traditions, encouraging tourists to be culturally sensitive and responsible in their interactions.

Economic Impact

Exploring how sustainable tourism can contribute to the economic development of destinations by creating jobs, supporting local businesses, and promoting fair wages.

Waste Reduction

Addressing the issue of waste generation in tourist destinations and advocating for responsible waste management practices, including reducing single-use plastics.

Conservation of Natural Heritage

Highlighting the importance of protecting natural and cultural heritage sites, and the role tourism can play in their conservation.

Responsible Tourism Practices

Encouraging tourists to adopt responsible practices such as minimizing energy consumption, choosing eco-friendly accommodations, and respecting wildlife.

Education and Awareness

Promoting education and awareness initiatives to inform both tourists and local communities about the principles of sustainable tourism and the benefits it brings.

Australian Regional Tourism Convention 2023



Regulatory Framework

Discussing the role of government policies and regulations in promoting sustainable tourism, including the enforcement of environmental standards and community engagement.

Technology and Innovation

Exploring how technology and innovation can contribute to sustainable tourism, for example, through smart destination management, eco-friendly transportation, and digital tools for responsible travel.

Global Collaboration

Recognizing that sustainable tourism requires collaboration on a global scale, involving governments, businesses, NGOs, and travellers to work together for positive change.

Measuring Impact

Understanding the importance of monitoring and measuring the impact of tourism on the environment, society, and the economy to continuously improve sustainability efforts.

Adaptation to Climate Change

Addressing the challenges posed by climate change and discussing strategies for the tourism industry to adapt and mitigate its contribution to environmental degradation.

Encouraging Responsible Choices

Encouraging tourists to make responsible choices in their travel behaviour, including supporting ethical tourism operators, engaging in sustainable activities, and being mindful of their impact on the destination.

After lunch I attended a session "Artificial Intelligence (AI) In Tourism; The challenges and Opportunities for the Regional Visitor Economy". Discussion topics included;

Introduction to AI in Tourism

Understanding how AI technologies, including machine learning and data analytics, are being applied to various aspects of the tourism industry.

Enhanced Customer Experience

Exploring how AI can improve the overall customer experience by personalizing recommendations, providing real-time information, and customizing travel itineraries based on individual preferences.

Automation in Travel Services

Discussing the role of AI in automating routine tasks in the travel industry, such as booking processes, customer service, and itinerary planning, leading to increased efficiency.

Australian Regional Tourism Convention 2023



Data-driven Decision Making

Emphasizing the power of AI-driven insights and analytics in helping businesses and destinations make informed decisions, from marketing strategies to resource allocation.

Challenges of AI Implementation

Addressing the challenges and barriers to the successful implementation of AI in the tourism sector, including issues related to data privacy, ethical considerations, and the need for skilled professionals.

Regional Tourism Economy

Exploring the specific impact of AI on the regional visitor economy, considering how smaller destinations can leverage AI to attract and accommodate tourists.

Smart Destination Management

Discussing how AI contributes to the concept of smart destinations, where technology is used to optimize resources, enhance infrastructure, and create a seamless and enjoyable experience for visitors.

Personalization and Targeted Marketing

Highlighting how AI enables personalized marketing campaigns and targeted promotions, tailoring offerings to specific demographics and interests of regional tourists.

Innovations in AI-powered Services

Showcasing innovative AI applications in tourism, such as chatbots for customer service, virtual assistants, language translation, and augmented reality experiences.

Sustainability and Responsible Tourism

Discussing how AI can be employed to promote sustainable tourism practices, including optimizing transportation routes, managing crowds, and minimizing environmental impact.

Community Engagement

Addressing the importance of involving local communities in the development and implementation of AI solutions in tourism, ensuring that benefits are shared equitably.

Education and Training

Recognizing the need for education and training programs to equip tourism professionals and local communities with the skills necessary to harness the potential of AI.

Security and Trust

Discussing the importance of cybersecurity in the context of AI applications in tourism and the measures that need to be taken to build trust among tourists and stakeholders.

Australian Regional Tourism Convention 2023



Economic Impact

Analysing the economic implications of AI adoption in regional tourism, including job creation, revenue generation, and the overall economic growth of the area.

Collaboration and Partnerships

Emphasizing the value of collaboration between the public and private sectors, technology companies, and local communities to maximize the benefits of AI in regional tourism.

By exploring these key takeaways, the talk aimed to provide a comprehensive understanding of how AI is shaping the tourism industry, specifically in the context of regional visitor economies, while also addressing the challenges that need to be navigated for successful integration.

The next session was “Visitor Information Servicing Debate” which I was particularly interested in given the challenges we are currently facing around Visitor Servicing in Echuca- Moama.

Three case studies were presented (a representative from Canberra, Mudgee and Bowen) on how visitor information servicing is being transformed to meet the needs of the contemporary visitor;

- * The modernisation of a “bricks & mortar” VIC
- * Ambassador/outreach programs
- * The successful adoption of digital technology

A “warts and all” session, tackling the pros and cons of each approach, the consensus being it is essential for any Tourism destination to have a physical VIC for visitors. First and foremost, it serves as a welcoming hub for visitors, providing them with essential information about the destination and helping them navigate the local attractions and services.

The VIC plays a pivotal role in enhancing the overall visitor experience by offering personalized assistance, answering queries, and providing up-to-date information on events, accommodations, and activities. It serves as a valuable resource for tourists who may be unfamiliar with the area, offering maps, brochures, and guidance that contribute to a smoother and more enjoyable stay. Additionally, a well-equipped VIC serves as a platform to promote local businesses, cultural events, and unique offerings, thereby boosting the local economy and fostering a sense of community. Ultimately, the presence of a Visitor Information Centre is instrumental in creating a positive first impression, establishing a connection between visitors and the destination, and ensuring that tourists leave with a wealth of information and fond memories.

Australian Regional Tourism Convention 2023



Finishing off Day 2 Phil Lockyer Head of Indigenous Affairs hosted a panel of guest speakers including Tracey Diddams, TRC Tourism Andrew Smith, CEO, Sand Dune Adventures Victor Cooper, Owner, Ayal Aboriginal Tours Kakadu Sarah Gorst, Co founder, South Coast Seaweed. The topic was “Indigenous Truth Telling” highlighting why Indigenous tourism is of paramount importance as it serves not only as a means of economic empowerment for indigenous communities but also as a vehicle for preserving and sharing rich cultural heritage.

Through Indigenous tourism, communities can showcase their unique traditions, art, languages, and customs to a global audience, fostering a deeper understanding and appreciation of their cultural identity. This form of tourism often involves direct engagement with indigenous people, creating opportunities for cultural exchange and mutual respect. Furthermore, Indigenous tourism plays a crucial role in sustainable development, providing a source of income that can support community infrastructure, education, and healthcare. By empowering indigenous communities to control and participate in the tourism activities on their traditional lands, this form of tourism becomes a tool for self-determination, revitalization of cultural practices, and the protection of natural resources. Ultimately, Indigenous tourism contributes to the broader recognition of diverse cultural narratives, fostering cross-cultural understanding and promoting a more inclusive and respectful approach to travel and exploration.



Australian Regional Tourism Convention 2023



Day 3

ATDW (Australian Tourism Data Warehouse) kicked off Day 3 with CEO Jan Hutton talking about changes coming to ATDW. After 20 years of proudly serving Australian Tourism, ATDW is undergoing a transformation – a new name, a new brand, and a new platform are on the horizon.

Set to launch in early 2024, these exciting changes are all part of ATDW's commitment to providing our industry with even more powerful tools to enhance visibility and promote our Tourism attractions and businesses.

Although no precise details were provided, Jan spoke about what to prepare for, the fantastic new features to look forward to, changes to be aware of at launch, and helpful tips to ensure your organisation fully benefits from this exciting upgrade.

Renaë Hanvin from "Resilient Ready" then spoke about Crisis Planning for Tourism. Being "Resilient Ready" in the context of crisis planning for tourism is imperative for navigating the unpredictable challenges that can disrupt the industry. This approach involves developing strategies and frameworks that enhance the resilience of destinations and businesses in the face of crises, whether they be natural disasters, health emergencies, or other unforeseen events. Resilient readiness involves proactive measures such as robust risk assessments, contingency planning, and the establishment of effective communication channels. By fostering a culture of preparedness, the tourism sector can respond swiftly and effectively to crises, minimizing the impact on visitors, local communities, and the industry at large. This readiness also extends to the ability to adapt and recover, ensuring that tourism entities can bounce back stronger and more sustainably after a crisis. Resilient readiness in crisis planning acknowledges the dynamic nature of the tourism industry and strives to build capacities that can withstand and overcome challenges, promoting long-term viability and stability.

Next up Hannah Statham, CEO of Media Mortor spoke about "Building a Bold Destination Plan". Building a bold destination plan in tourism involves creating a comprehensive and innovative strategy that goes beyond traditional approaches to tourism development. It requires a visionary and forward-thinking mindset to shape the destination into a unique and compelling place for visitors. A bold destination plan typically encompasses several key elements:

Distinctive Branding

Developing a strong and unique destination brand that sets it apart from competitors. This involves identifying the destination's unique selling points, cultural assets, and experiences that resonate with target audiences.

Australian Regional Tourism Convention 2023



Community Engagement

Involving local communities in the planning process to ensure that the destination plan aligns with the needs and aspirations of the people who live there. This fosters a sense of ownership and encourages sustainable tourism development.

Sustainable Practices

Integrating sustainability principles into the destination plan, considering environmental, social, and economic factors. This can involve promoting responsible tourism practices, conservation efforts, and minimizing the ecological footprint of tourism activities.

Innovation and Technology

Embracing technological advancements and innovative solutions to enhance the visitor experience. This may include the use of augmented reality, smart destination management systems, and other cutting-edge technologies.

Diversification of Experiences

Offering a diverse range of experiences to cater to different types of tourists. This could involve developing cultural attractions, adventure tourism, culinary experiences, and other niche offerings that appeal to a broad spectrum of travellers.

Collaboration and Partnerships

Forming collaborations with various stakeholders, including local businesses, government agencies, cultural institutions, and the private sector. These partnerships can help pool resources, share expertise, and create a more holistic and integrated destination plan.

Infrastructure Development

Investing in necessary infrastructure improvements to support tourism growth. This includes transportation, accommodation, and other facilities that enhance the overall visitor experience.

Marketing and Promotion

Implementing a dynamic marketing and promotion strategy to raise awareness of the destination. This could involve leveraging digital marketing, social media, and other channels to reach target audiences and create a positive image.

Crisis Preparedness: Incorporating robust crisis management and risk mitigation plans to address unexpected challenges that may impact the destination's reputation or visitor safety.

Measurable Goals and Evaluation: Setting clear, measurable goals and regularly evaluating the performance of the destination plan. This allows for adjustments and refinements based on feedback, changing market conditions, and emerging trends.

Australian Regional Tourism Convention 2023



In essence, building a bold destination plan requires a proactive and creative approach that not only attracts visitors but also contributes to the sustainable development and long-term success of the destination. It involves a commitment to innovation, community involvement, and the creation of memorable and authentic experiences for tourists.

Laura McGrath, Destination Marketing Officer for City Of Newcastle then spoke about how they developed and delivered their Destination Marketing Plan. Laura spoke about how they created a 5 year strategy starting with who they wanted as their target market and worked their events and attractions around this audience (25-35 year olds).

The first phase involved an in-depth analysis of the destination's unique selling points, target demographics, and competitive landscape. Through extensive market research and visitor profiling, they identified key attractions and experiences that set their destination apart. Collaborating closely with local businesses, community leaders, and tourism stakeholders, they fostered a sense of shared vision and ownership in the planning process. This collaborative effort ensured that the marketing plan was aligned with the values and aspirations of the community, promoting sustainable tourism development. Leveraging digital platforms, social media, and traditional marketing channels, they implemented a multifaceted promotional strategy that showcased the destination's diversity and appealed to a wide range of travelers. The plan incorporated data-driven insights and feedback loops for continuous improvement, allowing them to adapt to evolving market trends and visitor preferences. The success of the Destination Marketing Plan was evident in increased visitor numbers, positive feedback, and a strengthened brand identity that resonated with both domestic and international audiences.

Emily Action, also from the City of Newcastle spoke about "Enabled Night Time Economies". Enabling a vibrant Night Time Economy (NTE) for a tourism destination involves a strategic and collaborative approach that extends beyond daylight hours, providing diverse and engaging experiences for both locals and visitors. The destination can foster a thriving NTE by creating a supportive regulatory environment that encourages businesses to operate during the evening and night. This may involve simplifying licensing processes, extending operating hours, and ensuring safety measures are in place. Collaborations with local businesses, cultural institutions, and the hospitality sector are crucial to curate a diverse range of nighttime activities, including entertainment, dining, and cultural events. Illuminating key landmarks and public spaces, promoting nighttime festivals, and introducing creative lighting schemes can enhance the overall ambiance.

Additionally, investing in reliable and safe transportation options during the nighttime hours contributes to accessibility and encourages people to explore the destination after dark. Ultimately, a well-planned and inclusive Night Time Economy not only boosts tourism but also enhances the overall livability and attractiveness of the destination.

Australian Regional Tourism Convention 2023



The afternoon session started with a discussion around Key Take Outs from the Convention. For me these included;

- Learnings from the Indigenous Truth Telling session; get permission from them to tell their story, get to know the land and the people before you get permission to work with them
- Marketing: What have we got that is unique? Focus on that in our Marketing
- The number one intention to travel is events (Mundi Mundi Bash, has a population of 443 people and they get 12,000 people to their event)
- The most popular activities people do in Regional destinations is Eat Out and nature based activities, make sure we are highlighting these in our Marketing
- AI will have a more profound impact on humanity than the internet and it's not limited to things like Chat GPT, places like Phillip Island are using robots in their cafes due to lack of staff
- Chat GPT is the number one time saving marketing tool, if you're not using it you should be
- Mudgee spent the last 12 months just focusing on events and their visitation went up by 54%
- VIC's: Although we need to adapt to digital technology in this space, there is still a need for a physical VIC and you should have a blend of online and in person
- Accessibility and Sustainable Tourism need to be on my agenda



Australian Regional Tourism Convention 2023



The Conference ended with a dinner at Earp Distillery in Newcastle. I actively engaged in the convention dinner to maximize my networking opportunities and immerse myself in the industry's vibrant community.

Recognizing the dinner as a prime occasion for relationship-building, I strategically selected tables with a diverse mix of professionals, and initiated conversations with attendees from various sectors of the tourism industry. I enjoyed listening to their experiences and sharing insights from my own work, I cultivated meaningful connections and gained valuable perspectives. I also took advantage of any structured networking activities or themed discussions organized during the dinner, contributing to the exchange of ideas and collaborative discussions. This proactive approach allowed me to establish connections that extended beyond the dinner, enhancing my overall conference experience and fostering potential collaborations within the dynamic realm of tourism.



Australian Regional Tourism Convention 2023



| CONVENTION DAY ONE – Famils | |
|---|---|
| Tuesday, 10 October 2023 Location: Newcastle | |
| 9:30am - 2:30pm | Secure your exclusive experience being held Tuesday 10 October 2023 and have your perceptions of Newcastle challenged as you explore our unique and quirky city. It is after all, a city that rewards your curiosity. Famil tours listed below: 1. Local Experiences walking tour with Newcastle Afoot 2. Architecture and Street Art Walk with Newcastle Afoot 3. Surfing Lesson with Phillipa Anderson Surf School 4. Guided bike tour with Newy Rides 5. Learn to Sail with the NCYC 6. Whale Encounter Tour with CoastXP 7. Guided walk through Glenrock State Conservation Area with Geo Trail and Nature Walk <ul style="list-style-type: none"> All tours leave and return from Wheeler Place (next door to <i>Newcastle Civic Theatre</i>) 375 Hunter Street, Civic Precinct Newcastle Tours include lunch and a welcome drink Tours are booked via the operators booking link via the Famils website page here |
| Pre-Registration & Speaker Support | |
| Tuesday, 10 October 2023 Location: City Hall, Concert Hall Foyer | |
| 2:00pm - 5:00pm | Register early and pick up your convention materials! An Audio Visual Technician will also be available for speakers who wish to load their presentation. Location: City Hall, Newcastle |
| CONVENTION DAY TWO | |
| Wednesday, 11 October 2023 Location: Newcastle City Hall, Newcastle | |
| From 8:00am | Registration, Trade Display and Speaker Support Open |
| 8:30am - 9:00am | Welcome |
| 9:00am - 10:30am | Plenary Sessions |
| 10:30am - 11:00am | Morning Tea and Trade Display |
| 11:00am - 12:00pm | Plenary Sessions |
| 12:00pm - 1:00pm | Lunch and Trade Display |
| 1:00pm - 2:40pm | Concurrent Sessions |
| 2:40pm - 3:00pm | Afternoon Tea and Trade Display |
| 3:00pm - 5:15pm | Plenary Sessions |
| 5:30pm | ART AGM |
| CONVENTION DAY THREE | |
| Thursday, 12 October 2023 Location: Newcastle City Hall, Newcastle | |
| From 8:00am | Registration, Trade Display and Speaker Support Open |
| 8:30am - 11:00am | Plenary Sessions |
| 11:00am - 11:30am | Morning Tea and Trade Display |
| 11:30am - 1:10pm | Concurrent Sessions |
| 1:10pm - 2:00pm | Lunch and Trade Display |
| 2:00pm - 2:20pm | Convention Wrap Up |
| 2:20pm - 3:20pm | Panel Discussion |
| 3:20pm - 4:15pm | Regional Success Stories |
| 4:15pm - 4:30pm | Closing Remarks |

9.5.5 UPDATE - REPLENISHMENT OF INDUSTRIAL LAND IN MOAMA

File Number: -

Author: Sarah Ryan, Director Community and Economic Development

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Officer's update on replenishment of industrial land in Moama be received and noted by Council.

DISCUSSION

This report is to provide an update to Council on replenishing IN1 Zoning supply in Moama, as set out in the executive KPIs.

In May 2020, Council resolved (*Resolution 390520*) to negotiate and purchase Lot 1, DP793207, Cobb Highway for the purpose of expanding the existing business park. The land was subsequently purchased and rezoned from RU1 to IN1 and B6, and Officers prepared a plan of subdivision comprising 29 Lots of varying sizes and one 10ha lot.

Council has been negotiating with a reputable and long-established business to encourage the business to develop an operational base in Moama. The 10ha, is the land which the company initially indicated that it required for its initial proposed development, however as discussions progressed the company formally indicated to Council their desire to purchase the entire 32ha site to allow for further development and expansion in future years.

In November 2022, Council resolved to sell the land at Cobb Highway in its entirety through a non-competitive direct sale, with a view towards furthering the economic development objectives contained in Council's Community Strategic Plan and stimulating local economic activity.

As the entire site (32ha) has been identified to be sold, Council will need to find alternative land to expand the business park to meet the growing demand for commercial and light industrial land.

CURRENT STATUS

Council officers have met with neighbouring landholders that were adjoining this area to enquire about the possibility of acquiring land and provide a logical expansion of the commercial/industrial land in this area. However, nothing has been formally progressed, **as the land holder is unwilling at this stage.**

Council owns approximately 159Ha, adjoining the industrial lots on the north side of Hillside Road, which provides opportunity for expansion of industrial land however commercial business land for light industrial and commercial businesses has been exhausted.

Council is developing an Employment Lands Strategy (**the Strategy**) in consultation with the local community and businesses. The Strategy will offer a summary of the issues and opportunities associated with 'employment land' (areas that are generally zoned for industrial or commercial purposes) in the Murray River Council local government area. It will identify strategies and actions to ensure a range of developable employment land is available to meet projected demand and provide for future local jobs. It will also review current employment land-use and provide recommendations for future decision-making on such land across the council area.

The Strategy will build on the relevant economic and employment actions from the Local Strategic Planning Statement and reflect elements of the Economic Development and Tourism Strategy once adopted.

Officers anticipate the draft strategy in the first quarter of 2024 for public exhibition and adoption by 30 June 2024. Once adopted, the strategy will offer a foundation for Council to exercise strong

leadership in land-use planning and facilitate future growth in commercial and industrial lands across our council area.

Council should consider its current operating deficit and its ability to restore long-term financial sustainability. To restore long term financial sustainability, Council will need to review its current commitment to service levels across our community and as such may choose to advocate and facilitate **private*** or **joint venture commercial and industrial developments*** rather than acting as the developer/agent and leading the development.

On a positive note, demand for commercial and industrial land is still strong with Officers receiving enquiries on a weekly basis.

(*Using probity framework.)

ATTACHMENTS

Nil

9.5.6 SOUTHERN CROSS CARE - SOCIAL PURPOSE PROPOSAL

File Number: -

Author: Sarah Ryan, Director Community and Economic Development

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That Council:

1. Receive and note the Social Purpose Proposal by Southern Cross Care NSW and ACT; and
2. Delegate authority to the CEO to obtain a valuation on the land at 82 Regent Street Moama pending a further report to Council with options for disposal of the land.

BACKGROUND

This purpose of this report is for Council to receive and note the Social Purpose Proposal received by Southern Cross Care.

DISCUSSION

Moama is one of five locations within the Riverina Region that Southern Cross Care ("SCC") supports through the provision of in-home care, retirement living and residential care. The changing regulatory landscape and acute shortages of care workforce has forced SCC to review its service offering resulting in the closure of its 56-bed aged care facility in Moama.

SCCs collaboration with Council commenced in 2001 by way of a 50-year lease agreement for \$1 with further rate contributions.

The social purpose proposal seeks Council approval to transfer ownership of the land at 82 Regent Street Moama to SCC which isn't aligned with Sustainable MRC.

Council has duties and obligations under a range of legislation and regulations applicable to land acquisition and disposal. Disposals are to be tested against several criteria to determine the need for disposal and the ability to be disposed in accordance with Council's Land Acquisition and Disposal Policy. Should the proposed disposal be adversely impacted by any of these matters, such as the cost benefit to Council of retaining or disposing of the land, disposal should not proceed unless it can be demonstrated that there is a public and/or economic benefit and the sale conditions are able to be structured in a manner to ensure that such issues are addressed.

Council should consider its current operating deficit and its ability to restore long-term financial sustainability. To restore long term financial sustainability, Council will need to review its current commitment to maintenance and operations of the land at 82 Regent Street Moama.

In order to assess the disposal and in line with Sustainable MRC, Council should obtain a valuation of the land by a Certified Practising Valuer in accordance with Council's procurement requirements.

No disposal shall take place without a specific Council resolution for such disposal. The report accompanying the Council resolution shall specifically indicate the minimum price for the disposal. The required valuation reports shall be attached to the report accompanying the Council resolution. Valuation reports so attached shall be dated no more than six months prior to the date of the Council meeting. The report accompanying the Council resolution shall also clearly specify the proposed method of disposal and contain extensive justification if the proposed method is an "alternative method of disposal", i.e., not a transparent open market process.

Council should therefore receive and note the Social Purpose Proposal by SCC and delegate authority to the CEO to obtain a valuation on the land at 82 Regent Street Moama pending a further report to Council with options for disposal of the land.

STRATEGIC IMPLICATIONS

4. Strategic Theme 4: A place of inclusion, culture & wellbeing

4.11 - Facilitate and advocate for accessible health and wellbeing services based on local community needs - Community Health and Wellbeing Services including; Mental Health Services Health Services Aged Care Special care (disability housing / assisted living).

BUDGETARY IMPLICATIONS

The cost of obtaining a valuation for the land at 82 Regent Street Moama hasn't been accounted for in the current budget.

POLICY IMPLICATIONS

Murray River Council Land Acquisition and Disposal Policy POL-602 V#1

Murray River Council Economic Development Assistance Policy (POL600).

Murray River Council Procurement Policy (POL205).

Murray River Council Asset Management Policy (POL305).

Murray River Council Statement of Business Ethics Policy (POL201).

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

RISK ANALYSIS

- **What can happen?**
N/A
- **How can it happen?**
N/A
- **What are the consequences of the event happening?**
N/A
- **What is the likelihood of the event happening?**
N/A
- **Adequacy of existing controls?**
N/A
- **Treatment options to mitigate the risk?**
N/A

CONCLUSION

Council should receive and note the Social Purpose Proposal by SCC and delegate authority to the CEO to obtain a valuation on the land at 82 Regent Street Moama pending a further report to Council with options for disposal of the land.

ATTACHMENTS

1. **Southern Cross Care Social Purpose Proposal - Confidential**

9.5.7 GRANTS AND AWARDS - DECEMBER 2023

File Number: -

Author: Tiana Cronin, Grant Officer

Authoriser: Sarah Ryan, Director Community and Economic Development

RECOMMENDATION

That Council receive and note the Grant and Awards Report for November 2023.

BACKGROUND

The purpose of this report is to provide an update on current funding and award applications submitted by Council.

DISCUSSION**GRANT OUTCOMES announced**

| | | |
|--|--|--|
| The National Australia Day Council (NADC) Community Grants Program 2024 | MRC submitted an application for funding to support our communities to hold Australia Day events designed to encourage their community to reflect, respect and celebrate things we share in common and our journey as Australians. | Successful Outcome \$10,000 |
| Outcomes Pending | | |
| <ul style="list-style-type: none"> • Festivals Australia • Regional Housing Strategy | | |

Murray River Council's - Community Grants Program

2023-24 Round 2 – Opened Dec 1 2023

SUBMITTED Grant applications

| | | |
|------------------------------------|--|---------------------------------------|
| International Women's Day | Funding to host an empowering International Women's Day celebration at Riverside Park in Barham. Participants will enjoy an unforgettable, fully catered picnic, relax on the grass, gain insights on health and wellbeing from our inspiring speakers and connect with women from their region. | Requesting \$10,000 |
| Library Infrastructure Fund | Mathoura Library Accessibility and Functionality Enhancement The project aims to improve the library's accessibility and functionality to provide a better user experience for the community. This project aligns with the Living Learning Libraries standards, which focus on providing modern, safe, and welcoming spaces that are accessible to all members of the community. | Requesting \$200,000 |
| Holiday Youth Program | Summer 2023/24 and Autumn 2024 Holiday Break The Holiday Break program provides young people in regional NSW with opportunities to connect, socialise, learn new skills, and have fun during the school holidays. It supports the delivery of free activities, including sport and recreation, creative, artistic, or scientific activities, and more. | Requesting \$17,830 |

| | | |
|------------------------------|---|-----------------------------|
| Crown Reserves | Picnic Point Caravan Park Refurbishment of Amenities Block A refurbishment of the amenities block will benefit both visitors and park management. The project includes upgrading facilities, installing new features, and enhancing aesthetics. | Requesting \$100,818 |
| Blackspot Program | AGBS - Moulamein Road and Barham Road, Barham - Intersection Upgrade Funding is available to improve the physical condition or management of locations with a record of casualty crashes, as well as sites identified as potential crash locations. | Requesting \$475,680 |
| TOTAL Funds requested | | \$804,328 |

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.4 - Create and maintain safe and accessible community spaces that enhance healthy living and promote active lifestyles - Community Safer Spaces.

BUDGETARY IMPLICATIONS

NIL

POLICY IMPLICATIONS

NIL

LEGISLATIVE IMPLICATIONS

MIL

RISK ANALYSIS

- **What can happen?**
Projects not funded
- **How can it happen?**
Grants applications unsuccessful
- **What are the consequences of the event happening?**
Funding to be sought elsewhere or projects may not proceed
- **What is the likelihood of the event happening?**
Medium
- **Adequacy of existing controls?**
Adequate
- **Treatment options to mitigate the risk?**
Applications put forward for funding are scoped and prepared with all information available at the time of submitting.

CONCLUSION

Council continues to seek funding to deliver various projects that align to the Community Strategic Plan and provide benefit within the Murray River Council Community.

ATTACHMENTS

Nil

9.6 CORRESPONDENCE REPORT

9.6.1 CORRESPONDENCE REPORT

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Correspondence Report be received and the information noted by the Council.

DISCUSSION

Due to the volume of correspondence that Council receives from Government Agencies, each Councillor has been forwarded the emails directly. As per resolution 290921 at the September 28, 2021, Council meeting, incoming emails from Government Agencies will not be included in this report unless by exception, only outgoing correspondence to Government agencies and general correspondence is recorded in the report.


INCOMING CORRESPONDENCE:

Moulamein Community Development Inc letter to Councillors

Flood Recovery Funding delays 2023 - letter from the Office of Helen Dalton – 4 Dec 2023

OUTGOING CORRESPONDENCE:

ATTACHMENTS

1. Moulamein Community Development Inc letter to Councillors [↓](#) 
2. Flood Recovery Funding delays 2023 - letter from the Office of Helen Dalton [↓](#) 



To the Mayor and councillors of Murray River Council,

Moulamein Community Development Incorporated met on 13th November, 2023.

We discussed a range of issues that are currently impacting on Moulamein, and we need Council to take action on.


These include:

1. the historic wharf(we wrote to Council about this recently); We feel it needs concrete piers to secure it.
2. The need for residential and commercial zoned land in Moulamein.The lack of residential blocks available in town is impeding development.We have spoken with the major wind farm companies , who all require land to house their staff.
3. We would like the LEP to be updated to include the ability to subdivide smaller blocks off farms along the Edward River, to meet the demand for rural residential lots in our area.
4. Our Moulamein Heritage Village is proving very popular as a stop over to visitors to town.The amenities block requires a large Mens and Ladies sign, for the convenience of travellers.
- 5.we would like to know what plans Council has for our old town hall.
6. The footpaths in the main street of Moulamein are in bad repair.
7. The toilets in Howard Park are very old and need to be updated, to look more attractive to visitors.
8. There is an old derelict fibro house in Barratta Street, which is a fire hazard.
9. Moulamein has many semi trailers and trucks travelling through ; it would be beneficial to have an official truck stop on the perimeter of town.
10. What Christmas decorations are available for our town this year?
- 11.The roads into and around Moulamein were badly affected by the flooding 1 year ago; we need another flood bridge on the entrance to town.
- 12.The house in Tallow street, which was dumped there, is an eyesore. It has been bought to Council's attention on numerous occasions.It is now surrounded by solar panels, and an old caravan.It is creating an unsightly mess in a main street of Moulamein.We feel this sort of development would not be acceptable in Moama , or Murray Downs.Why has Council turned a blind eye to it?

We are concerned that this trend for temporary dwellings becoming permanent features is not being controlled by Council.

We look forward to discussing these issues with you when Council meets in Moulamein next week.

Yours sincerely,


Drew Harris
President
MCD Inc. 22/11/2023



4 December 2023

Our Ref: HD8851

The Hon Jihad Dib MP
Minister for Emergency Services
GPO Box 5341
Sydney NSW 2001

Via email: office@dib.minister.nsw.gov.au

Dear Minister,

I am writing to you today on behalf of the Murray River Council and the issues they are having receiving reimbursed flood monies from 2022.

The Council has repeatedly contacted relevant State Agencies to be met with a continued lack of support or replies to their issues. Murray River Council was one of the most affected Councils in NSW during the 2022 flooding event that saw its Victorian counterpart Echuca receive greater funding opportunities and assistance than the NSW side of the border.

NSW Reconstruction Authority has been extremely slow to respond and resolve the Councils' funding issues and continue to ask for more and more information, information that is over 12 month's post event.

The CEO has reached out to this office as he does not know how else to proceed when roadblocks are continually being thrown up. The Council under the Counter Disaster Operations (CDO) and DRFA funding arrangements as per their reports has approximately \$980,000 outstanding which is a considerable strain on the Council finances.

Their final claim was made in May 2023 and only last month did they receive any direction from the NSW Reconstruction Authority after numerous attempts by the Council to communicate with them. The Council would like this system to be improved so staff already stretched with day-to-day work duties are not required to repeatedly report on events from 12 months ago.

The Council would like you to look at its individual case and comment whether you believe the timeline acceptable. Please contact the CEO of the Council Mr Terry Dodds – 1300 087 004 to receive a full account of the issue.

Yours sincerely,

Helen Dalton MP
Member for Murray

Griffith 02 6962 6644 | Deniliquin 03 5881 7034 | Buronga 0475 683 288
murray@parliament.nsw.gov.au | [f](#) [t](#) [@](#) Helen Dalton MP | helandalton.com.au

9.7 SUNDRY DELEGATES REPORT

9.7.1 SUNDRY DELEGATES REPORT

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 November 2023 through to 30 November 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

DISCUSSION

The **Mayor, Councillor Frank Crawley** reported on his attendance at the following meetings and functions:

- 1 Nov: Weekly catch up with CEO.
- 3 Nov: Monthly catch up with Campaspe Shire Mayor
- 6 Nov: Meeting with Communications officer
- 8 Nov: Weekly catch up with CEO
- 9 Nov: RAMJO Board dinner @ Narrandera
- 10 Nov: Breakfast meeting and RAMJO Board meeting @ Narrandera
- 11 Nov: Remembrance Day service @ Moama Cenotaph
- 15 Nov: Repeat workshop for SRV discussion & Extra Ordinary Meeting.
- 16 Nov: MDBA Listening Tour – Moama Council Chambers
- 17 Nov: Campaspe Port Enterprises Breakfast
- 21 Nov: Western Regional Planning Panel Meeting
- 23 Nov: Australian Citizenship Ceremony presiding officer – RRG
- 27 Nov: Signing Heads of Agreement document- CEO's office
- 28 Nov: Western Regional Planning Panel Meeting
- 28 Nov: Council Pre-briefing, community luncheon, Council meeting at Moulamein Bowling club
- 29 Nov: Meeting with RSL club and Director Planning & Environment

The **Deputy Mayor, Councillor Neil Gorey** did not supply a report on his attendance to meetings and functions for this time period.

Councillor Nikki Cohen did not supply a report on her attendance to meetings and functions for this time period.

Councillor Ann Crowe did not supply a report on her attendance to meetings and functions for this time period.

Councillor Kron Nicholas reported on his attendance at the following meetings and functions:

- 13 Nov: Botanical Garden working bee
- 15 Nov: Repeat workshop for SRV discussion & Extra Ordinary meeting of Council
- 20 Nov: Botanical Gardens AGM
- 23 Nov: Meeting with CEO
- 28 Nov: Council Pre-briefing, community luncheon, Council meeting at Moulamein Bowling club

Cr Kron Nicholas provided a report on his attendance to meetings and functions dated prior to November 1 2023:

- 12 Sept: Councillor workshop
- 18 Sept: Audit Risk & Improvement Committee meeting
- 26 Sept: Council pre-briefing and Ordinary Meeting of Council – Moama
- 10 Oct: Councillor Workshop
- 22 Oct: Chris Bilkey Farewell
- 24 Oct: Council pre-briefing and Ordinary Meeting of Council – Moama
- 30 Oct: meeting with Luke Keogh regarding Botanical Gardens

Councillor Thomas Weyrich did not supply a report on his attendance to meetings and functions for this time period.

Councillor Geoff Wise did not supply a report on his attendance to meetings and functions for this time period.

Councillor Dennis Gleeson reported on his attendance at the following meetings and functions:

- 15 Nov: Repeat workshop for SRV discussion & Extra Ordinary meeting of Council
- 16 Nov: MDBA Listening Tour – Moama Council Chambers
- 28 Nov: Council Pre-briefing, community luncheon, Council meeting at Moulamein Bowling club

ATTACHMENTS

Nil

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council moves out of Open Council into Closed Council at [Enter time](#).

RECOMMENDATION

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:

11.1 Recommendation for the sale of 31 Gwynne Street, Moulamein.

This matter is considered to be confidential under Section 10A(2) - d(ii) 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 competitor of the council.

11.2 Meninya Street South Car Park - Project Update

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.

11.3 MRC BBQ Trailer for Donation

This matter is considered to be confidential under Section 10A(2) - a 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).

11.4 Sale of Lot 70 in DP1286642 (Formerly Lot 1, DP 793207) - Cobb Highway, Moama

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

RECOMMENDATION

That Council moves out of Closed Council into Open Council at [Enter time](#).

RECOMMENDATION

That Council brings forward the resolutions from Closed Council into Open Council and these be read aloud.

12 CONCLUSION OF MEETING