



**murray river
council**

AGENDA

Ordinary Council Meeting Tuesday, 27 February 2024

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

Date: Tuesday, 27 February 2024

Time: 1:00 PM

**Location: Riverside Reception Centre
Noorong Street
Barham NSW 2732**

**Terry Dodds
Chief Executive Officer**

Order Of Business

1	OPENING MEETING	5
2	ACKNOWLEDGEMENT OF COUNTRY	5
3	APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE	5
	Questions without notice arising from minutes of previous meeting:	
4	CONFIRMATION OF MINUTES	6
4.1	Confirmation of Minutes - Ordinary Meeting held on 23 January 2024 of Murray River Council.....	6
5	DISCLOSURES OF INTERESTS	14
6	DEPUTATIONS	14
7	MAYORAL MINUTE(S)	15
7.1	Mayoral Minute - Cost Shifting onto Local Government.....	15
8	REPORTS OF COMMITTEES	17
	Nil	
9	REPORTS TO COUNCIL	18
9.1	Chief Executive Officers Report and Supplementary Matters	18
9.1.1	Resolutions of the Council - Resolution Tracker & InfoCouncil Action Reports	18
9.1.2	Motion for Submission to National General Assembly ALGA conference 2024 - restoration of the Federal Assistance Grants.....	20
9.1.3	Motion for Submission to National General Assembly ALGA conference 2024 - review the land rezoning processes with a view to reduce duplication with state government agencies and give decision making power back to Local Government to reduce red tape and housing delays.	23
9.1.4	Motion for Submission to National General Assembly ALGA conference 2024 - Councillor Renumeration	26
9.1.5	Monthly Operational Report.....	29
9.2	Director Corporate Services Report and Supplementary Matters	34
9.2.1	Quarterly Budget Review - Period Ended 31 December 2023	34
9.2.2	Investments and Reserves Report as at 31 January 2024.....	54
9.3	Director Infrastructure Report and Supplementary Matters	63
	Nil	
9.4	Director Planning and Environment Report and Supplementary Matters	64
9.4.1	Murray Local Environmental Plan 2011- Planning Proposal PP-2023-2003 - Beer Road & Perricoota Road Moama to change zoning from RU1 Primary Production to R1 General Residential Zone for Lots 2 & 3 DP1213161 and Lot 15 DP1273625 and vary the minimum Lot from 120 Hectares to 500m2 minimum Lot size	64
9.4.2	Meninya Street Precinct Project - February 2024 Update	81
9.4.3	RESPONSE TO NOTICE OF MOTION ITEM - MASTERPLAN MURRAY DOWNS, MATHOURA AND MOULAMEIN	84
9.4.4	DA 10.2023.356.1 HOME INDUSTRY (FOOD MANUFACTURING)	93

9.5	Director Community and Economic Development Report and Supplementary Matters.....	126
9.5.1	TOOLEYBUC, PIANGIL ACTION GROUP	126
9.5.2	Adoption of final Economic Development & Tourism Strategy 2024-2034	130
9.5.3	SECTION 355 COMMITTEE MEETING MINUTES AS AT JANUARY 2024	143
9.5.4	COMMUNITY SERVICES - CLIENT SATISFACTION SURVEY RESULTS ..	152
9.5.5	Barham Micro Abattoir - Variation to Lease	158
9.5.6	Economic Development Assistance Policy V#2.....	160
9.5.7	Extension of Option to Lease Deed - Lot 140 DP 1103606, Tchelery Road Moulamein.....	167
9.6	Correspondence Report.....	170
9.6.1	Correspondence Report	170
9.7	Sundry Delegates Report	181
9.7.1	Sundry Delegates Report	181
10	NOTICE OF MOTIONS/QUESTIONS WITH NOTICE.....	183
	Nil	
11	CONFIDENTIAL MATTERS	184
11.1	Recommendation for the sale of 3 MRC-owned lots - Council Street, Moama.....	184
11.2	Recommendation for the sale of 44 Nyang Street, Moulamein	184
11.3	Meninya Street Precinct Project - Horseshoe Lagoon Project Costs	184
12	CONCLUSION OF MEETING.....	185

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 23 JANUARY 2024 OF MURRAY RIVER COUNCIL

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That the minutes of the Ordinary Meeting of Murray River Council held on 23 January 2024 be confirmed as a true and correct record.

DISCUSSION

Murray River Council held its Ordinary Meeting of the Council on Tuesday 23 January 2024, commencing at 1:00pm at the Council Chambers (Lower Level), Moama Administration Office, 52 Perricoota Road, Moama.

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

ATTACHMENTS

1. Unconfirmed Minute of Ordinary Council Meeting - Tuesday 23 January 2024  

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**23 January 2024**

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 23 JANUARY 2024 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), 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 12 DEC 2023 OF MURRAY RIVER COUNCIL****RESOLUTION 010124**

Moved: Cr Ann Crowe
Seconded: Cr Geoff Wise

That the minutes of the Ordinary Meeting of Murray River Council held on 12 December 2023 be confirmed as a true and correct record.

CARRIED

Questions without notice arising from minutes of previous meeting/s

5 DISCLOSURES OF INTERESTS

Cr Frank Crawley declared a Pecuniary Conflict of Interest in 'Item 9.2.2 Payment of the Mayoral Allowance when assuming the position of Acting Mayor'.

Cr Neil Gorey declared a Pecuniary Conflict of Interest in 'Item 9.2.2 Payment of the Mayoral Allowance when assuming the position of Acting Mayor'.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**23 January 2024**

6 DEPUTATIONS**7 MAYORAL MINUTE(S)****7.1 MAYORAL MINUTE - THAT THE VACANT LINE ROAD PROPERTY BE ADVERTISED FOR AGISTMENT****RESOLUTION 020124**

Moved: Cr Frank Crawley

Seconded: Cr Geoff Wise

That council consider that the Line Road (Murray River Energy) land, currently vacant be advertised for agistment or cropping, with provisions included to terminate the lease should the land be sold.

CARRIED**8 REPORTS OF COMMITTEES**

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 030124**

Moved: Cr Neil Gorey

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**SUSPENSION OF STANDING ORDERS****RESOLUTION 040124**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That the Council suspend standing orders for debate on this matter.

CARRIED**RESUMPTION OF STANDING ORDERS**

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

23 January 2024

RESOLUTION 050124

Moved: Cr Ann Crowe
Seconded: Cr Nikki Cohen

That the Council resume standing orders.

CARRIED**9.1.2 SUBMISSIONS TO LGNSW ANNUAL CONFERENCE & ALGA NATIONAL GENERAL ASSEMBLY****RESOLUTION 060124**

Moved: Cr Neil Gorey
Seconded: Cr Ann Crowe

That Council consider motions for submission to the Australian Local Government Association (ALGA) conference being held in Canberra from 2 – 4 July 2024 and the LGNSW Conference.

CARRIED**9.1.3 MONTHLY OPERATIONAL REPORT****RESOLUTION 070124**

Moved: Cr Ann Crowe
Seconded: Cr Neil Gorey

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

CARRIED**9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS****9.2.1 2022-2023 CODE OF CONDUCT STATISTICS REPORT****RESOLUTION 080124**

Moved: Cr Neil Gorey
Seconded: Cr Thomas Weyrich

That the 2022-2023 Code of Conduct Statistics Report be received and the information noted by Council.

CARRIED

At 1:27 pm, Cr Frank Crawley left the meeting.

At 1:27 pm, Cr Neil Gorey left the meeting.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

23 January 2024

9.2.2 PAYMENT OF THE MAYORAL ALLOWANCE WHEN ASSUMING THE POSITON OF ACTING MAYOR**RESOLUTION 090124**

Moved: Cr Thomas Weyrich

Seconded: Cr Geoff Wise

That:

1. The Mayoral Allowance is paid to the Councillor that is acting in the role of Mayor during any period of leave of absence granted to the Mayor by Council.
2. The Mayoral Allowance will be paid on a pro-rata basis calculated on the number of days of leave approved by Council.
3. During the period of approved leave, the Mayor will not be paid the Mayoral Allowance.

CARRIED

At 1:29 pm, Cr Frank Crawley returned to the meeting.

At 1:29 pm, Cr Neil Gorey returned to the meeting.

9.2.3 INVESTMENTS AND RESERVES REPORT AS AT 31 DECEMBER 2023**RESOLUTION 100124**

Moved: Cr Kron Nicholas

Seconded: Cr Nikki Cohen

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

CARRIED**9.2.4 CIRCULAR 24-01 CONSTITUTIONAL REFERENDUMS AND COUNCIL POLLS****MOTION**

Moved: Cr Thomas Weyrich

Seconded: Cr Geoff Wise

That

1. Council does not want to hold a constitutional referendum or Council poll to run in parallel with the Council elections in September 2024.

OR

2. Council does want to hold a constitutional referendum or Council poll to run in parallel with the Council elections in September 2024. The proposal changes by referendum and/or the subject matter of a Council Poll will be the subject of a further report for the March Ordinary Council meeting.

Cr Weyrich moved item 2 and Cr Wise seconded item 2.

Motion was lost

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

23 January 2024

RESOLUTION 110124

Moved: Cr Kron Nicholas

Seconded: Cr Ann Crowe

FORESHADOWED MOTION

If item 2 becomes a lost resolution, Council is to place item 1 up for resolution.

Item 1 being:

1. Council does not want to hold a constitutional referendum or Council poll to run in parallel with the Council elections in September 2024.

The Foreshadowed motion now becomes resolution of Council.

CARRIED**9.3 DIRECTOR IINFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS****9.3.1 HORSESHOE LAGOON MASTER PLAN - DECISION REQUIRED****RESOLUTION 120124**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

Item (a) was moved by Cr Cohen and seconded by Cr Crowe and successfully resolved.

That Council:

- (a) Support (in principle) the notion of Council investigating and attracting commercial investment opportunities within the Horseshoe Lagoon Precinct, Moama NSW via a detailed master planning process (subject to the allocation of funds via the 2024/25 budget process).

Or

- (b) Do not support the notion of any further commercialisation at the Horseshoe Lagoon Precinct, Moama, NSW.

Item (a) now becomes resolution of Council.

CARRIED**9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS**

Nil

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS**9.5.1 SECTION 355 COMMITTEE MEETING MINUTES AS AT DECEMBER 2023****RESOLUTION 130124**

Moved: Cr Neil Gorey

Page 5

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**23 January 2024**

Seconded: Cr Dennis Gleeson

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

CARRIED

9.6 CORRESPONDENCE REPORT**9.6.1 CORRESPONDENCE REPORT****RESOLUTION 140124**

Moved: Cr Neil Gorey

Seconded: Cr Kron Nicholas

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 150124**

Moved: Cr Kron Nicholas

Seconded: Cr Ann Crowe

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 December 2023 through to 31 December 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 - DISCUSSION TO SPLIT LGNSW TO SHIRES ASSOCIATION OF NSW & LOCAL GOVERNMENT ASSOCIATION OF NSW****RESOLUTION 160124**

Moved: Cr Thomas Weyrich

Seconded: Cr Neil Gorey

That Council advocate through RAMJO, NSW Country Mayors, and other local government entities, to demerge from the Local Government NSW association reverting to the Shires Association of NSW and Local Government Association of NSW to allow rural issues to be represented to government more robustly.

CARRIED

10.2 NOTICE OF MOTION - MASTERPLAN MURRAY DOWNS AND MOULAMEIN

RESOLUTION 170124

Moved: Cr Ann Crowe
Seconded: Cr Thomas Weyrich

That Murray River Council allocate a budget for the purposes of constructing a Masterplan for Murray Downs and a main street redevelopment plan for Moulamein and Mathoura in this year's coming budget 2024/25.

CARRIED

11 CONFIDENTIAL MATTERS

Nil

12 CONCLUSION OF MEETING

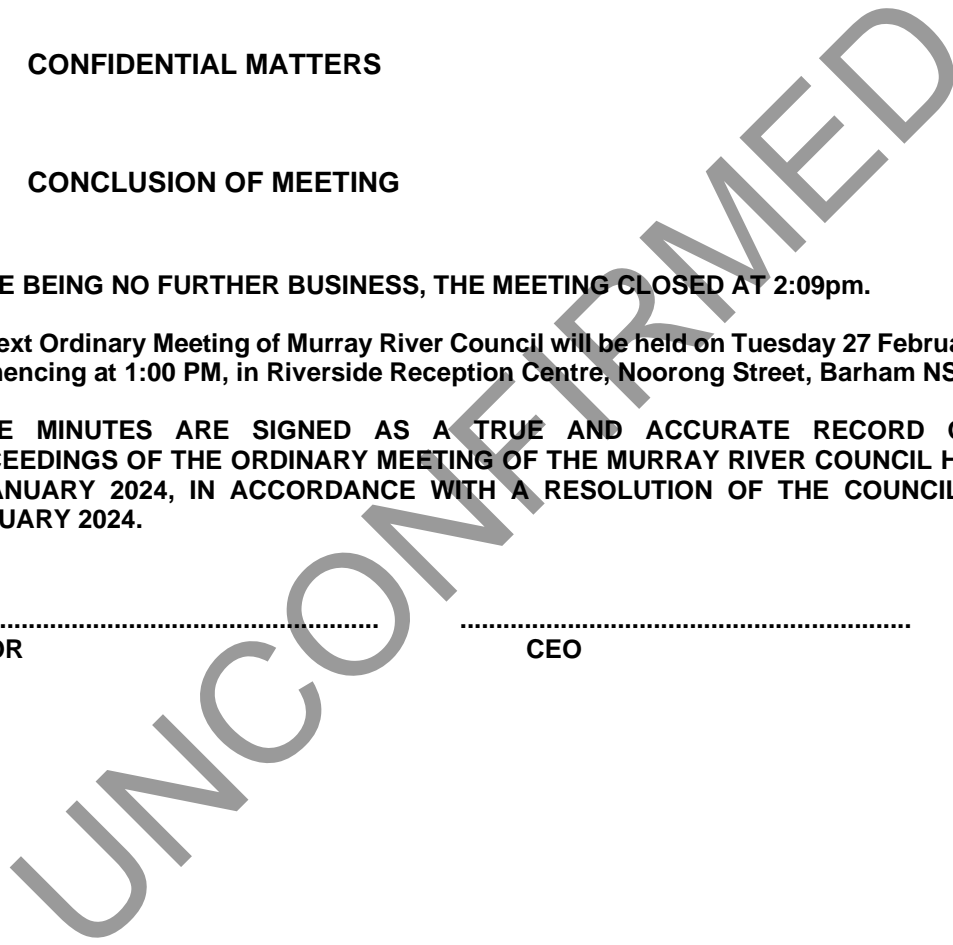
THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 2:09pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 27 February 2024, commencing at 1:00 PM, in Riverside Reception Centre, Noorong Street, Barham NSW 2732.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 23 JANUARY 2024, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 27 FEBRUARY 2024.

.....
MAYOR

.....
CEO



5 DISCLOSURES OF INTERESTS

6 DEPUTATIONS

7 MAYORAL MINUTE(S)

7.1 MAYORAL MINUTE - COST SHIFTING ONTO LOCAL GOVERNMENT

File Number: -

Author: Frank Crawley, Mayor

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That:

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
3. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding

COST SHIFTING TO LOCAL GOVERNMENT

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarming, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

ATTACHMENTS

1. **LGNSW Cost Shifting Report (under separate cover)** 

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

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

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting 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

9.1.2 MOTION FOR SUBMISSION TO NATIONAL GENERAL ASSEMBLY ALGA CONFERENCE 2024 - RESTORATION OF THE FEDERAL ASSISTANCE GRANTS

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

RECOMMENDATION

That Council calls on Australian Local Government Association at the National General Assembly to seek that the Federal Government to restore the Federal Assistance Grants to 1% of Commonwealth taxation revenue.

BACKGROUND

The value of Financial Assistance Grants provided to local government has declined over the past three decades from around 1 percent of Commonwealth taxation revenue to around 0.55 percent.

Local governments only collect around 3.5 percent of taxation nationally and need support from other spheres of government to provide and maintain the infrastructure their communities need such as swimming pools, playgrounds, sports facilities, regional airports, and roads.

The Australian Local Government Association’s 2021 National *State of the Assets* report indicates that around 10 percent of the infrastructure owned and managed by Australian councils is in poor condition and requires intervention.

Financial Assistance Grants (FAG) are particularly valuable for local government, as the funding is untied, meaning it can be spent where it is most needed. This can include building new infrastructure, delivering new programs that meet community needs, as well as maintaining local pools, libraries, sporting grounds and roads.

Untied funding provided to councils also enables them to invest in their workforces, through bringing on new staff or upskilling or retraining existing employees, helping address Australia’s workforce capacity challenges.

Due to dwindling income, increased responsibilities under the Act, and cost shifting, 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.

DISCUSSION



The above 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, which is expected to drop further.

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 last financial year was \$681 million. [Type here](#)

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.5 - Continue to be a trusted and ethical leader that leads by example - Leadership that is trusted, capable and collaborative.

BUDGETARY IMPLICATIONS

Regaining a fair share of tax revenue will completely transform the management of our transportation network and stem the continual reduction in expenditure as seen over the last thirty years across the whole industry.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**
N/A
- **How can it happen?**
[Type here](#)
- **What are the consequences of the event happening?**
[Type here](#)
- **What is the likelihood of the event happening?**
[Type here](#)
- **Adequacy of existing controls?**
[Type here](#)
- **Treatment options to mitigate the risk?**
[Type here](#)

CONCLUSION

Something significant needs to occur to reduce the under expenditure of some 681 million dollars on transportation networks in NSW (alone). A forty-five percent increase of the FAGs across the industry would allow a paradigm shift to sustainability. Consecutive governments, since 2009 when the Integrated Planning and Reporting Framework was introduced, have knowingly held local government to account with financial ratios (metrics) that are simply unachievable.

ATTACHMENTS

Nil

9.1.3 MOTION FOR SUBMISSION TO NATIONAL GENERAL ASSEMBLY ALGA CONFERENCE 2024 - REVIEW THE LAND REZONING PROCESSES WITH A VIEW TO REDUCE DUPLICATION WITH STATE GOVERNMENT AGENCIES AND GIVE DECISION MAKING POWER BACK TO LOCAL GOVERNMENT TO REDUCE RED TAPE AND HOUSING DELAYS.

File Number: -

Author: Rod Croft, Director Planning & Environment

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council calls on Australian Local Government Association at the National General Assembly to seek that the Federal Government review the land rezoning processes with a view to reduce duplication with state government agencies and give decision making power back to Local Government to reduce red tape and housing delays.

BACKGROUND

Australia is currently facing a housing affordability and availability crisis, noting that the migration of city residents to regional NSW is adding additional pressure on Councils for the provision of adequate supply of residential land to ensure a consistent supply of land available to the market.

As NSW's population continues to grow and migrate to regional areas, it is imperative that we have robust but streamlined planning systems in place to accommodate this growth. Yet, the current standardisation of processes in the NSW planning system (and other State systems) is resulting in a city-centric approach that is leaving regional councils feeling frustrated, unsupported and is resulting in stagnated housing outcomes.

Processes and systems in the NSW planning system for land rezoning, have become significantly challenging for regional areas, where concurrent approval from the State government agencies (in our case Department of Planning and Environment) ("DPE") has created time delays in residential rezonings for logical expansion of regional townships that have been identified for pipeline development within adopted Local Housing Strategies, and indeed strategic planning documents for decades.

Currently in the NSW planning system, any land rezonings are required to be referred to DPE for concurrence approval, even though past reviews by DPE where a number of Councils requested this change in the Concurrence and Referral SEPP in November 2021 did not eventuate in any change. It is also a requirement for DPE to assess and approve the Council's local housing strategy under their own guidelines where Councils are also required to identify pipeline development and sequencing releases of residential land.

A gateway determination for land rezoning can take up to 12 months to get through the process with DPE applying a 'detailed Lense' to their assessment, which would usually be done by Council at the Subdivision DA stage of the process.

DISCUSSION

Reverting planning powers back to Local Government for individual rezonings of land already identified for logical and sequential rezoning in Housing Strategies would remove approximately 6 months of processing time for any land being rezoned. The majority of these land rezonings are occurring on:

- Low hazard areas from flooding/bushfire;
- Previously been agricultural and holdings where the land has already been identified for residential development (fringe residential development) linking to existing residential estates and trunk infrastructure;
- Infill development sites that have been identified for residential development strategically for 20+ years, even where “leapfrog” development has occurred in the past;
- Greenfield areas in flat and largely unencumbered regional areas.

While efficiencies and cost saving measures at a top-level are important, they should not come at the expense of progressive and sustainable development locally. We need a more bespoke approach that considers the unique needs and characteristics of each region, rather than relying on generic check-list exercises applied uniformly at the state level. These considerations by State Government officials assessing such rezonings continually in a detailed sense and moving away from conceptual level considerations.

With planning powers given to Local government for all land rezonings identified within a local housing strategy, this would unlock housing development potential to meet Australia’s (and each States) aggressive housing agenda, without necessarily adding any risk if the land has been through a community process, an Council led Local Housing Strategy that is already has State government approval, without land rezonings having to be individually re-adopted by State agencies for second and third time before dwelling are actually constructed.

Murray River Council and most of the other NSW Regional Councils have a number of suitably unzoned residential land awaiting to be activated. Many Councils would experience the pressure applied by developers to have their fringe residential land (marginal farmland) rezoned for residential use where the land is not profitable to remain as farmland and is adjoining existing residential land estates.

Council believes that State government processes particularly in NSW, are adding very little value to the process for straightforward and unencumbered expansions of residential areas already identified growth corridors for decades. Noting that Councils are responsible for most of the risks associated with land development especially trunk infrastructure, and the developers’ contributions to connect into trunk infrastructure.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.5 - Continue to be a trusted and ethical leader that leads by example - Leadership that is trusted, capable and collaborative.

BUDGETARY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Various State Environmental Planning Policies and State Government planning guidelines/circulars

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

The motion for submission to the national general assembly regarding a review of State Government process in rezoning land processes with a view to reduce duplication with state government agencies and give decision making power back to Local Government to reduce red tape and housing delays.

The information outlined in this report provides context and support for the motion to be submitted and discussed at the assembly. Key discussion points will be provided to Council's delegates representing Murray River Council closer to the date.

ATTACHMENTS

Nil

9.1.4 MOTION FOR SUBMISSION TO NATIONAL GENERAL ASSEMBLY ALGA CONFERENCE 2024 - COUNCILLOR RENUMERATION

File Number: -

Author: Terry Dodds, Chief Executive Officer

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council calls on Australian Local Government Association to resolve at the National General Assembly that the Federal Government implement remuneration requirements of Councillors:

- A. to be even across all states and across all council categories of councils (metropolitan, regional rural etc.); and
- B. they be set at a level that enables elected councillors devote a substantial amount of time (at least ½ FTE) to undertake council matters.

BACKGROUND

Across Australia, local government plays a critical role in representing communities, managing local services, and making decisions that directly impact residents. However, one notable issue that has persisted is the significant variance in remuneration for councillors across different states and across different categories of council (e.g. metropolitan vs regional vs rural). This discrepancy has led to concerns regarding equity, fairness, and the potential impacts on the quality of governance at the local level.

DISCUSSION

Remuneration for councillors varies widely from state to state within Australia. Remuneration also differ significantly even between the different categories of council within a given state.

This inconsistency creates a situation where councils in regions where councillor remuneration is low find it difficult to recruit adequate number of councillors and councillors with the required skillsets. It also makes it very difficult to obtain a decent diversity for a given term of a council.

The current remuneration structure for small regional and rural councils makes it impossible for some requiring a living wage to put themselves up for contention as a councillor, as they would not be able to hold full time employment and undertake council work concurrently. As such, for the most part councillors in such areas tend to be:

- Business owners of a large enough size, that can leave the business to attend to council work without impacting the earning capacity of the business, or
- Retirees

This makes it almost impossible to establish a council with the following diversities:

- Younger Persons: who are in the process of establishing themselves in the workforce,
- Career Professionals: unless they have gone on to establish a business entity or are retired professionals.
- Persons Undertaking Unpaid Work: such as childcare or elder care, as the remuneration is not adequate to source alternate care arrangements.

The imbalance in councillor remuneration raises concerns about equity and fairness in the local government sector. Councillors in area with lower remuneration face financial challenges and are discouraged from serving their communities due to inadequate compensation.

Remuneration impacts the quality of governance at the local level. Given the plethora of legislation and regulations that elected councillors need to be across, and the technical and complexities that need to be understood by councillors, being available for half to one day per month for briefings and meeting severely impacts the capacity of councillors to grasp and understand the full spectrum of information necessary to make informed and rational decisions.

Adequate compensation is crucial for attracting qualified and dedicated individuals to serve as councillors and enable them to devote the required time for the function of a councillor. Disparities in remuneration may deter capable candidates from seeking office in regions where compensation is comparatively lower, potentially depriving communities of skilled leadership and representation.

Given the importance of local government in Australia's democratic system, there is a compelling case for benchmarking and aligning councillor remuneration across states and regions. Establishing consistent standards for remuneration can promote fairness, ensure equitable treatment of councillors regardless of geographic location, and contribute to the improved effectiveness and legitimacy of local governance.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.5 - Continue to be a trusted and ethical leader that leads by example - Leadership that is trusted, capable and collaborative.

BUDGETARY IMPLICATIONS

Depending on eventual legislation, could have an impact on future budgets of Murray River Council.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**
Proposal is rejected
- **How can it happen?**
No adequate support for the proposal
- **What are the consequences of the event happening?**
Imbalances in councillor remuneration is not addressed
- **What is the likelihood of the event happening?**
Current difficulties in attracting councillors perpetuates
- **Adequacy of existing controls?**
No controls possible as the decision making is outside of council control
- **Treatment options to mitigate the risk?**
No treatment options other than to lobby, to the extent possible for the adoption of the proposed resolution.

CONCLUSION

Addressing the imbalance in councillor remuneration is essential for promoting equity, fairness, and effective governance at the local level in Australia. By advocating for benchmarking and alignment

of remuneration requirements across states, the Australian Local Government Association can play a pivotal role in advancing these objectives and strengthening the integrity of the local government sector

ATTACHMENTS

Nil

9.1.5 MONTHLY OPERATIONAL REPORT

File Number: -
Author: Courtney Dean, Coordinator Communications
Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That the Monthly Operational Report as of January 2024 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.

CEO/Civic Office

The most concerning issue facing local government at present is the review by IPART into local government financial sustainability. The fear is that, just like the two previous sustainability investigations*, the government will cherry-pick the recommendations that suit, and anything that's a bit damning it will whitewash. (*'LG Grants commission Report (1977)', and the 'Inquiry into the financial Sustainability of NSW Local Government (2006)').

The ONLY recommendation adopted and seriously pursued from both enquiries was 'greater resource sharing,' which precipitated the Fit-For-The-Future audit, amalgamations, and finally compulsory membership of Joint Organisations. The latter two not delivering the savings heralded by the government of the day.

The Terms of Reference mentions budgeting... councils haven't got an issue with budgeting; our issue is with income. Moreover, the last thing we need, is more red tape which will add, not subtract, from our woes.

Council has sought the assistance from Local Government NSW to advocate on our behalf. In addition, council has written to the Chair-of-Chairs of the Joint Organisations of Councils (thirteen Joint Organisations) and a representative on the Board of Local Government NSW. All three agree with council's sentiments. - *Comments expanded in Civic MOR Report.*

Water

- Congratulations to Blake Keech who is the acting Assistant Supervisor for January.
- Well done to Water and Sewer staff during recent black water events, this was a challenging time for staff operating the plants to treat the raw water and supply potable water for the community.
- Draft Augmentation plans for the Moama water treatment plant for any future black water events are being reviewed by DPIE for approval.
- 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.

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Business Intelligence

- SharePoint and Teams training to kick off in February, with additional training materials being developed to support the re-launch.
- TechnologyOne – project status moved to 'Amber' due to concerns about the availability of TechnologyOne consultants to deliver the project to the agreed timeline. Meetings scheduled in Feb to review configuration and make an informed decision on how to proceed.
- Records captured into Content Manager (CM9) – Councils Electronic Document Management System (EDMS): Year 2024 (to date):3,954 documents

Finance

- A review of the Month-end and Year-end processes are underway with the Interim CFO leading the process.
- Budgeting: Q2 Review is being completed. 2024-25 budgeting process has commenced.
- Year-End Process: Will be engaging with a new contractor auditor. Preparations are underway.

Community Engagement

- Continuing review of various projects and how they align with Sustainable MRC.
- Great teamwork between Water & Sewer, Customer Service and Community Engagement Teams during the Boil Water Advisory for Moama. Information flowed between the teams, making updates to the community easier and consistent.
- Great communication between Outdoor Teams in Moama and Community Engagement Team during 2 January storm event. Clear and early communication allowed for community messaging to be undertaken and reduced the number of calls to the team on the ground.

People, WHS and Wellbeing

High Risk Areas

- Staff Turnover in Critical Roles: There is a notable risk associated with the turnover of staff in critical positions, necessitating the development of a succession plan and workforce plan.
- Difficulty in Attracting and Retaining Skilled Staff: The challenge of retaining skilled staff is across many organisations within the Murray River / Campaspe region. Addressing this requires cultivating an 'Employer of Choice' environment and implementing the VOICE Project to improve staff culture.
- High-Risk Construction and WHS Audits: The program identifies risks in construction, planning, chemical management, and worker risks, emphasizing the need for procedures and risk controls in these areas. A lot of good work has already commenced in this space- and this will continue to be a key focus for 2024.

Highlights

- Leadership and Values Enhancement: The integration of MRC values and behaviors into the staff performance appraisal process, completed in June 2023, focuses on task performance and values.
- Attracting Quality Staff and Leadership Development: Efforts include the investigation of RDA Riverina's 'Country Change' program and active recruitment for specific roles. The development of future leaders is highlighted by partnerships for apprenticeships and traineeships, and the initiation of an Emerging Leaders Program.
- Risk Management Initiatives: Effective risk management strategies have been implemented, focusing on staff turnover, skilled workforce challenges, and WHS audits, with specific actions outlined for each risk.
- Recognition and Improvement Initiatives: Notable achievements include CEO Awards recognising staff excellence in various areas, demonstrating a commitment to recognising and nurturing talent within the organisation.

Conclusion

- The 4 Year Delivery Program demonstrates a comprehensive approach to leadership, staff development, risk management, and operational efficiency. While there are high-risk areas that require ongoing attention, particularly in staff retention and workplace safety, the program's highlights reflect a strong focus on improving organisational culture, attracting and developing talent, and managing operational risks effectively.

Works

- Tremendous effort from everyone involved in the Pothole Repair program. MRC was the third highest funded LGA and we expended our \$1million funding by original deadline of 31 December 2023, completing works on almost 8,900 potholes.
- We are making great advancements with the flood restoration works, particularly across many sites in the western area of our LGA.
- Cobb Highway capex and opex heavy patches were all completed on time and within budget, well done to everyone involved in this works. TfNSW will now progress with their reseal program on the Cobb Highway.
- Well done to Brock Blake-Hunter and Geoff Guest for completing the Ausroad training for Ausroad Jetmaster Road Maintenance Unit.

- Thank you to all who assisted with the recent rainfall events, including the follow up cleaning works and onsite reviews / discussions.
- Perricoota Road resheeting, Bunnaloo Road and Speewa Road reconstruction projects are progressing well.
- Upcoming works include continuation of flood restoration works, regional roads and urban street reseals, Chester Street and Wakool Steet intersection, Deniliquin-Barham Road, Vallance Court, Thyra Road railway removal and various kerb and gutter, stormwater and footpaths maintenance and renewals.
- Flood restoration works continue to track well with 86 out of 160 damages completed. Recent rainfall events highlighted an increase need to review infrastructure and complete additional maintenance / cleaning of our drainage network.

Corporate Services

- The financial sustainability of the Council remains the most significant risk for Council. Restoring current deficit to a break-even position purely through cost saving measures will require significant service level adjustments that may not be palatable to the community.
- Cyber Security needs to be improved. A contract to undertake a comprehensive review is being negotiated with selected consultant.
- No firm buyer for Mathoura Line Road land yet.
- Some instability in Finance and IT departments due to restructure. Permanent recruitment process has commenced.
- Heads of Agreement (HoA) for the Sale of Cobb Highway land has been completed. First draft of detailed agreement received and being assessed.
- Council Continues its automation Journey through the Implementation of the TechOne System.
- Budget preparation for 24/25 has commenced.

Economic Development and Tourism

- We 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.
- We are developing a new signage style guide, covering all types of tourism signage, to ensure efficiency and uniformity across Council.
- The River Country Silo Art Trail project is underway with site visits and steering committee meetings.
- Planning is underway for the 2024 Moama Lights and the 2024 Campaspe Murray Business Awards.
- Council's Economic Development and Tourism Strategy final draft has been on public display and is now ready for adoption by Council (in February).

Development Services

- In January 2024 both Josh McKay and Ash Pidgeon joined us as Cadet Town Planners. Both are commencing study with UNE shortly with Josh's UNE course covered under funding from the DPE under the Stronger Start Cadet Program. Welcome to Josh & Ash!

Parks, Gardens, Open Spaces and Biosecurity

- Ongoing control of Silverleaf nightshade infestations. Staff proactively inspecting, controlling and engaging with landowners.
- Urban weed spraying completed during late January in all towns.
- Re-opening of the Moama Beach after recent high river event.
- Completion of Moama New Preschool landscaping.
- All staff completing the high demand of service requests around tree and branch removal in all areas after unseasonal weather events.
- Moulamein Lake Upgrades closer to completion.

Threats:

- New weeds introduced during floods becoming established during the summer growing season.
- Increased poor social behaviours and vandalism at Moama Wharf-Ongoing
- Increased threat from storms and rain events impacting on service delivery.
- Staff shortages during post-Christmas period and resignations x 2

Community Services

- Client Satisfaction Survey 2023 - Community Services distributed a survey to all Community Services clients at the end of 2023. It was in circulation for about 6 weeks. Clients were extremely

satisfied and grateful for the services provide by our MRC Commonwealth Home Support Program. A summary of the survey results has been distributed to Community Services staff, clients and to Councillors. There are 3 points being addressed all of which are discussed in the survey summary.

- During January the Community Services team delivered the following supports:
Social Support: 1162 hours. Meals: 325 meals. 21 hours Home Maintenance. Home Modifications: \$1115.00 and Transport: 738 one-way trips.
- In January, Moama clients have been having their regular shopping outings on Tuesdays and Wednesdays. There has been a significant increase in requests or requirement for 1:1 support. This means staff will take individual clients shopping and assist with their support needs separately, and then take the shopping group.
- Mathoura shoppers have been travelling sometimes to Deniliquin and on other occasions to Echuca so that they can experience the variety of shops and cafes.
- Tooleybuc and Moulamein clients were invited by the Balranald Senior Citizens to a 'mini' performance by 'The Hoffman's' on Thursday 18th January. Also attending were Moulamein and Balranald residential Aged care services. It was an entertaining opportunity to socialise and a great time was had by all who attended and participated.
- Barham Cuppa and Chat clients were treated to a themed morning tea for Australia Day where they all sang the National Anthem with gusto and without song sheets! It was lovely to see them all having such a wonderful time together.

Waste and Compliance

- Billy Griffiths has completed 12 months in the Team Leader Resource Recovery role and is continuing to grow and fulfill his role to a high standard. Well done Billy!
- Recruitment is underway for a new casual plant operator at the Moama Waste Facility
- Staff met with RAMJO at Cummeragunja to discuss with Cumerragunja CEO the funding opportunities soon to be released that can benefit the community and waste management practices on the site.
- NSW EPA approved the Moama Landfill licence variation which provides additional tonnages and accurately reflects the recent changes and growth at the site.
- Food safety assessments continued in Moama, Koraleigh, Murray Downs and Tooleybuc.
- Numerous requests from Community groups and food businesses have been received for more food handler training sessions. An additional two sessions have been scheduled for 2024 – one in Barham and one in Moulamein.
- The Automated Depot project is progressing slower than expected due to issues with compaction test failures associated with the shed pad. Extra work has been required and this will be borne by the contractor. Shed erection has been delayed as a result.
- Cleanaway have officially departed the Koraleigh landfill site after capping off the site to a suitable standard to provide a level of protection to the environment whilst Council plans and budgets for a design and tender to be released to rehabilitate the site to best practice guidelines.
- A yabby trap collection project was established to target illegal yabby traps in conjunction with Ozfish, this will commence on 1 February and run for the duration for the month.
- Fire prevention activities are almost complete, Officer are now dealing with compliants as they are reported to Council.
- The mosquito trapping program is in full swing with traps producing large numbers of mosquitos.
- Work has continued on the draft policy and guidelines for Mobile and Temporary food businesses.

Buildings and Facilities

- **Moama Preschool Development** The construction of the new Moama Preschool has been completed except for some minor works including connection to the electricity grid. Moama Preschool have moved into the building and commenced operation on February 5 2024. An official opening for the new building will be held in in April / May with further details to be announced in due course.
- **Yanga RFS Shed:** Tender has been awarded to Tony Campbell Steel Fabrication. Works to commence in Feb 2024.

Local Committees (Section 355's)

- Evaluation of the purpose of all committees is underway in consultation with the committees.
- Draft instruments of delegation have been developed and are ready for use. The instruments of delegation will provide clarity around responsibilities for committees and council and provide knowledge to committees about the functions they are legally able to undertake.

- Regular User Group Agreements will ensure all User Groups are aware of their limitations and responsibilities in regard to the facility they use/hire.
- A suite of meeting templates with instructions have been developed.
- An administration timeline has been drawn up – this document will outline committees and councils' obligations and ensure all administration tasks are completed consistently.

Customer Services

- Customer Experience Strategy: We have received the internal strategy draft which is currently under review. An external document will be developed from this over the coming months in line with the Customer Service review process.
- We saw an increase in visitation to the Mathoura Visitor and Business Centre over the January period with reasonable sales of River Country Tourism merchandise after receiving the products during the last week of December.
- A lot of queries in all customer service centres regarding water billing and challenges regarding making payments due to biller code changes.
- A large number of calls through the Call Centre regarding the recent quality of water in Moama. Customer feedback was consistent recommending MRC should have a system in place whereby they are advised by either Email or SMS when events such as these occur. This is being investigated through Tech One and consideration of an upgrade of our telephony system.
- Barham saw an increase in tourism enquiries throughout January and Service Requests seemed to increase especially regarding roads after the unprecedented rain events we have had.
- Recognition for a couple of our team members were received in January. Receiving positive feedback from customers is wonderful as it validates that our standard service and interactions are appreciated by those who experience them, even when we haven't made any changes to our usual approach.

ATTACHMENTS

1. **Monthly Operational Report- January 2024 (under separate cover)** 

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 QUARTERLY BUDGET REVIEW - PERIOD ENDED 31 DECEMBER 2023

File Number: -

Author: Nikki Chalmers, Management Accountant

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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. to fund Capital activities:
 - i. \$6,336,418 from General reserve
 - ii. \$1,455,581 from Sewer reserve
 - iii. \$792,127 from Water reserve
 - iv. \$2,378,334 from Waste reserve; and
 - b. from Operational activities:
 - i. \$4,259,698 to the General reserve
 - ii. \$2,660,837 to the Sewer reserve
 - iii. \$2,872,708 to the Water reserve
 - iv. \$1,268,901 to the Waste reserve.

BACKGROUND

Clause 203 of the Local Government (General) Regulation 2005 (the Regulations) requires a Council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of Council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year.

It also requires the budget review statement to include a report by the responsible accounting officer as to whether they consider the statement indicates council to be in a satisfactory financial position (regarding its original budget) and if not, to include recommendations for remedial action.

Legislative requirements together with the implementation of a formal reporting mechanism will ensure that councils have a robust and transparent budget reporting framework.

DISCUSSION

Budget Position as of 31 December 2023

Overall net budget position, or working capital, has declined on the 2023/24 current approved budget surplus of \$4,796 to a 2023/24 revised budget deficit of (\$8,406,917) – an overall decline of \$8,411,714 at end of 31 December 2023.

Income Statement - Consolidated

The December 2023 quarter review has revised the estimated operating surplus as of June 2024 to \$8,407,489. This is a decrease of \$2,045,442 from the current approved budgeted operating surplus of \$10,452,931 due to, in part, removal of estimated gain on sale of assets, decreases of capital grants and materials and contracts expenses, all being offset by increases in revenue and operational grant funding.

The information below shows the movements for the December 2023 quarter, as well as the net budget variances resolved by Council outside the quarterly review process.

Murray River Council							
Budget review for the quarter ended - 31 December 2023							
Consolidated - Income & Expenses							
	ORIGINAL Budget	CURRENT Budget	REVISED Budget	BUDGET VARIATIONS Via Council Resolutions	QUARTER BUDGET REVIEW Movement	TOTAL Quarterly Revisions Budget Improvement Budget Deterioration	YTD Actual
	2024	2024	2024	Outside QBR	2024		2024
Income from Continuing Operations							
Rates and Annual Charges	21,044,662	20,798,000	21,449,830		651,830	651,830	10,754,074
User Charges and Fees	7,769,384	7,769,384	8,446,514		677,130	677,130	6,931,543
Interest and Investment Revenue	1,797,010	1,797,010	2,247,306		450,296	450,296	1,622,538
Other Revenues	1,962,700	1,798,525	1,811,605		13,080	13,080	482,115
Grants & Contributions for Operational Purposes	20,674,966	21,566,167	22,946,648		1,380,481	1,380,481	9,307,864
Grants and Contributions for Capital Purposes	13,695,405	17,094,166	16,686,142	450,000	(858,024)	(408,024)	8,106,821
Other Income	256,630	252,609	421,940		169,331	169,331	134,765
Gain on Sale of Assets	4,183,000	4,183,000	-		(4,183,000)	(4,183,000)	-
Total Income from Continuing Operations	71,383,757	75,258,861	74,009,986	450,000	(1,698,875)	(1,248,875)	35,436,009
Expenses from Continuing Operations							
Employee Benefits and On-costs	(19,906,606)	(19,754,766)	(19,754,766)	150,000	(150,000)	-	(10,909,374)
Borrowing Costs	(120,240)	(120,240)	(111,031)		9,209	9,209	(22,362)
Materials and Contracts	(21,601,059)	(23,258,932)	(24,064,709)	(180,000)	(625,776)	(805,776)	(9,089,816)
Depreciation and Amortisation	(24,449,000)	(20,344,177)	(20,344,177)		-	-	(10,172,089)
Other Expenses	(1,297,815)	(1,327,815)	(1,327,815)		-	-	(518,231)
Total Expenses from Continuing Operations	(67,374,720)	(64,805,930)	(65,602,498)	(30,000)	(766,567)	(796,567)	(32,615,581)
NET OPERATING RESULT FROM CONTINUING OPERATIONS SURPLUS/ (DEFICIT)	4,009,037	10,452,931	8,407,489	420,000	(2,465,442)	(2,045,442)	2,820,428
Other Funding Movements							
Total Capital Expenditure	(33,984,758)	(40,984,537)	(39,229,537)	(650,000)	2,405,000	1,755,000	(15,867,225)
Total Transfers From / (To) Reserves	(1,993,510)	2,223,371	(99,684)	200,000	(2,523,055)	(2,323,055)	(2,118,843)
Sale Proceeds from Sale of Assets	6,524,500	6,973,125	1,227,125		(5,746,000)	(5,746,000)	409,146
Total Loan Borrowings	1,500,000	1,500,000	1,500,000		-	-	-
Total Loan Repayments	(596,810)	(596,810)	(526,760)		70,050	70,050	(129,658)
Deferred Debtor Advances Repaid	92,540	92,540	(29,727)		(122,267)	(122,267)	(45,212)
Depreciation Contra Reversal	24,449,000	20,344,177	20,344,177	-	-	-	10,172,089
TOTAL OTHER FUNDING MOVEMENTS SURPLUS/ (DEFICIT)	(4,009,038)	(10,448,134)	(16,814,406)	(450,000)	(5,916,272)	(6,366,272)	(8,531,558)
TOTAL BUDGET SURPLUS/ (DEFICIT)	(0)	4,796	(8,406,917)	(30,000)	(8,381,714)	(8,411,714)	(5,711,130)
NET OPERATING RESULT BEFORE CAPITAL ITEMS SURPLUS/ (DEFICIT)	(9,686,368)	(6,641,235)	(8,278,653)	(30,000)	(1,607,418)	(1,637,418)	(5,286,394)

Income from Continuing Operations

Projected 2023/24 financial year budgeted revenues are estimated to decrease by \$1,698,875 to \$74,009,986. The main drivers for the decrease in revenue is the removal of revenue associated with the estimated gain on sale of assets (this is expected to be in FY25 now), however offset by other revenue increases, mainly operational grants and contributions. Detailed breakdown of each

variation is shown in Attachment 1 and Attachment 2. A summary of the net variations is shown below:

Murray River Council								
Budget review for the quarter ended - 31 December 2023								
Consolidated - Income & Expenses								
	ORIGINAL Budget	CURRENT Budget	REVISED Budget	BUDGET VARIATIONS Via Council Resolutions	QUARTER BUDGET REVIEW Movement	TOTAL Quarterly Revisions Budget Improvement Budget Deterioration	YTD Actual	
	2024	2024	2024	Outside QBR	2024		2024	
Income from Continuing Operations								
Rates and Annual Charges	21,044,662	20,798,000	21,449,830		651,830	651,830	10,754,074	
User Charges and Fees	7,769,384	7,769,384	8,446,514		677,130	677,130	6,931,543	
Interest and Investment Revenue	1,797,010	1,797,010	2,247,306		450,296	450,296	1,622,538	
Other Revenues	1,962,700	1,798,525	1,811,605		13,080	13,080	482,115	
Grants & Contributions for Operational Purposes	20,674,966	21,566,167	22,946,648		1,380,481	1,380,481	9,307,864	
Grants and Contributions for Capital Purposes	13,695,405	17,094,166	16,686,142	450,000	(858,024)	(408,024)	8,106,821	
Other Income	256,630	252,609	421,940		169,331	169,331	134,765	
Gain on Sale of Assets	4,183,000	4,183,000	-		(4,183,000)	(4,183,000)	-	
Total Income from Continuing Operations	71,383,757	75,258,861	74,009,986	450,000	(1,698,875)	(1,248,875)	35,436,009	

Expenses from Continuing Operations

Projected 2023/24 financial year budgeted operating expenditures are estimated to increase by \$766,567 to (\$65,602,498), largely relating to increases in materials & contracts which is a result of bringing in operational expenditure associated with Regional & Local Repair Program (RLRRP). Detailed breakdown of each variation is shown in Attachment 1 and Attachment 2. A summary of the net variations is shown below:

Murray River Council								
Budget review for the quarter ended - 31 December 2023								
Consolidated - Income & Expenses								
	ORIGINAL Budget	CURRENT Budget	REVISED Budget	BUDGET VARIATIONS Via Council Resolutions	QUARTER BUDGET REVIEW Movement	TOTAL Quarterly Revisions Budget Improvement Budget Deterioration	YTD Actual	
	2024	2024	2024	Outside QBR	2024		2024	
Expenses from Continuing Operations								
Employee Benefits and On-costs	(19,906,606)	(19,754,766)	(19,754,766)	150,000	(150,000)	-	(10,909,374)	
Borrowing Costs	(120,240)	(120,240)	(111,031)		9,209	9,209	(22,362)	
Materials and Contracts	(21,601,059)	(23,258,932)	(24,064,709)	(180,000)	(625,776)	(805,776)	(9,089,816)	
Depreciation and Amortisation	(24,449,000)	(20,344,177)	(20,344,177)		-	-	(10,172,089)	
Other Expenses	(1,297,815)	(1,327,815)	(1,327,815)		-	-	(518,231)	
Total Expenses from Continuing Operations	(67,374,720)	(64,805,930)	(65,602,498)	(30,000)	(766,567)	(796,567)	(32,615,581)	

Other Funding Movements

Projected 2023/24 financial year budgeted capital expenditure and other funding movements are estimated to decrease by \$5,916,272 to a deficit of (\$16,814,406). This is predominately due to removal of sale proceeds from Sale of Assets as this now not expected until FY25. Detailed breakdown of each variation is shown in Attachment 1 and Attachment 2, Attachment 3 details the updated Capital Listing. A summary of the net variations is shown below:

Murray River Council

Budget review for the quarter ended - 31 December 2023
Consolidated - Income & Expenses

	ORIGINAL Budget	CURRENT Budget	REVISED Budget	BUDGET VARIATIONS Via Council Resolutions	QUARTER BUDGET REVIEW Movement	TOTAL Quarterly Revisions	YTD Actual
Other Funding Movements	2024	2024	2024	Outside QBR	2024	Budget Improvement Budget Deterioration	2024
Total Capital Expenditure	(33,984,758)	(40,984,537)	(39,229,537)	(650,000)	2,405,000	1,755,000	(15,867,225)
Total Transfers From / (To) Reserves	(1,993,510)	2,223,371	(99,684)	200,000	(2,523,055)	(2,323,055)	(2,118,843)
Sale Proceeds from Sale of Assets	6,524,500	6,973,125	1,227,125		(5,746,000)	(5,746,000)	409,146
Total Loan Borrowings	1,500,000	1,500,000	1,500,000		-	-	-
Total Loan Repayments	(596,810)	(596,810)	(526,760)		70,050	70,050	(129,658)
Deferred Debtor Advances Repaid	92,540	92,540	(29,727)		(122,267)	(122,267)	(45,212)
Depreciation Contra Reversal	24,449,000	20,344,177	20,344,177	-	-	-	10,172,089
TOTAL OTHER FUNDING MOVEMENTS SURPLUS/ (DEFICIT)	(4,009,038)	(10,448,134)	(16,814,406)	(450,000)	(5,916,272)	(6,366,272)	(8,531,558)

Performance Ratios

A summary of the changes to Performance Ratios is provided in the table below. Please note the following regarding Ratios:

- Operating Performance Ratio has improved in the Revised Budget to (14.44%) from the Current Budget (20.05%) as there has been increases to all operational revenue sources (Rates & Annual Charges, User Fees, Investment income and Operational Grants) totalling approx. \$3.3m with only increase to operational expenses of approx. \$800k.
- The Unrestricted Current Ratio in the Revised Budget has declined from the Current Budget of 3.48 to 2.49, this is, in part, due to the removal of estimated gain on sale of asset which are now estimated to occur in FY25.

Murray River Council

Budget review for the quarter ended - 31 December 2023
Consolidated - Income & Expenses

Performance Ratios	Benchmark Ratios	ORIGINAL Budget 2024	CURRENT Budget 2024	REVISED Budget 2024	YTD Actual 2024
Operating Performance Ratio	> 0.00%	-25.92%	-20.05%	-14.44%	-19.34%
Unrestricted Current Ratio	> 1.50x	3.26	3.48	2.49	1.60
Own Source Revenue	> 60.00%	51.85%	48.63%	46.45%	50.86%
Debt Servicing Cover Ratio	> 2.00x	20.76	19.28	19.09	32.29
Rates and Annual Charges Outstanding	< 10.00%	11.40%	11.54%	11.19%	10.98%
Building and Infrastructure Renewal Ratio	> 100.00%	80%	96%	94%	74%
Per Capita Operating Expense	Decrease Yearly	\$ 5,189	\$ 4,991	\$ 5,052	\$ 2,512

ALL FUNDS STATEMENT

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is in my opinion that the Quarterly Budget Review Statement for Murray River Council for quarter ended 31 December 2023 indicates that Council’s projected financial position at 30 June 2024 will

be satisfactory /~~unsatisfactory~~ at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



Management Accountant, Murray River Council

Date: 12 February 2024

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

Refer to annual budget.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

RISK ANALYSIS

- **What can happen?**
 1. Inability to manage council financial resources.
 2. Long term financial sustainability of Council is compromised.
- **How can it happen?**
 1. Inadequate financial reporting and checks and balances.
 2. Operating deficits (before capital items) are not addressed urgently.
- **What are the consequences of the event happening?**
 1. Risk that council will not know if it is managing its financial resources effectively.
 2. Council unable to meet service obligations, deterioration of asset quality.
- **What is the likelihood of the event happening?**
 1. Unlikely
 2. Likely
- **Adequacy of existing controls?**
 1. Adequate
 2. Need Improvements
- **Treatment options to mitigate the risk?**
 1. Adequate and timely financial planning and reporting
 2. Addressing both cost and revenue side issues to improve operating deficit.

CONCLUSION

While Murray River Council's budget and financial performance is manageable as at the end of September 2023, ongoing operating deficits at current or higher levels will have significant impacts on the medium to long term financial sustainability.

ATTACHMENTS

1. **Attachment 1 - Dec 2023 Qtr Budget Review - Detailed Movement Report** [!\[\]\(511a36c244659513b679df9c639945de_img.jpg\) !\[\]\(2c0783baf87a2728b2fe49eb1c34c456_img.jpg\)](#)
2. **Attachment 2 - Dec 2023 Qtr Budget Review - Outside QBRS Movement** [!\[\]\(7cfb20e3a97beaa6243bf39ce8dc849f_img.jpg\) !\[\]\(4ec82d7d2c97e7458ec11741fc48dcdc_img.jpg\)](#)
3. **Attachment 3 - Dec 2023 Qtr Budget Review - Capital Listing** [!\[\]\(8a3eeabae8fd8c34f983be60adf65fec_img.jpg\) !\[\]\(f8c4514865ca6cc7d15601f5b468a267_img.jpg\)](#)

Attachment 1 - December 2023 Quarterly Budget Review

Variations for the December 2023 quarter budget review

REVENUE						
Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
Rates and Annual Charges	Rates & Annual Charges	Sewer Fund	\$3,065,640	\$3,542,255	\$476,615	Increase in Rates Revenue to align with Actual.
	Rates & Annual Charges	Water Fund	\$3,182,000	\$3,342,659	\$160,659	Increase in Rates Revenue to align with Actual.
	Rates & Annual Charges	General Fund	\$12,332,920	\$12,347,476	\$14,556	Increase in Rates Revenue to align with Actual.
Total Rates and Annual Charges			\$18,580,560	\$19,232,390	\$651,830	
User Fees and Charge	Community Services (DOHA)	General Fund	\$64,200	\$66,720	\$2,520	Increase fees component based on increase in grant funding re DOHA services. Fee component is required to be a percentage of the funding received.
	Community Services (TfNSW)	General Fund	\$41,200	\$44,385	\$3,185	Increase fees component based on increase in grant funding re Community Services TfNSW. Fee component is required to be a percentage of the funding received.
	Liquid Trade Waste	Sewer Fund	\$332,500	\$19,426	(\$313,074)	Revise down budget for Liquid Trade Waste annual charges based on actual.
	Water User Fees & Charges	Water Fund	\$2,732,050	\$2,778,492	\$46,442	Increases to various Water user fees & charges based on actual.
	Waste gate fees	Waste Fund	\$2,600,000	\$3,538,057	\$938,057	Increase budgeted fees based on actual received.
Total User Fees and Charges			\$5,769,950	\$6,447,080	\$677,130	
Interest and Investment Revenue	Retirement Village Loans	General Fund	\$8,860	\$75,117	\$66,257	Update budget based on actuals as Retirement Village loans now closed.
	Investment Income	General Fund	\$663,320	\$1,047,359	\$384,039	Increase investment revenue to align with actual.
Total Grants & Contributions - Operational			\$672,180	\$1,122,476	\$450,296	
Grants and Contributions - Operating	Start Strong Cadet Program	General Fund	-	\$25,000	\$25,000	Account for Grant Funding received re NSW Cadet Program in Development Services.
	Department of Health & Aged Services (DOHA)	General Fund	\$622,270	\$644,047	\$21,777	Update Grant Funding re DOHA, original budget was an estimate based on prior year as details were not available.
	Community Services TfNSW	General Fund	\$412,002	\$443,851	\$31,849	Update Grant Funding re Community Services TfNSW, original budget was an estimate based on prior year as details were not available.
	Reconnecting Regional NSW	General Fund	-	\$56,855	\$56,855	Grant Funding predominately for FY23, however recognition is as per AASB1058 (on receipt), update budget to reflect actual.
	Regional & Local Road Repair Program (RLRRP)	General Fund	-	\$1,200,000	\$1,200,000	RLRRP Funding reallocated from Capital to cover operational repair costs.
	Gannawarra Shire Contribution	Waste Fund	\$40,000	\$85,000	\$45,000	Increase to budget based on actual invoiced.
Total Grants & Contributions - Operating			\$1,074,272	\$2,454,753	\$1,380,481	

Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details	
Grants and Contributions - Capital	Parks Development Contributions	General Fund	\$102,410	\$159,519	\$57,109	Update budget relating to Development Contributions (Parks) based on actual received.	
	Roads Development Contributions	General Fund	\$276,245	\$451,220	\$174,975	Update budget relating to Development Contributions (Roads) based on actual received.	
	Stormwater Development Contributions	General Fund	\$70,440	\$100,170	\$29,730	Update budget relating to Development Contributions (Stormwater) based on actual received.	
	Fixing Local Roads R4	General Fund	\$780,000	\$1,180,000	\$400,000	Grant Funding associated with expenditure brought forward to obtain materials at reduced / bulk costing.	
	Kyalite Road Widening	General Fund	\$1,280,000	-	(\$1,280,000)	Grant Funding removed (and associated expenditure) as project deferred to FY25.	
	Regional & Local Road Repair Program (RLRRP)	General Fund	\$3,617,772	\$2,417,772	(\$1,200,000)	RLRRP Funding reallocated to cover operational repair costs.	
	Regional Emergency Road Repair Fund (RERRF)	General Fund	-	\$1,200,000	\$1,200,000	RERRF (which is replacing RLRRP) Funding brought forward to fund capital program with RLRRP being utilised for operational.	
	Water Developer Contributions	Water Fund	\$550,000	\$1,019,273	\$469,273	Increase regarding Developer Contributions to align with actual.	
	Sewer Developer Contributions	Sewer Fund	\$150,000	\$371,269	\$221,269	Increase regarding Developer Contributions to align with actual.	
	Waste Developer Contributions	Waste Fund	\$50,380	\$65,000	\$14,620	Increase regarding Developer Contributions to align with actual.	
	Bartlett St Footpath	General Fund	\$495,000	-	(\$495,000)	Removal of Grant funding associated with Bartlett St footpath as no funding available.	
	Total Grants & Contributions - Capital			\$7,372,247	\$6,964,223	(\$408,024)	
	Other Revenue	Statewide Welling Rebate	General Fund	\$65,000	\$61,277	(\$3,723)	Budget was based on estimate of Wellbeing rebate, updated based on actual.
Aboriginal Communities Program		Sewer Fund	\$49,000	\$24,500	(\$24,500)	Split the budget for Aboriginal Communities Program between Water & Sewer entities.	
Aboriginal Communities Program		Water Fund	-	\$24,500	\$24,500	Split the budget for Aboriginal Communities Program between Water & Sewer entities.	
Water Fund revenue		Water Fund	\$97,000	\$103,903	\$6,903	Various increases to other revenue within Water entity.	
Compliance Infringements		General Fund	\$2,000	\$11,900	\$9,900	Increase revenue based on actual invoiced / received.	
Total Other Revenue			\$213,000	\$226,080	\$13,080		
Lease Revenue	Caravan Park lease revenue	General Fund	-	\$158,149	\$158,149	Increase of Caravan Park lease revenue based on actual and updated estimate for FY24.	
	Moama Market Lease	General Fund	-	\$11,182	\$11,182	Update budget based on actual for lease income.	
Total Lease Revenue			-	\$169,331	\$169,331		
Total Revenue - Budget Adjustments			\$33,682,209	\$36,616,333	\$2,934,124		
OPERATING EXPENDITURE							
Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details	
Employee Benefits and Oncosts	Waste Overhead Allocation	Waste Fund	-	(\$356,364)	(\$356,364)	Account for Waste Overhead budget, not included in Original budget.	
	Overhead Allocation	General Fund	\$1,061,000	\$1,417,364	\$356,364	Account for Waste Overhead budget, not included in Original budget.	
Total Employee Benefit & Oncost			\$1,061,000	\$1,061,000	-		

Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
Materials and Contracts	SRV Budget	General Fund	(\$142,850)	(\$33,064)	\$109,786	Reduction in budget relating to Special Rates Variation (SRV) after accounting for actual expenditure.
	Community Services	General Fund	(\$317,168)	(\$231,761)	\$85,407	Reduction of expenditure relating to DOHA & Community Services TfNSW due to utilisation of employee costs under grant funding.
	Reconnecting Regional NSW	General Fund	-	(\$20,700)	(\$20,700)	Update budget expense based on actual, expenditure relates to Reconnecting Regional NSW Grant funding.
	Start Strong Cadet Program	General Fund	-	(\$25,000)	(\$25,000)	University Fees for Start Strong Cadet Program.
	Risk & Governance	General Fund	-	(\$10,000)	(\$10,000)	Additional consulting costs for Governance Investigation.
	Human Resources	General Fund	(\$80,000)	(\$50,000)	\$30,000	Reduction in budget for general adhoc items after revision of actual expenditure.
	Regional & Local Road Repair Program (RLRRP)	General Fund	-	(\$691,049)	(\$691,049)	Costs associated with RLRRP operational funding reallocated to align with actual. Funding is \$1.2m, balance relates to employee costs which were previously unfunded.
	Gravel Pits	General Fund	(\$56,000)	(\$295,000)	(\$239,000)	Increased Gravel Pit costs due to clean up required from recent flood / rain events.
	Plant Recovery	General Fund	\$6,151,509	\$6,317,573	\$166,064	Increase to Plant Recovery based on changes across Council wide to estimated plant use.
	Project Management Recovery	General Fund	\$3,194,498	\$3,034,008	(\$160,490)	Reduction in Project Management recovery due to other variations across Council.
	Training	General Fund	(\$332,625)	(\$269,216)	\$63,409	Reduction in Council wide training costs to align with actual and what is estimated for remainder of the year.
	Valuation Fees	General Fund	(\$70,900)	(\$74,583)	(\$3,683)	Increase to align with actual relates to property valuations from Valuer General NSW.
	Finance Contractors	General Fund	-	(\$110,520)	(\$110,520)	Account for budget to cover CFO & Financial Contractor roles.
Total Materials and Contracts			\$8,286,464	\$7,480,688	(\$805,776)	
Borrowing Costs	Retirement Village Loans	General Fund	(\$8,860)	\$349	\$9,209	Updated based on actual, refund of prior year interest accrued. Retirement Village loans now closed.
	Total Borrowing Costs			(\$8,860)	\$349	\$9,209
Total Operational Expenditure - Budget Adjustments			\$9,338,604	\$8,542,037	(\$796,567)	

Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
CAPITAL EXPENDITURE						
Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
Council Own Funding	Supplier Portal	General Fund	(\$43,000)	-	\$43,000	Capital Project relating to Supplier project deferred to FY25.
Grant Funding	Fixing Local Roads R4	General Fund	-	(\$400,000)	(\$400,000)	Expenditure under Grant Funding brought forward to utilise reduced / bulk pricing on materials.
Grant Funding	Kyalite Road Widening	General Fund	(\$1,415,013)	(\$10,000)	\$1,405,013	Project removed as deferred to FY25, small amount left for any pre project works required.
Grant Funding	Regional Sealed Roads	General Fund	(\$1,940,003)	(\$2,075,016)	(\$135,013)	Increase in road sealing costs as Kyalite Road Widening deferred and to enable meeting Block Grant funding.
Grant Funding	Bartlett St Footpath	General Fund	(\$635,000)	(\$140,000)	\$495,000	Removal of capital expenses associated with removal of grant funding re Bartlett St footpath project.
Council Own Funding Reserve Funding	Picnic Point Caravan Park	General Fund	-	(\$33,000)	(\$33,000)	Private over head power defect rectification as directed from Essential Energy Audit.
Total Other Capital Expenditure			(\$4,033,016)	(\$2,658,016)	\$1,375,000	
Total Capital Expenditure - Budget Adjustments			(\$4,033,016)	(\$2,658,016)	\$1,375,000	

Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
OTHER FUNDING MOVEMENTS						
Budget Group	Budget Item	Fund Allocation	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Further Details
Reserve Movement	Meninya Street South Car Park	General Fund	\$1,975	-	(\$1,975)	Removal of S94 funding associated with Project being placed on hold.
	Water Reserve Movements	Water Fund	(\$1,372,804)	(\$2,080,581)	(\$707,777)	Update to reserve movements for changes within Water Fund to balance entity back to nil.
	Sewer Reserve Movements	Sewer Fund	(\$844,946)	(\$1,205,256)	(\$360,310)	Update to reserve movements for changes within Sewer Fund to balance entity back to nil.
	Waste Reserve Movements	Waste Fund	\$1,750,746	\$1,109,433	(\$641,313)	Update to reserve movements for changes within Waste Fund to balance entity back to nil.
	Plant Reserve Movements	General Fund	(\$2,617,460)	(\$2,849,140)	(\$231,680)	Update to reserve movements for changes within Plant Fund to balance entity back to nil.
	Total Reserve Movements		(\$3,082,489)	(\$5,025,544)	(\$1,943,055)	
Proceeds from Sale of Assets	Council wide property sales	General Fund	\$10,283,000	\$354,000	(\$9,929,000)	Estimated sales of Council Wide property, majority have been deferred to FY25 due to timing of the sales.
	Total Proceeds from Sale of Assets		\$10,283,000	\$354,000	(\$9,929,000)	
Loan Repayments	Retirement Village Loans	General Fund	(\$70,050)	-	\$70,050	Removal of loan repayments relating to Retirement Villages as loan since repaid.
		General Fund			-	
	Total Borrowing Movements		(\$70,050)	-	\$70,050	
Deferred Debtor Advances Repaid	Retirement Village Loans	General Fund	\$70,050	(\$52,217)	(\$122,267)	Removal of deferred debtos advances and update based on actual (refund issued for prior invoices) as loan since repaid / closed.
	Total Deferred Debtor Advances Repaid		\$70,050	(\$52,217)	(\$122,267)	
	Total Other Funding Movements - Budget Adjustments		\$7,200,511	(\$4,723,761)	(\$11,924,272)	
	Net December 2023 Quarter Budget Movement				(\$8,411,715)	

Attachment 2 - Approved Variations Outside QBR Process Quarterly Budget Review

Variations approved by separate Council resolution up to the December 2023 quarter budget review

The amounts below are those Council resolutions that have a budget impact, for example, they have no budget or a current budget allocation is amended.

CAPITAL EXPENDITURE						
Budget Group	Budget Item	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Council Resolution	Further Details
Council own source	Horseshoe Lightning Reinstatement	(\$90,000)	(\$70,000)	\$20,000	101223	Resolution approving the reallocation of unspent funds from Horseshoe Lagoon Lightning Reinstatement project to Bartlett Street footpath investigation and design.
Council own source	Bartlett Street footpath investigation and design	-	(\$20,000)	(\$20,000)	101223	Resolution approving the reallocation of unspent funds from Horseshoe Lagoon Lightning Reinstatement project to Bartlett Street footpath investigation and design.
Council own source	Meninya Street South Carpark	(\$423,500)	(\$43,500)	\$380,000	261223	Resolution to place the project on hold for when funding available for construction.
Council own source	Soundshell Design	(\$80,000)	-	\$80,000	241123	Resolution to approve the reallocation of internal budget from Moama Soundshell design Balustrading repairs at Moama Wharf.
Council own source	Moama Wharf balustrading repairs	-	(\$80,000)	(\$80,000)	241123	Resolution to approve the reallocation of internal budget from Moama Soundshell design Balustrading repairs at Moama Wharf.
	Total Capital Expenditure	-	(\$213,500)	\$380,000		
	Total Capital Expenditure - Outside QBR Review Process	-	(\$213,500)	\$380,000		

Attachment 2 - Approved Variations Outside QBR Process Quarterly Budget Review

Variations approved by separate Council resolution up to the December 2023 quarter budget review
 The amounts below are those Council resolutions that have a budget impact, for example, they have no budget or a current budget allocation is amended.

OTHER FUNDING MOVEMENTS						
Budget Group	Budget Item	Current Budget 2023/24 Year	Amended Budget 2023/24 Year	Movement	Council Resolution	Further Details
Reserve Movement	Reserve	-	(\$380,000)	(\$380,000)	261223	Resolution to place the project on hold for when funding available for construction.
Total Reserve Movements		-	(\$380,000)	(\$380,000)		
Total Other Funding Movements - Outside QBR Review Process		-	(\$380,000)	(\$380,000)		
Outside QBR Review Process Budget Movement				-		

Attachment 3 - 2nd Quarter Budget Review Capital Listing

2023/24 2nd Quarter Budget Review - Capital Listing	New	Renew	Upgrade	Grand Total
Theme_1 - A Place of Environmental Sensitivity	549,842	3,252,411	3,066,312	6,868,565
T1.Goal_2 - Protect, enhance & sustance the natural environment	549,842	3,252,411	3,066,312	6,868,565
1.3 - Integrate water cycle management	127,000	1,291,600	2,956,631	4,375,231
Barham AC raw mains replacement yarrien 320m		59,000		59,000
Barham Booster pump filtered			231,200	231,200
Barham flouride implementation			69,000	69,000
Barham River Estate Levee Upgrade			15,812	15,812
Chlorine water treatment replacement for Barham		20,000		20,000
Dampier St filtered water replacement 170m Wakool		34,000		34,000
Detailed Design Stage of the Proposed New Barham Sewage Treatment Plant			390,500	390,500
General Reservoir Works		60,000		60,000
Generator purchase for Moama WTP			59,500	59,500
Koraleigh Raw network			244,000	244,000
Land Acquisition for the Proposed New Barham Sewage Treatment Plant			165,000	165,000
Mathoura Stormwater Easement Works & Management Plan			100,000	100,000
Mathoura WTP WHS issues - Ganty and batter maint		43,000		43,000
Membrane Replacement Wakool		140,000		140,000
Moama & Mathoura Pump Station upgrade (Sewer)			63,690	63,690
Moama Boat Pump Out Station Renewal		173,250		173,250
Moama sewer - main transfer well religning		72,000		72,000
Moama sewer - odour control unit McBerns			34,000	34,000
Moama sewer ponds access track		82,500		82,500
Moama Sewer Treatment detailed design			500,000	500,000
Moama WTP - Upgrade Swinging Gates with SALTO integrated audot sliding gate		35,000		35,000
Moulamein Raw mains replacment Jebb st 230m		44,000		44,000
Moulamein WTP Ring Levee, Town Levee Upgrade & Riverine / Stormwater Backflow Prevention			108,335	108,335
Murray Downs land aquasition for STP upgrade			230,000	230,000
New reserrior at Wakool WTP Filtered		106,700		106,700
Realign Backwash tank at Mathoura WTP		29,000		29,000
Rural Roads Stormwater Drainage			199,994	199,994
S3-Nicholas drive 72m filtered water replacement		23,000		23,000
SCADA review	87,000			87,000
Sewer Mains General Works		120,150		120,150
Sewer switchboard Patterson St Moulamein		55,000		55,000
Shed for Moama WTP plant storage	20,000			20,000
Standpipe automation of payment			54,000	54,000
Stormwater additional storage at recreation reserve			67,000	67,000
Stormwater Drainage			50,000	50,000

Attachment 3 - 2nd Quarter Budget Review Capital Listing

2023/24 2nd Quarter Budget Review - Capital Listing	New	Renew	Upgrade	Grand Total
SW power for perricoota rd			148,000	148,000
Tallow St raw water replacement 230m Moulamein		47,000		47,000
Valve on sewer main in Council St			6,600	6,600
W&S Investigation & Design Package			220,000	220,000
Water Mains Renewal		60,000		60,000
Water Mains Valve Replacement	20,000			20,000
WHS well conversion punt road raw		88,000		88,000
1.5 - Landfill rehabilitation works	422,842	1,960,811	109,681	2,493,334
Backhoe purchase	42,000			42,000
GPS for Compactor	88,242			88,242
Koraleigh Landfill Fencing			109,681	109,681
Landfill Investigation & Planning Requirement	139,700			139,700
Moama Landfill Litter Fence	119,900			119,900
Push Pit	11,000			11,000
Solar Power & Battery - Mathoura Transfer Station	22,000			22,000
Waste capital works program - Autodepot		1,960,811		1,960,811
Theme 2 - A Place of Progressive Leadership	6,368,163		471,040	6,839,203
T1.Goal 2 - Protect, enhance & sustance the natural environment	10,620			10,620
1.3 - Integrate water cycle management	10,620			10,620
Sewer Safety Equipment	10,620			10,620
T2.Goal 2 - Continue to be a trusted & ethical leader that leads by example	4,178,518		471,040	4,649,558
2.5 - Leadership that is trusted, capable & collaborative	4,178,518		471,040	4,649,558
Asset Purchase for Replacement - All other Fleet	3,118,518			3,118,518
Asset Purchase for Replacement - Light Vehicle Fleet	500,000			500,000
CCTV System - Ongoing Growth			30,000	30,000
Meninya Street - Survey, Service Location and Design	560,000			560,000
Meninya Street South Car Park - 23/24 Construction Update			43,500	43,500
PC Replacement			166,000	166,000
Radio Network - Digital Upgrade			130,000	130,000
Server Replacement			25,000	25,000
Sewer CCTV Security			26,540	26,540
UPS Replacement			50,000	50,000
T2.Goal 3 - Provide clear, concise & consistent information that is easily accessible to our customers	2,179,025			2,179,025
2.7 - Improve internal services to better support community needs	2,179,025			2,179,025
Intranet & Governance Overlay for 365	561,775			561,775
Technology One implementation	1,617,250			1,617,250
Theme 3 - A Place of Liveable Communities	8,358,682	567,614	1,561,874	10,488,170
T3.Goal 1 - Create & maintain safe & accessible community spaces that enhance healthy living & promote active lifestyles	6,900,069	508,114	1,271,874	8,680,057

Attachment 3 - 2nd Quarter Budget Review Capital Listing

2023/24 2nd Quarter Budget Review - Capital Listing	New	Renew	Upgrade	Grand Total
3.1 - Sports & recreation facilities & spaces	211,600	161,414	811,874	1,184,888
Barham Recreation Reserve Art & Tourism Project Viewing platform			258,561	258,561
Carry On - Moama Soundshell Playground		150,414		150,414
Horseshoe Lagoon Balustrade Works			80,000	80,000
Kerribee Playground (LRIC P4A)	161,600			161,600
Mathoura Common Fencing		11,000		11,000
Moama Botanic Gardens - Stage 5	50,000			50,000
Moama Rec Res Landscaping & Fencing			10,000	10,000
Moulamein Lake Accessibility & Infrastructure Upgrade			270,063	270,063
Passive Recreation Furniture Renewal & Upgrade			75,000	75,000
Riverside Park Barham Irrigation Upgrade			68,250	68,250
Upgrade & Renewal of Shade Structure			50,000	50,000
3.2 - Public Buildings	6,688,469	346,700	330,000	7,365,169
Asbestos Management & Remediation LGA wide		55,500		55,500
Goodnight Hall / Rec Res Toilet Block		20,000		20,000
HVAC Replacement		30,000		30,000
Mathoura Council Offices		14,000		14,000
Mathoura Memorial Park Toilet Block		23,000		23,000
Moama HQ Water Leak Rectification Work		31,000		31,000
Moama Office Ground Floor - Stage 1a		60,000		60,000
Moama Pre-School	5,657,469			5,657,469
MVBC Stage 1 - Security Upgrade & Library Renovation			330,000	330,000
Noorong Hall		12,500		12,500
Office Furniture	15,000			15,000
Security & Compliance Upgrade (SALTO)	86,000			86,000
Staff Dwelling - 21 Morago St Moulamein		43,033		43,033
Staff Dwelling - 37 Turora St Moulamein		16,767		16,767
Toilet Facility Meninya St	580,000			580,000
Wakool Memorial Hall		40,900		40,900
Yamba RFS Shed	350,000			350,000
3.5 - Lighting upgrades & improvements			130,000	130,000
Horseshoe Lagoon Bridge Lighting			70,000	70,000
Koraleigh Lighting Upgrade			60,000	60,000
T3.Goal_5 - Update & review our open spaces to reflect community wants & needs	1,458,613	59,500	290,000	1,808,113
3.12 - Cemeteries / commemoration	12,000	25,000		37,000
Barham Cemetery Footpath Renewals		25,000		25,000
Moama Cemetery Plinth Expansion	12,000			12,000
3.13 - Upgrade, enhance & maintain Parks & Open Spaces that connect communities & are accessible	1,427,113	34,500	290,000	1,751,613

Attachment 3 - 2nd Quarter Budget Review Capital Listing

2023/24 2nd Quarter Budget Review - Capital Listing	New	Renew	Upgrade	Grand Total
Murray Downs Riverside Boat Ramp	1,427,113			1,427,113
Murray Downs Walking Track		34,500		34,500
SCCF5 - Horseshoe Lagoon Landscaping			290,000	290,000
3.16 - Weed Management	19,500			19,500
Biosecurity - Chemical transfer Pumps & 12 volt systems	19,500			19,500
Theme 5 - A Place of Prosperity and Resilience		683,046	123,200	806,246
T5.Goal 2 - Continue to develop strong & resilient communities			90,200	90,200
5.8 - Promotion of local attractions			90,200	90,200
Signage			90,200	90,200
T5.Goal 3 - Promote & grow tourism across the region		683,046	33,000	716,046
5.10 - Growing Tourism across the LGA		683,046	33,000	716,046
Liston Caravan Park		13,146		13,146
Moama Caravan Park Retaining Wall (Horseshoe Lagoon		511,500		511,500
Picnic Point Caravan Park - electrical works		20,900		20,900
Picnic Point Caravan Park - Overhead Power Lines			33,000	33,000
Picnic Point Caravan Park Retaining Wall Renewal		137,500		137,500
Theme 6 - Connected Communities	652,968	8,845,385	4,729,000	14,227,353
T6.Goal 1 - Development strategies to deliver road & shared pathway infrastructure that is accessible to all	20,000	220,000		240,000
6.1 - Cycle, foot & other pathways	20,000	140,000		160,000
Bartlett Street Footpath	20,000			20,000
Cycle & Walkways		40,000		40,000
Paved Footpahs		100,000		100,000
6.4 - Local road & drainage options		80,000		80,000
Kerb & Gutter		80,000		80,000
T6.Goal 4 - Enable commercial transport & connection opportunities	632,968	8,625,385	4,729,000	13,987,353
6.10 - Major Raods upgrades	632,968	8,625,385	4,729,000	13,987,353
Depot Improvements			20,000	20,000
Frasers Rd / Murrain Yarrein Ck Bridge		195,295		195,295
Guard Rails			100,000	100,000
Kyalite Road Widening			10,000	10,000
Mathoura Footpath Construction (LRCI P4A)	46,000			46,000
Mathoura Footpath Renewal Program (LRCI P4A)		40,725		40,725
Meninya St Parking Trial - Echuca St & Blair St			44,000	44,000
Moulamein Depot Workshop - Roller Door replacement x 2		20,000		20,000
Perricoota Road Resheet			1,180,000	1,180,000
Regional & Local Roads Repair Program		3,617,772		3,617,772
Regional Reseal		1,320,000		1,320,000
Repair ProgramBarham 61.2 - 62.2km \$500kBarmah 11.9 - 12.7km \$400k Subject to Repair Program approval			900,000	900,000

Attachment 3 - 2nd Quarter Budget Review Capital Listing

2023/24 2nd Quarter Budget Review - Capital Listing	New	Renew	Upgrade	Grand Total
Road Furniture / Signage - Regional Roads	50,000			50,000
Road Resheeting		530,000		530,000
Roads to Recovery			2,150,000	2,150,000
Sandys Rd / Barber Ck Bridge		13,814		13,814
Signage Upgrades			25,000	25,000
Survey & Design Package			300,000	300,000
Tooranie Rd / Yarrein Ck Bridge		1,987,779		1,987,779
Unsealed Roads Gravel Resheeting (LRCI P4A)		200,000		200,000
Urban & Local Road Reseal Program	536,968			536,968
Urban Roads		200,000		200,000
Urban Street Reseals		500,000		500,000
Grand Total	15,929,655	13,348,457	9,951,426	39,229,538

9.2.2 INVESTMENTS AND RESERVES REPORT AS AT 31 JANUARY 2024

File Number: -

Author: Peter Smith, Interim Chief Financial Officer

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That Council resolve to receive the Investments & Reserves Report, as of 31 January 2024.

BACKGROUND

Monthly report on cash and investments balances as of 31 January 2024, 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 31 January 2024.

DETAILS	NOVEMBER 2023	DECEMBER 2023	JANUARY 2024
Cash Book Balance B/Fwd	\$2,520,346	\$11,379,425	\$6,760,138
Add income for month	\$14,855,706	\$9,442,570	\$2,923,264
Deduct expenditure for month	\$7,746,627	\$10,061,856	\$4,692,496
CASH AVAILABLE	\$9,629,425	\$10,760,138	\$4,990,906
Redeem/(Purchase) Investments	\$1,750,000	(\$4,000,000)	\$1,500,000
CASH BOOK BALANCE	\$11,379,425	\$6,760,138	\$6,490,906
Add on-call account	\$3,786,973	\$3,803,219	\$3,818,177
Add investments - Deposits	\$43,262,449	\$47,262,449	\$45,762,449
Add investments - Shares	\$2,010	\$2,010	\$2,010
CASH POSITION	\$58,430,857	\$57,827,817	\$56,073,543
As per Bank Statements	\$10,516,903	\$4,223,771	\$4,004,645

Reserves by Fund

Fund	General	Water	Sewer	Waste	Total
November 2023	\$ 31,052,052	\$ 7,967,695	\$ 15,385,857	\$ 4,025,253	\$ 58,430,857
December 2023	\$ 31,526,975	\$ 7,542,006	\$ 15,208,781	\$ 3,550,055	\$ 57,827,817
January 2024	\$ 26,497,302	\$ 11,993,646	\$ 15,164,620	\$ 2,417,975	\$ 56,073,543

Note: The reason why the unrestricted waste is negative is because there has been no transfer from waste reserve funds in January 2024.

Status of Reserves

Funds	General	Water	Sewer	Waste	Total
Unrestricted	\$497,389	\$6,410,592	\$4,678,356	(\$845,842)	\$10,740,495
Internally Restricted	\$7,760,789	\$2,650,208	\$7,176,625	\$900,000	\$18,487,622
Externally Restricted	\$18,239,124	\$2,932,846	\$3,309,639	\$2,363,817	\$26,845,426
Total	\$26,497,302	\$11,993,646	\$15,164,620	\$2,417,975	\$56,073,543

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	\$309,576	-	-	-	\$309,576
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	\$2,130,466	-	-	-	\$2,130,466
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	-	-	-	\$900,000	\$900,000
	\$7,760,789	\$2,650,208	\$7,176,625	\$900,000	\$18,487,622

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

External Reserves	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Unspent Grants	\$ 14,313,973	\$ -	\$ -	\$ -	\$ 14,313,973
Unspent Loan Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Section 64/94	\$ 3,860,864	\$ 2,719,165	\$ 3,309,639	\$ -	\$ 9,889,668
Water Purchase	\$ -	\$ 213,681	\$ -	\$ -	\$ 213,681
Waste Management Ext	\$ -	\$ -	\$ -	\$ 2,363,817	\$ 2,363,817
Other	\$ 64,287	\$ -	\$ -	\$ -	\$ 64,287
	\$ 18,239,124	\$ 2,932,846	\$ 3,309,639	\$ 2,363,817	\$ 26,845,426

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 31 January 2024. 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.

Peter Smith
Interim Chief Financial Officer

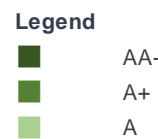
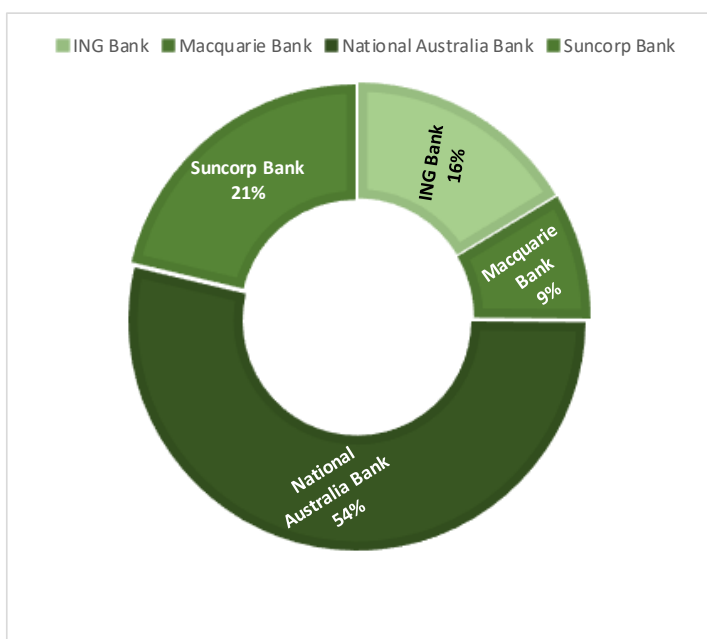
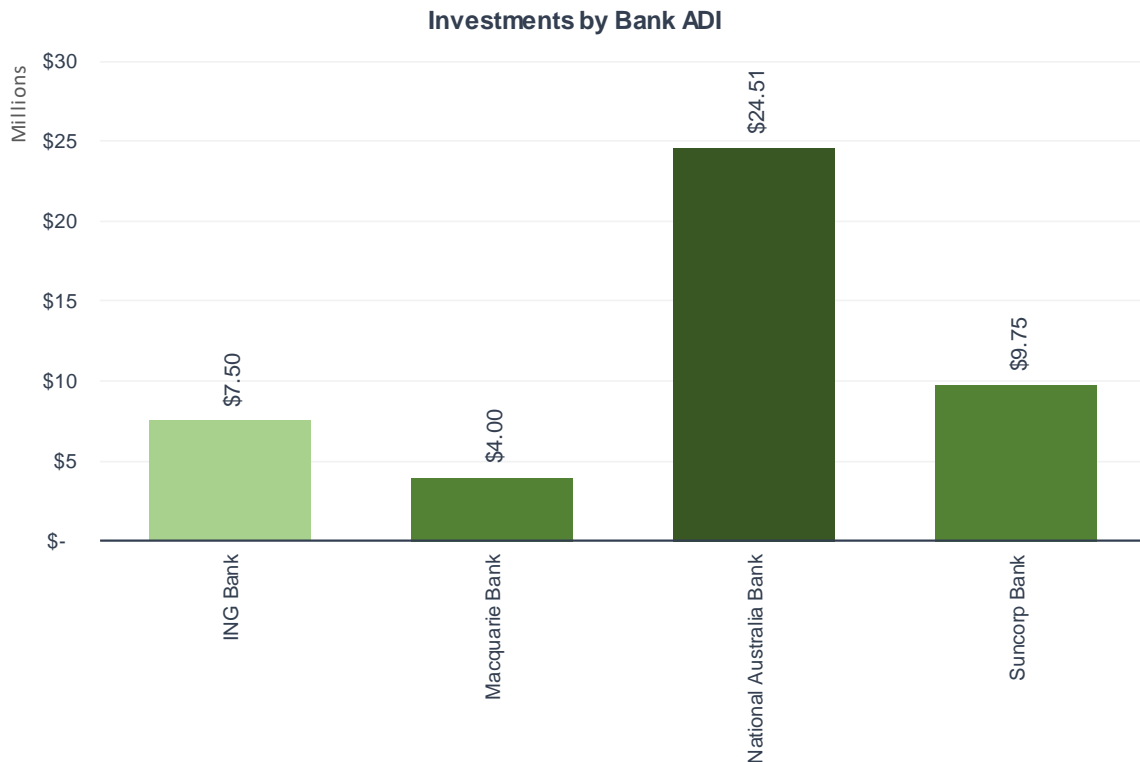
INVESTMENT REPORT AS ON 31 January 2024

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 \$45,762,449, together with an analysis thereof are detailed below, including \$45,762,449 in Term Deposits and \$2,010 in other Investments (shares). The detailed list of the investments appears in Annex A.

As shown below all term deposits are invested within the percentage ranges as set out in Council’s POL 203 Investment Policy.

Investments by Bank / ADI

Bank / ADI	Amount	%
ING Bank	\$ 7,500,000	16.39%
Macquarie Bank	\$ 4,000,000	8.74%
National Australia Bank	\$ 24,512,449	53.56%
Suncorp Bank	\$ 9,750,000	21.31%
	\$45,762,449	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

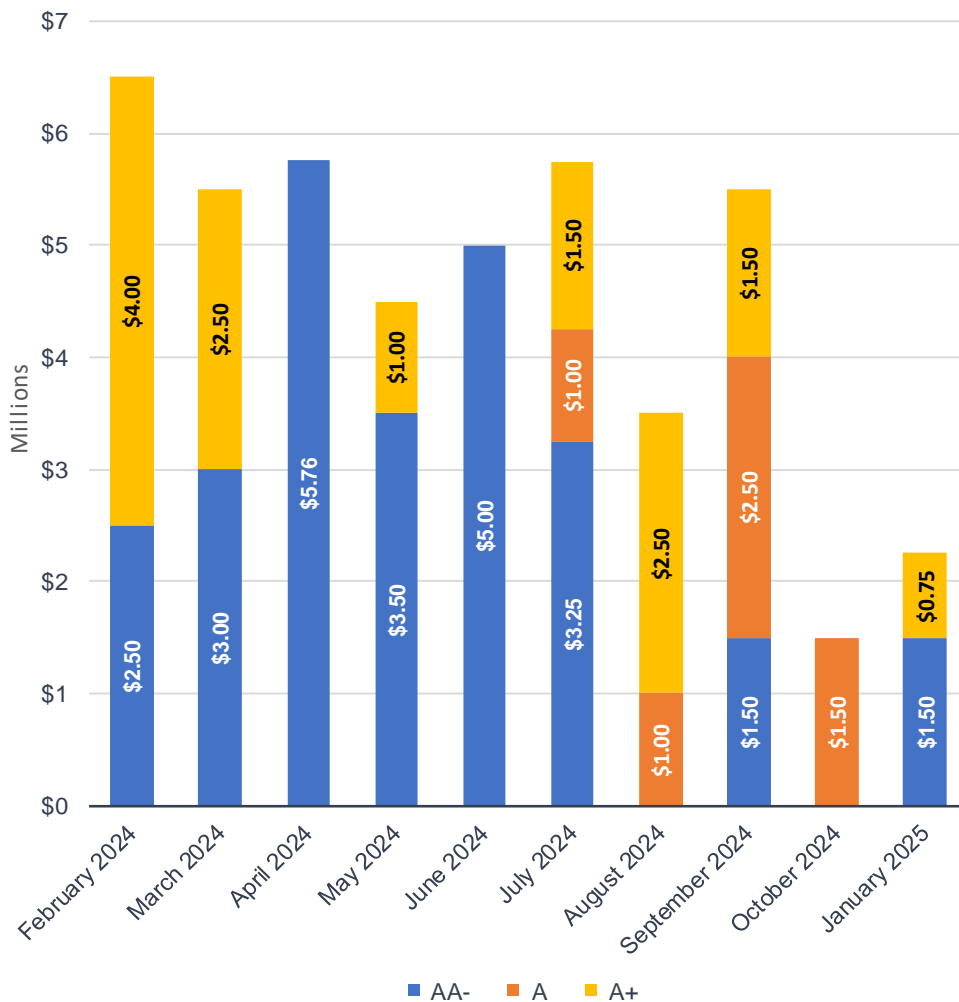
Interest Rates	AA-	A+	A	Total
from 4.51% to 4.75%	\$1,000,000			\$1,000,000
from 4.76% to 5.00%		\$4,500,000		\$4,500,000
from 5.01% to 5.25%	\$12,250,000	\$2,250,000	\$5,000,000	\$19,500,000
from 5.26% to 5.50%	\$12,762,449	\$4,000,000	\$1,000,000	\$17,762,449
from 5.51% to 5.75%		\$3,000,000		\$3,000,000
	\$26,012,449	\$13,750,000	\$6,000,000	\$45,762,449



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

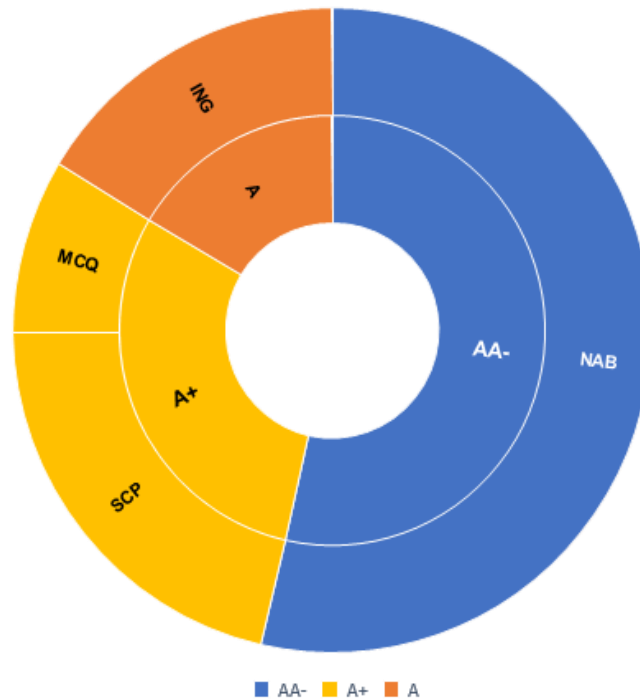
Maturity Dates	AA-	A+	A	Total
February 2024	\$2,500,000	\$4,000,000		\$6,500,000
March 2024	\$3,000,000	\$2,500,000		\$5,500,000
April 2024	\$5,762,449			\$5,762,449
May 2024	\$3,500,000	\$1,000,000		\$4,500,000
June 2024	\$5,000,000			\$5,000,000
July 2024	\$3,250,000	\$1,500,000	\$1,000,000	\$5,750,000
August 2024		\$2,500,000	\$1,000,000	\$3,500,000
September 2024	\$1,500,000	\$1,500,000	\$2,500,000	\$5,500,000
October 2024			\$1,500,000	\$1,500,000
January 2025	\$1,500,000	\$750,000		\$2,250,000
	\$26,012,449	\$13,750,000	\$6,000,000	\$45,762,449



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%	54%	\$24,512,449	60%	54%
A+	Macquarie Bank	90%	30%	\$4,000,000	25%	9%
A+	Suncorp Bank			\$9,750,000	25%	21%
A	ING Bank	90%	16%	\$7,500,000	25%	16%
			100%	\$45,762,449		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 February 2024, 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 January. Interest revenue has been 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 31 January 2024.

ATTACHMENTS

1. **Investment Schedule @ 31 January 2024** [↓](#) 

Murray River Council

Annex 'A'

Investment Details - January 2024

Start Date	Maturity Date	Bank / ADI	Type	Investment	Interest Rate	Term (Days)	Interest Due upon Maturity	S&P Long Term Rating
3/05/2023	2/02/2024	NAB	TD	\$ 1,000,000	4.75%	275	\$ 35,807	AA-
11/07/2023	6/02/2024	SCORP	TD	\$ 750,000	5.56%	210	\$ 23,992	A+
29/06/2023	13/02/2024	NAB	TD	\$ 1,500,000	5.40%	229	\$ 50,819	AA-
11/07/2023	20/02/2024	SCORP	TD	\$ 750,000	5.56%	224	\$ 25,591	A+
31/07/2023	20/02/2024	Macquarie	TD	\$ 1,000,000	5.00%	204	\$ 27,945	A+
29/06/2023	27/02/2024	SCORP	TD	\$ 1,500,000	5.47%	243	\$ 54,625	A+
11/07/2023	5/03/2024	SCORP	TD	\$ 750,000	5.56%	238	\$ 27,191	A+
31/07/2023	5/03/2024	Macquarie	TD	\$ 1,000,000	5.00%	218	\$ 29,863	A+
30/06/2023	12/03/2024	NAB	TD	\$ 1,500,000	5.45%	256	\$ 57,337	AA-
11/07/2023	19/03/2024	SCORP	TD	\$ 750,000	5.56%	252	\$ 28,790	A+
30/06/2023	26/03/2024	NAB	TD	\$ 1,500,000	5.45%	270	\$ 60,473	AA-
11/07/2023	2/04/2024	NAB	TD	\$ 1,000,000	5.41%	266	\$ 39,426	AA-
30/06/2023	9/04/2024	NAB	TD	\$ 1,500,000	5.47%	284	\$ 63,842	AA-
17/07/2023	16/04/2024	NAB	TD	\$ 1,012,449	5.35%	274	\$ 40,662	AA-
30/06/2023	23/04/2024	NAB	TD	\$ 1,500,000	5.49%	298	\$ 67,234	AA-
18/07/2023	30/04/2024	NAB	TD	\$ 750,000	5.35%	287	\$ 31,550	AA-
31/07/2023	7/05/2024	NAB	TD	\$ 1,250,000	5.30%	281	\$ 51,003	AA-
24/10/2023	14/05/2024	Macquarie	TD	\$ 1,000,000	4.78%	203	\$ 26,585	A+
31/07/2023	21/05/2024	NAB	TD	\$ 1,250,000	5.31%	295	\$ 53,646	AA-
3/08/2023	28/05/2024	NAB	TD	\$ 1,000,000	5.20%	299	\$ 42,597	AA-
3/08/2023	4/06/2024	NAB	TD	\$ 750,000	5.20%	306	\$ 32,696	AA-
9/08/2023	11/06/2024	NAB	TD	\$ 1,000,000	5.20%	307	\$ 43,740	AA-
9/08/2023	18/06/2024	NAB	TD	\$ 1,500,000	5.20%	314	\$ 67,101	AA-
10/08/2023	25/06/2024	NAB	TD	\$ 750,000	5.20%	320	\$ 34,192	AA-
16/08/2023	25/06/2024	NAB	TD	\$ 1,000,000	5.15%	314	\$ 44,304	AA-
23/08/2023	2/07/2024	NAB	TD	\$ 750,000	5.15%	314	\$ 33,232	AA-
23/08/2023	2/07/2024	NAB	TD	\$ 750,000	5.15%	314	\$ 33,232	AA-
30/08/2023	9/07/2024	NAB	TD	\$ 1,000,000	5.15%	314	\$ 44,304	AA-
4/09/2023	16/07/2024	SCORP	TD	\$ 750,000	4.85%	316	\$ 31,492	A+
4/09/2023	16/07/2024	SCORP	TD	\$ 750,000	4.85%	316	\$ 31,492	A+
3/10/2023	23/07/2024	NAB	TD	\$ 750,000	5.20%	294	\$ 31,419	AA-
5/09/2023	30/07/2024	ING	TD	\$ 1,000,000	5.10%	329	\$ 45,970	A
5/09/2023	6/08/2024	ING	TD	\$ 1,000,000	5.10%	336	\$ 46,948	A
19/09/2023	13/08/2024	SCORP	TD	\$ 500,000	5.10%	329	\$ 22,985	A+
7/11/2023	20/08/2024	SCORP	TD	\$ 1,000,000	5.47%	287	\$ 43,011	A+
29/11/2023	27/08/2024	Macquarie	TD	\$ 1,000,000	5.21%	272	\$ 38,825	A+
5/12/2023	3/09/2024	SCORP	TD	\$ 1,500,000	5.35%	273	\$ 60,023	A+
6/12/2023	10/09/2024	NAB	TD	\$ 1,500,000	5.15%	279	\$ 59,054	AA-
7/12/2023	17/09/2024	ING	TD	\$ 1,500,000	5.15%	285	\$ 60,318	A
28/09/2023	24/09/2024	ING	TD	\$ 1,000,000	5.35%	362	\$ 53,060	A
7/12/2023	1/10/2024	ING	TD	\$ 1,500,000	5.23%	299	\$ 64,265	A
16/01/2024	15/01/2025	ING	TD	\$ 1,500,000	5.26%	365	\$ 78,900	AA-
23/01/2024	23/01/2025	SCORP	TD	\$ 750,000	5.22%	366	\$ 39,257	A+
		SP	Shares	\$ 2,000				
		WAWCU	Shares	\$ 10				
Total				\$ 45,764,459	5.24%	286	\$ 1,878,797	

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

Nil

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

9.4.1 MURRAY LOCAL ENVIRONMENTAL PLAN 2011- PLANNING PROPOSAL PP-2023-2003 - BEER ROAD & PERRICOOTA ROAD MOAMA TO CHANGE ZONING FROM RU1 PRIMARY PRODUCTION TO R1 GENERAL RESIDENTIAL ZONE FOR LOTS 2 & 3 DP1213161 AND LOT 15 DP1273625 AND VARY THE MINIMUM LOT FROM 120 HECTARES TO 500M2 MINIMUM LOT SIZE

File Number: -
Author: Kellie Richmond, Administration Officer
Authoriser: Rod Croft, Director Planning & Environment
Applicant: Habitat Planning
Owner: Oakbridge Dungala Pty Ltd
Proposal: Amend Land Zoning Map from RU1 to R1 & Amend Minimum Lot Size
Location: Perricoota & Beer Road – Lot 15 DP 1273625 & Lot 2 & 3 DP 1213161

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 Lots 2 and 3 in DP1213161 and 15 in DP1273625 from RU1 Primary Production Zone to R1 General Residential Zone and to vary the minimum lot sizes for subject allotments from 120 hectares to a minimum lot size of 500m².
2. The Planning proposal be sent to NSW Department of Planning and Environment (DPE) for 'Gateway Determination' in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. Council staff complete all actions outlined in the Gateway Determination and send the planning proposal to the NSW Parliamentary Counsels Office (PCO) requesting Parliamentary Counsel's Opinion and drafting of a new/amended Murray Local Environmental Plan 2011 (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

Council is in receipt of a Planning Proposal lodged over land legally described as Lots 2-3 in DP1213161 and Lot 15 in DP1273625, located along Perricoota Road and Beer Road, Moama NSW 2731 (the site). Habitat Planning prepared and lodged the proposal on behalf of the Applicant, Oakbridge Dungala Pty Ltd. The Planning Proposal seeks to amend the *Murray Local Environmental Plan 2011* (LEP) to vary the zoning for Lots 2 and 3 in DP1213161 and Lot 15 in DP1273625, from RU1 Primary Production to R1 General Residential zone, and to vary the minimum lot requirements for the subject lots from 120 hectares to a minimum lot size of 500m².

As part of the lodgement document, the Applicant provided the following plans and documents to support the Planning Proposal:

- Development Concept Plan prepared by Development Outcomes.

- 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 provides objectives to deliver positive environmental outcomes. Following the Biodiversity Values Map and Threshold Tool and the Spatial Viewer mapping tools, the site is not mapped as containing biodiversity values and is predominantly clear of native vegetation. As such, future development of the site is not considered to impact biodiversity values given the use of the site for primary production and the unvegetated nature state. Objective 1, which seeks to Protect, connect and enhance biodiversity, is met.
<i>Objective 2 – Manage development impacts within riverine environments</i>	The Murray River waterbody is located on the opposite side of the Perricoota Road network. It is considered that future development of the site can manage impacts (erosion, dust and sediment runoff) within the development site, therefore there are limited to no impacts on the riverine environment. As such, the proposal complies with objective 2 and the actions.
<i>Objective 3 – Increase natural hazard resilience</i>	Pursuant to the Spatial Viewer mapping tool, the site is not identified as containing flood hazards. It is, however, noted that the site is identified in the Draft Echuca Moama Flood Study on Lot 3 adjacent to the Murray River which presents flood risks. Further, it is noted that the main area impacted by flooding has been considered in the concept plan, and appears to form part of the urban overland stormwater basin and/or public open space. Subsequently, the proposal can comply with Objective 3 and Part 1 of the Regional Plan.
Part 2 – Communities and places	
<i>Objective 4 – Support Aboriginal aspirations through land use planning.</i>	The Aboriginal Heritage Information Management System (AHIMS) search did not identify any known Aboriginal sites or places in or near the above location within a 200m radius. One (1) aboriginal site was, however, 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 120 hectares to 500m2 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. The proposal is deemed to comply with Objective 5.

CONSISTENCY WITH RIVERINA-MURRAY REGIONAL PLAN 2041	
<i>Objective 6 – Support housing in regional cities and their sub-regions</i>	The proposal to rezone and reduce the minimum lot size can support housing in regional cities and their sub-regions through increased yield. Objective 6 is 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 R1 General 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>	The immediate locality is 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 R1 General Residential may undermine the agricultural character of the site by virtue of changes to the land use. However, the changes are not considered to detract from the overall character of the locality adjoining land which includes residential uses and ancillary structures on small lots. Moreover, flood resilient measures can be demonstrated as part of future Development Applications lodged over the site. Overall, the proposal plans for resilient places that are consistent with the local character.
<i>Objective 10 – Improve connections between Murray River communities</i>	Improvement to connections between Murray River Communities can be demonstrate by avoiding the creation of lots with direct frontage to Perricoota Road given the order of the road and existing constraints. Also by the provision of inter-allotment road networks that enable efficient ingress and egress. Moreover, future planning of the site can include provisions for further road extensions should the adjoining properties be developed. As such, the proposal can comply with Objective 10 of the Regional Plan.
<i>Objective 11 – Plan for integrated and resilient utility infrastructure</i>	Post Gateway Determination and as part of future Development Applications, the Applicant can demonstrate integrated and resilient utility infrastructure for future residential uses over the site. Subsequently, the proposal can comply with Objective 11.
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. It is considered that the proposal can comply 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>	Future development of the site can indirectly support the visitor economy by attracting contractors to the area, and improving the liveability of the area to attract regional and state migration. Migrants can attract visitors which can further support the visitor economy. As such, the proposal complies with Objective 16.
<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.
<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, and use Beer road as primary access to the estate if required.

Murray River Council Local Strategic Planning Statement 2020 - 2040

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 R1 General Residential, which does not comply with Planning Priority 1 of Theme 1 as the primary production land use will be extinguished. Notwithstanding the above,

the entire site is considered small-scale and fringe residential in the context of primary production land. As such, the site is not deemed prime productive agricultural land and the proposal is not inconsistent with Theme 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 use over the site.

Planning Priority 3 seeks to create 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. Following the LSPS. Subsequently, the development is not inconsistent with Planning Priority 3.

Theme 2 - liveable communities with social capital.

Planning Priority 4 relates to housing growth, supply, and density. It is envisaged that a variety of lot sizes (from 500m² to 1,000 m²) are provided as a result of this development, consistent with surrounding land zonings. This area has been identified in the MRC Local Housing Strategy to be released for general residential as immediate supply. As such, the proposal does not comply with the vision of Planning Priority 4 of Theme 2.

It is noted that Planning Priority 4 relates to housing density only. Further, residential lots of similar size for 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. Considering the above, the planning proposal is consistent with the theme.

Planning Priority 5 which relates to recreation and open space is not applicable in this regard. The Planning Proposal relates to land rezoning for future residential uses, and will include some open space potentially as part of the detailed design process via negotiations with Council.

Planning Priority 6 refers to servicing and utility infrastructure. As mentioned above, there is an opportunity for the site to connect to reticulated water, stormwater and sewer rising main infrastructure. An extension may be required to facilitate the connection given the location of these services to the site. Also, the Applicant would be required to undertake an infrastructure servicing assessment to ensure that future water and sewer infrastructure aligns with future growth and reflects the planned housing strategy. The Planning Proposal, therefore, 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. It is noted that the site is not mapped as containing biodiversity values and is clear of remnant vegetation under the Spatial Viewer mapping tool. The development is deemed to comply with Planning Priority 7.

Planning Priority 8 relates to culture and heritage celebration. Above, an AHIMS search did not identify heritage sites within a 200m radius of the site. One (1) aboriginal site was however, been identified within 1 km radius of the site. Subsequently, 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 or bushfire prone land. It is considered that future development proposals can incorporate sustainable development principles. Further, the Draft Echuca/Moama Flood study released has identified this land within the flood planning area, however this site can design the public open space and stormwater drainage around this (Lot 3 only). Further, climate change considerations will be addressed as part of future Development Applications lodged over the site. Overall, the proposal complies 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. 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 Planning proposal seeks to rezone the site land to facilitate future development of the site for general residential living (R1). This is anticipated to result in the creation of lots that will contribute to land supply, in the right locations and at the right time given the current demand for housing within the LGA. Therefore, the proposal is deemed to comply.

Promote Housing Diversity and Affordability

Housing diversity and affordability outcomes can be achieved by the proposed development which enables future development of the site. As part of the future Development Application, the Applicant can demonstrate the provision of lots with varying sizes and frontages to promote housing diversity and affordability. Key Challenge two (2) of the Local Housing Strategy has been achieved by the Planning Proposal.

Reinforce Commercial Centres

Not applicable in this regard, the proposal to rezone the site and vary the minimum lot size is not considered to undermine the Commercial Centres in the locality.

Protect Settlement Character

The settlement character of the locality is comprised of Semi-rural primary production land (fridge residential land), with similar residential estates development in most directions adjacent to the site.

Upon review, it is considered that the Planning Proposal maintains the settlement character of the locality. Further, a similar Planning Proposal has been lodged on the nearby land at 420 Perricoota Road. Compliance with key issue has been achieved by the Planning Proposal.

Conserve Primary Industry Land

The proposal is to rezone an existing RU1 - Primary Production zoned land to an R1 General Residential Zone and the subject area is surrounded by small rural landholders. As per the aerial photograph extract, the site is a small rural holding used for crop production. Fragmentation of existing agricultural land is not envisaged by the Planning Proposal. Given the size of the entire site which is considered small-scale. Moreover, the area is considered as fringe residential in the context of primary production land which is land awaiting activation for residential development following the growth development area identified in the LHS. Therefore, whilst the proposal results in the removal of Primary Industry Land, the site is identified in the LHS for residential development and as such the proposal is consistent with key issue 5 of the 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

Subject to detailed biodiversity studies, the proposal is not considered to threaten the community's ecological, social or economic systems based on the existing use of the site and state overlay mapping tools. The removal of existing primary production land to facilitate residential development can impact intergenerational equity given the current use of the site. Notwithstanding the above, the land is a small rural holding, as is considered a low-value agricultural land. Whilst the proposal may result in impacts on intergenerational equity, the potency of the impact is not considered to undermine the future generation given the low agricultural land value. Subsequently, the Planning Proposal is not inconsistent with key issue 7 of the LHS.

Maintain Efficient Services

As part of future Development Applications, the Applicant would be required to demonstrate the provision of efficient infrastructure to service the anticipated demand generated by developing the site and how it is to be maintained. Therefore, Planning Proposal can comply with key issue 8 of the strategy.

Consolidate Urban Centres

As per the Local 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 is noted that the site is not mapped as containing natural hazards. The Applicant can implement natural hazard mitigation measures as part of the future development of the site. As such, the proposal is deemed to comply with key issue 10 of the Local 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 1,000m².

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>Complies. Local works and services including water and sewer upgrades will be considered as part of future planning proposals for the site.</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>Complies. The site is wholly contained within the 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. Community engagement can be undertaken by the Applicant as part of the Development Application state to establish theme and character requirements as required by the Council.</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

Lots 2 and 3 in DP1213161 and Lot 15 in DP1273625 are the sites in this matter and can be located along Perricoota Road and Beer Road, Moama NSW 2731. In total, the three (3) lots have 32.50 hectares of combined land area. The landform form is varied, sloping west and the highest points can be located within the middle portion for Lot 2 and east and west side property boundaries for Lot 3. Further, the lots have road frontages to Perricoota Road and Beer Road. Onside access can be facilitated via Twenty Four Lane and Beer Road. **Figure 1** provides a view of the subject site.

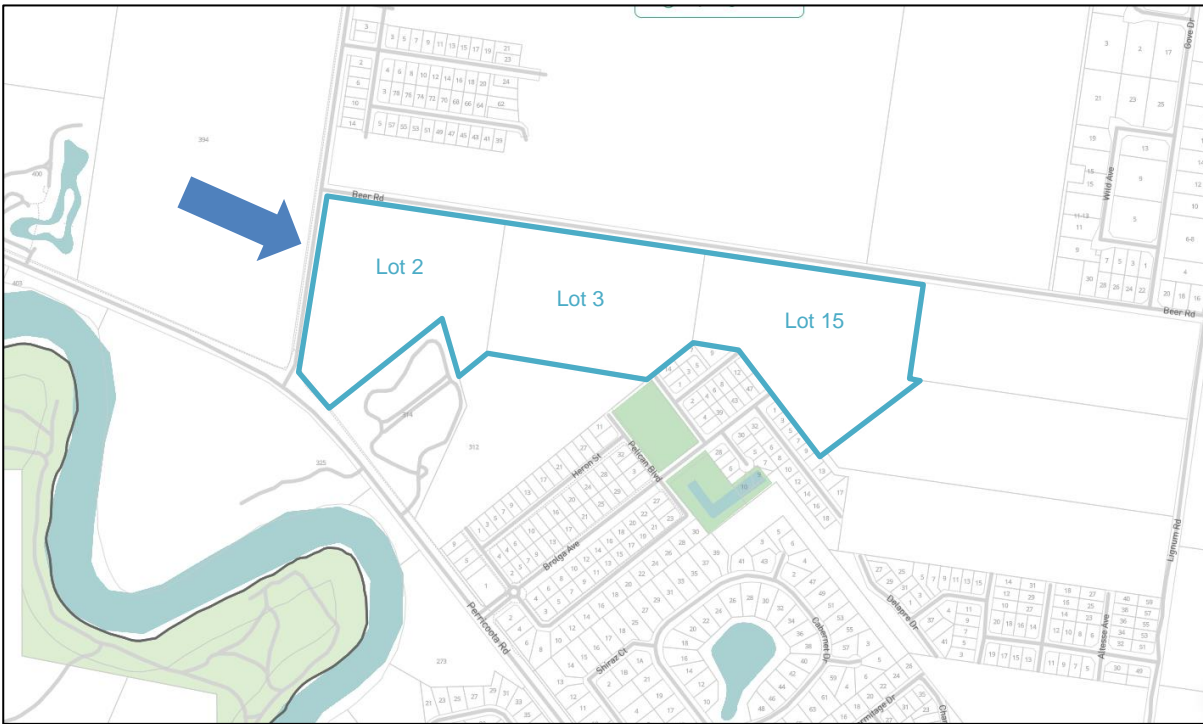


Figure 1: Satellite Photograph Extract and Subject (Archister, 2023)



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

Council’s reticulated water, stormwater and sewer rising main infrastructure are within proximity to the site and traverses along Twenty Forth Lane and Perricoota Road. **Figure 3** and **4** provides plans to depict reticulated water, stormwater and sewer rising main infrastructure in relation to the subject site.

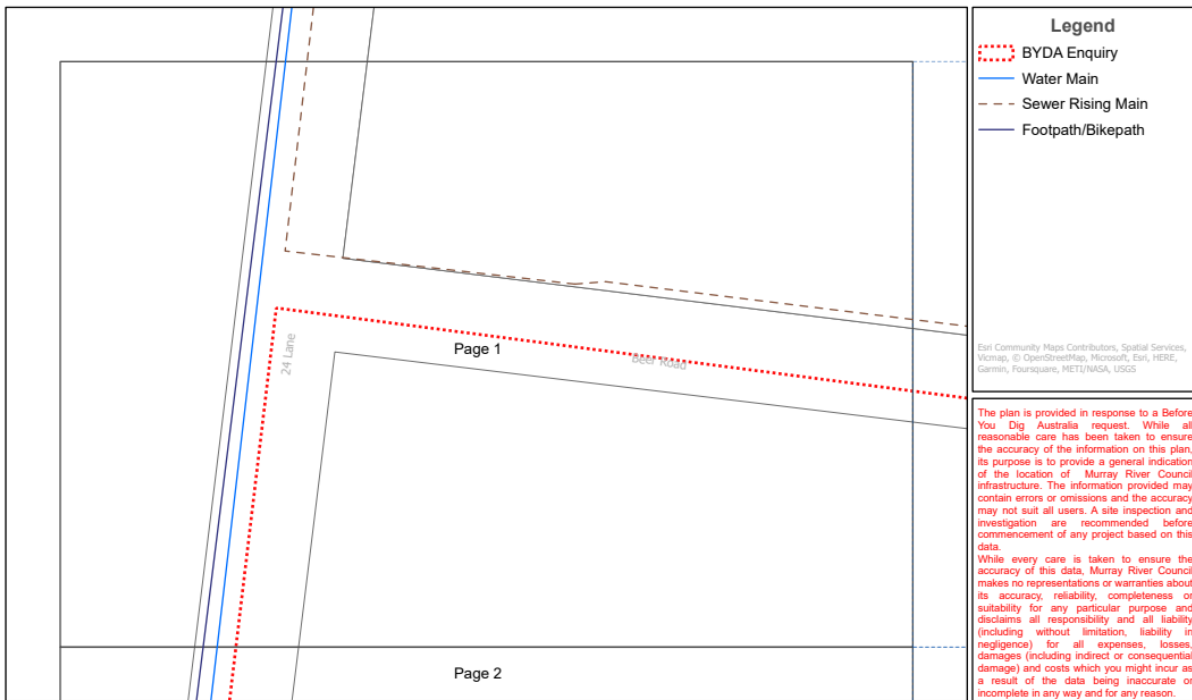


Figure 3: Before You Dig Extract (Before You Dig Extract, 2023)

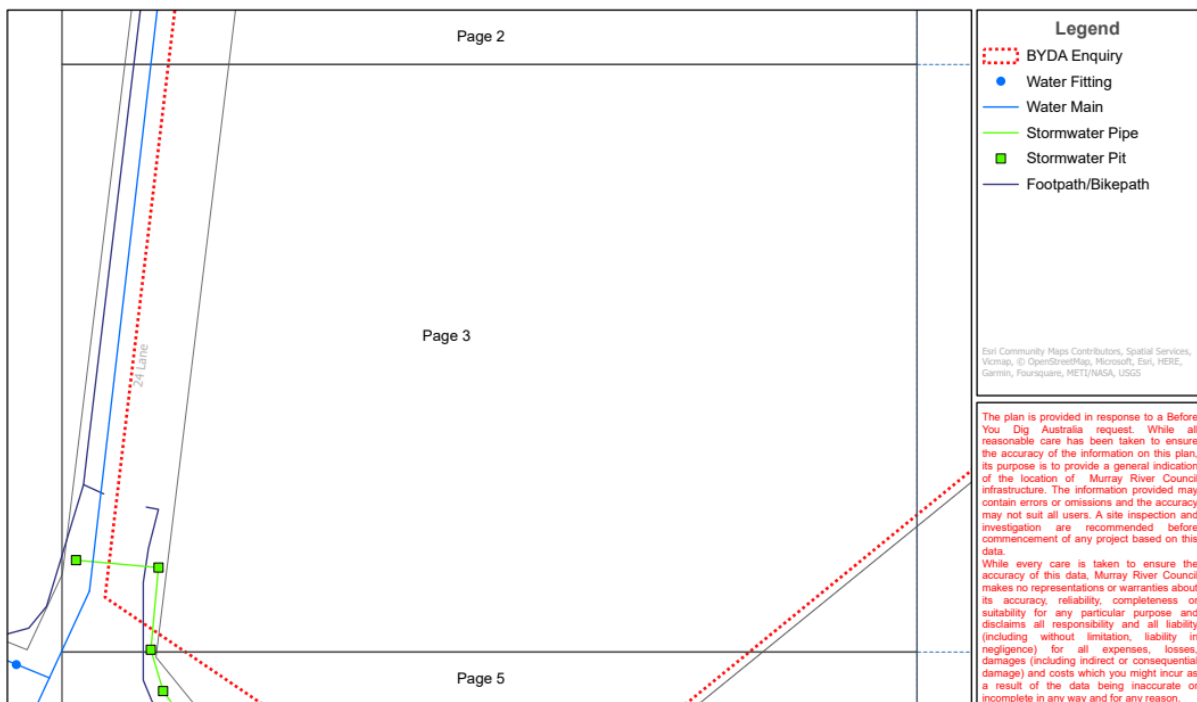


Figure 4: Before You Dig Extract (Before You Dig Extract, 2023)

Further, there are also opportunities for the site to be connected to electricity and telecommunications infrastructure which are within proximity based on Before You Dig as search contained in **Figure 5**.

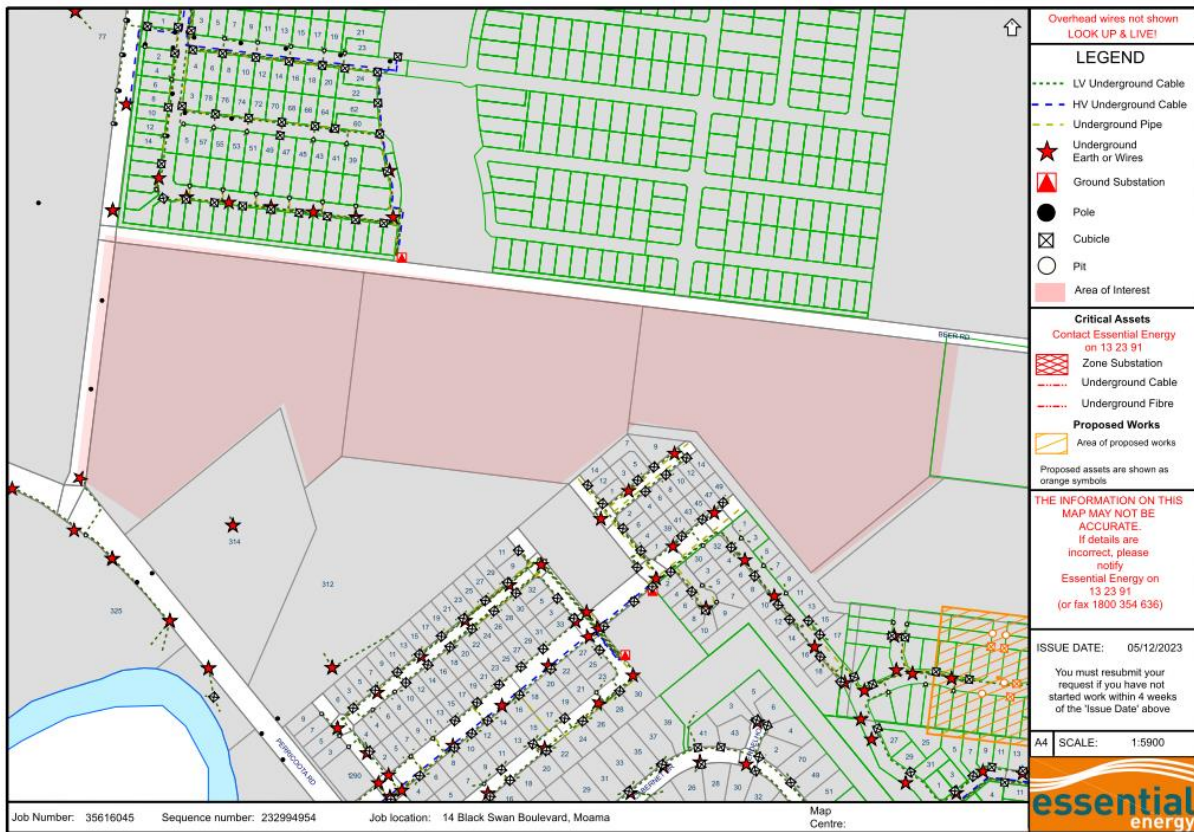


Figure 5: Before You Dig Extract of Essential Energy (Before You Dig Extract, 2023)

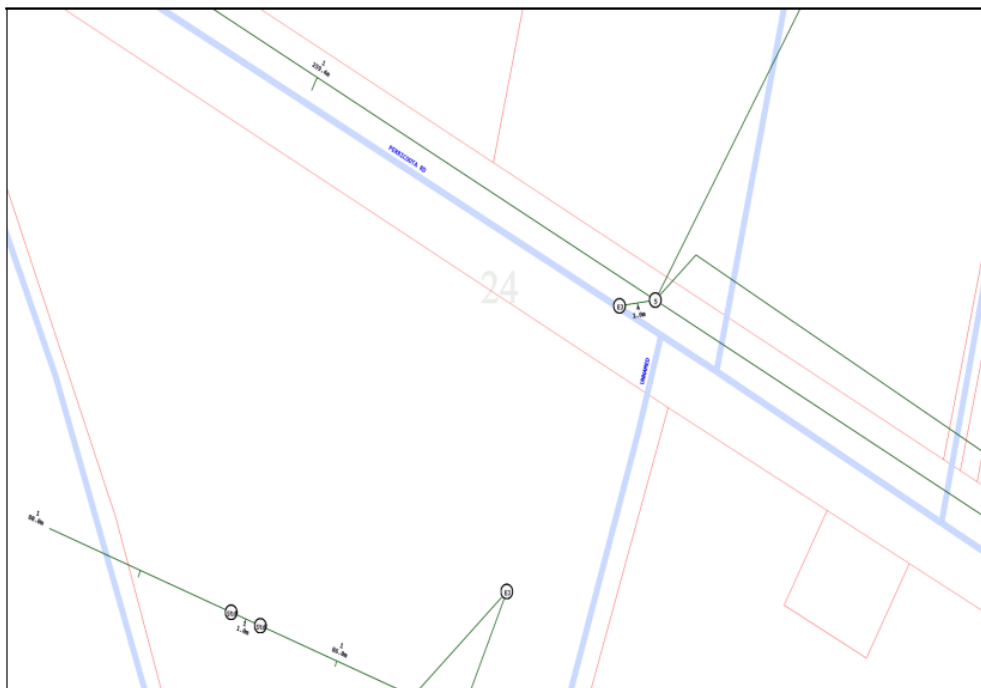


Figure 5: Before You Dig Extract of NBN Infrastructure (Before You Dig Extract, 2023)

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

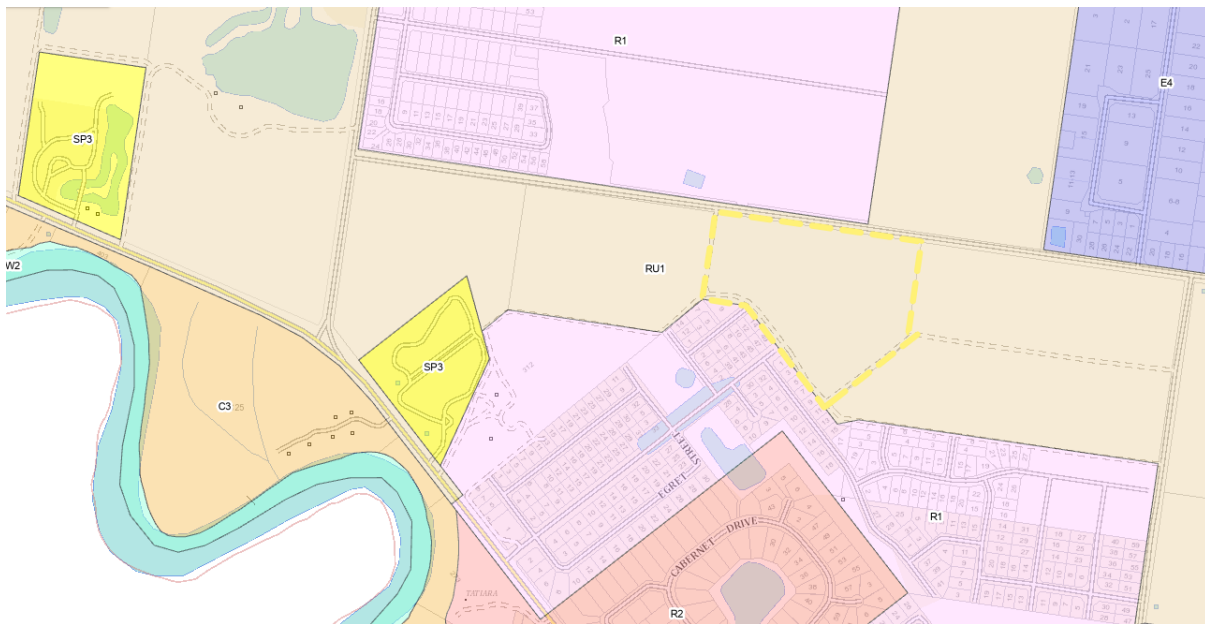


Figure 6: Zoning Map Extract (Planning Portal Spatial Viewer, 2023)

Proposal

To amend Land Zoning Map from RU1 to R1 & Amend Minimum Lot Size in the Murray Local Environmental Plan 2011.

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 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. As such, the recommendation is for:

1. The Council to 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 2-3 DP1213161 and 15 DP1273625 from RU1 Primary Production Zone to R1 General Residential and to vary the minimum lot sizes from a minimum lot size of 100 hectares to a minimum lot size of 500m².

The lot is not constrained by any significant 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.

Council believes this is an appropriate outcome, as it is broadly considered as infill-development between two similar residential housing estates.

ATTACHMENTS

1. **PP-2023-2003 - Planning Proposal Report (under separate cover)** 
2. **230411- Draft Scoping Report Review - 2023-2003 Beer Rd & Perricoota Rd, Moama (under separate cover)** 
3. **Draft Concept Design and Layout** [↓](#) 

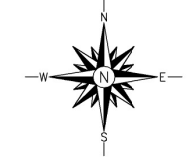
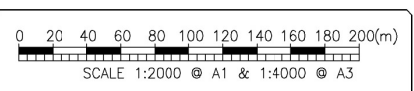


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4	LAYOUT OPTION - REV-D	DSJ	05/06/23
3	LAYOUT OPTION - REV-C	DSJ	03/05/23
2	LAYOUT OPTION - REV-B	DSJ	02/05/23
1	LAYOUT FOR REVIEW	SP	17/04/23

WARNING
 BEWARE OF UNDERGROUND SERVICES
 DIAL BEFORE YOU DIG
 THE LOCATION OF UNDERGROUND SERVICES, WHERE SHOWN
 ARE APPROXIMATE ONLY.

ALL AUTHORITIES MUST BE CONTACTED PRIOR TO
 CONSTRUCTION TO DETERMINE THE EXACT LOCATION
 OF ALL UNDERGROUND SERVICES



DESIGN BY: ENG DRAWN BY: ENG CHECKED BY: ENG DD/MM/YY PLOT DATE: 05/06/2023

**BEER ROAD - MOAMA
 LAYOUT MASTER PLAN**

EXISTING CONDITIONS

DWG: 1217_LayoutPlan.dwg SHEET: 1 OF 4 SHEET SIZE: A1 REV: 4



LOTS	197,861
RESERVE	36,775
ROADS	86,269
TOTAL	320,905

LOT SIZE	LOT COUNT
300-399	25
400-499	9
600-699	1
700-799	41
800-899	108
900-999	46
1000+	13
TOTAL	243

AVERAGE LOT AREA 806sq.m



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3	LAYOUT OPTION - REV-C	DSJ	03/05/23
2	LAYOUT OPTION - REV-B	DSJ	02/05/23
1	LAYOUT FOR REVIEW	SP	17/04/23

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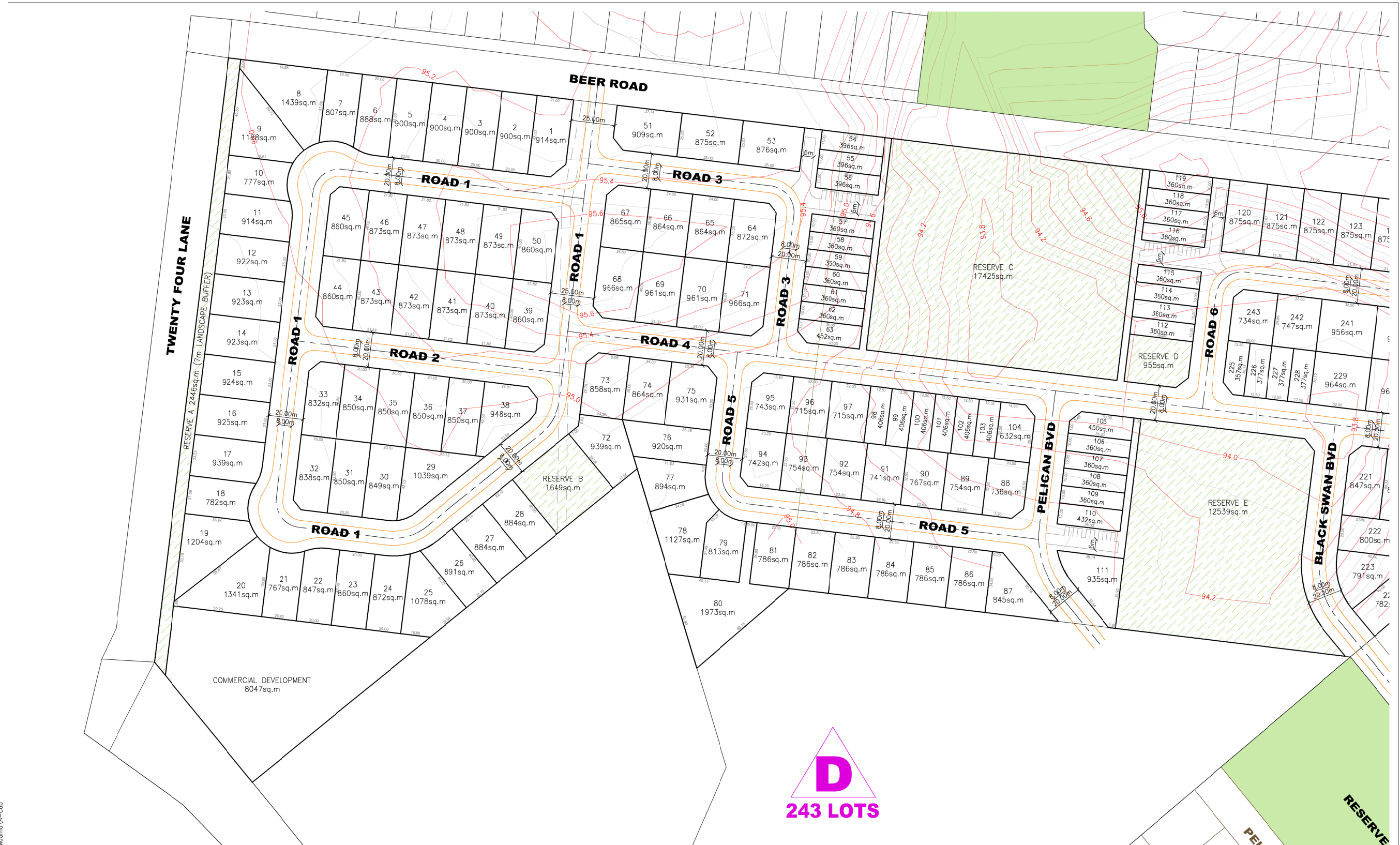
DESIGN BY: ENG DRAWN BY: ENG CHECKED BY: ENG DD/MM/YY PLOT DATE: 05/06/2023

**BEER ROAD - MOAMA
 LAYOUT MASTER PLAN**

LAYOUT OPTION
 LOT COUNT

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3	LAYOUT OPTION - REV-C	DSJ	03/05/23
2	LAYOUT OPTION - REV-B	DSJ	02/05/23
1	LAYOUT FOR REVIEW	SP	17/04/23

WARNING
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 OF ALL UNDERGROUND SERVICES

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 SCALE 1:2000 @ A1 & 1:4000 @ A3

DESIGN BY: ENG DRAWN BY: ENG CHECKED BY: ENG DD/MM/YY PLOT DATE: 05/06/2023

**BEER ROAD - MOAMA
 LAYOUT MASTER PLAN**

LOT LAYOUT
 PART-A

DWG: 1217_LayoutPlan.dwg SHEET: 3 OF 4 SHEET SIZE: A1 REV: 4



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 FILE LOCATION: Z:\1217 Beer Road, Moama\A-Cad

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4	LAYOUT OPTION - REV-D	DSJ	05/06/23
3	LAYOUT OPTION - REV-C	DSJ	03/05/23
2	LAYOUT OPTION - REV-B	DSJ	02/05/23
1	LAYOUT FOR REVIEW	SP	17/04/23

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 OF ALL UNDERGROUND SERVICES

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 SCALE 1:2000 @ A1 & 1:4000 @ A3

DESIGN BY: ENG DRAWN BY: ENG CHECKED BY: ENG DD/MM/YY PLOT DATE: 05/06/2023

**BEER ROAD - MOAMA
 LAYOUT MASTER PLAN**

LOT LAYOUT
 PART B

DWG: 1217_LayoutPlan.dwg SHEET: 4 OF 4 SHEET SIZE: A1 REV: 4



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9.4.2 MENINYA STREET PRECINCT PROJECT - FEBRUARY 2024 UPDATE

File Number: -

Author: Matthew Sherman, Project Manager Meninya Street Precinct Project

Authoriser: Rod Croft, Director Planning & Environment

RECOMMENDATION

That Council notes the "Project Status Report" prepared by the Officer.

BACKGROUND

The Meninya Street Precinct Project is one of Murray River Council's largest projects that will transform Moama into a vibrant precinct of social and economic activity.

Reshaping Meninya Street from a transport thoroughfare into a innovative and sustainable precinct, this project intends to position Moama as a key tourist destination through place-making to compliment surrounding markets.

Strategically investing in infrastructure, parks and open spaces and surrounding points of interest, Council aims to create a 'sense of place' and support high intensity developments including multi-level and multi-function spaces for business and the community to thrive.

Delivered in a staged approach, the multi-year project will enhance not only Meninya Street, but the surrounding precinct to create stronger connections to points of interest including the Horseshoe Lagoon, Moama Beach and the surrounding natural environment.

DISCUSSION

The Officer has prepared a brief project status report (attached) to keep Council informed on the progress of the detailed design contract for Meninya Street leading up to February 2024. Council is asked to note the supplied attachment with no requested decisions or actions following this report.

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

Not budgetary implications are associated with this report.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**

No risks associated with the provided report and decision required of Council.

- **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 is recommended to note the information in the supplied attachment with no key decisions or actions required of this report.

ATTACHMENTS

1. **Meninya Street Precinct Project - February 2024 Project Status Report** [↓](#) 



Project Status Report: Meninya Street Precinct Project							
Date	12/02/2024	Reporting Period	February – Project Report	Project Manager:	Matt Sherman	RAG Status	Green
Project Summary:				Project Progress – Streetscape			Overall % Complete
<p>Meninya Street Precinct Project (MSPP) continues to main progress through the design phase with several sub-projects approaching construction or shovel ready status for grant applications. The streetscape upgrade has progressed through Concept, Initiation, Planning and is now in the Design Phase with the support of Spiire. Spiire has now completed all surveying of the street to support a detailed review of the original concepts and to identify areas of potential optimisation. This includes traffic assessments by third parties to specifically focusing on bike paths, pedestrian crossings and intersections.</p> <p>Additionally, Murray River Council (Council), commenced the collection of traffic data (through traffic and turning movements) at Shaw Street Intersection to support a decision on intersection type which could result in a construction cost saving of \$1m.</p>				Stages	Progress	Status	Finish Date
				Concept	100%	Green	30/06/22
				Initiation	100%	Green	30/08/22
				Planning	100%	Green	30/04/23
				Detailed Design	10%	Choose an item.	31/10/24
				Procurement	0%	Choose an item.	TBC
				Construction/Delivery	0%	Choose an item.	TBC
				Completion – open to public.	0%	Choose an item.	TBC
Key Achievements:				Financials			
<ul style="list-style-type: none"> Successful completion of streetscape feature surveying capturing all heights, locations of assets to inform design. Third party traffic assessment of proposed designs (commissioned by Spiire) Shaw Street intersection traffic data review – all evidence collected internally and provided to consultant for assessment on recommended intersection design. Horseshoe Lagoon landscaping procurement in progress to award construction contract. Moama Wharf balustrade design contract awarded, and design processes commenced. Internal footpath upgrades completed at Horseshoe Lagoon achieving accessibility requirements. 				Project Budget		\$970,000	
				Life-to-Date (LTD)		\$54,673.35	
				Percentage Spent		5.64%	
				<p>“Percentage Spent” represents amount expended related to detailed design of Meninya Street streetscape budget.</p>			
Next Steps:				Risks and Issues			
<ul style="list-style-type: none"> Commence functional design of streetscape including service location, and geotechnical testing to inform pavement design. Commence Horseshoe Lagoon landscaping construction. Bartlett Street – Footpath connectivity detailed design including pptions assessment for construction. Procurement and construction for Horseshoe Lagoon lighting and balustrade upgrades ahead of Moama Lights 2024. 				ID	Insert Risk/Issue Description	Status	Due Date
				1	Moama Lights deadline for Horseshoe Lagoon related works (Landscape, Lighting and balustrade upgrades)	Open	1/06/24
				2	Project Cost: Due to the size of the project, this increases the variability of the costs and quotations, and estimates can achieve a certain level of accuracy.	Open	On going

9.4.3 RESPONSE TO NOTICE OF MOTION ITEM - MASTERPLAN MURRAY DOWNS, MATHOURA AND MOULAMEIN

File Number: -
Author: Jessica McFarlane, Manager Building Services
Authoriser: Rod Croft, Director Planning & Environment

RECOMMENDATION

That the Officer's report on RESPONSE TO NOTICE OF MOTION ITEM - MASTERPLAN MURRAY DOWNS, MATHOURA AND MOULAMEIN as at February 2024 be received by the Council.

DISCUSSION

At the January 2024 meeting a Notice of Motion, Item 10.2 by Councillor Ann Crowe was made to *'allocate a budget for the purposes of constructing a Masterplan for Murray Downs, Mathoura and Moulamein in this year's coming budget 2024/25'*.

The same resolution encourages that the Masterplan be conducted by internal staff, however, at present Council lacks the appropriate resources that can be committed to this important project. As such, the development of these projects would need to be undertaken by external consultants in order to commence in 2024.

Two Operational Bids have been prepared for the Murray Downs Masterplan and the Moulamein & Mathoura Main Street Redevelopment projects for Council's consideration in the 2024/25 budget. The budgets for these two projects are based on similar projects carried out in the Council area recently.

Alternatively, Development Services intends to advertise its vacant Strategic Planning positions in February/March. If Council can successfully recruit staff, we could plan to complete these projects internally over the 2024/25 financial year. The timeframe for this would depend on the recruitment process and its success.

ATTACHMENTS

1. **Mathoura & Moulamein Main Street Redevelopment Operational Bid** [↓](#) 
2. **Murray Downs Project Proposal** [↓](#) 

Project Proposal – Operational Projects 24/25FY



Project Title	Mathoura & Moulamein Main Street Redevelopment Plans		
Program Name	<If applicable>		
Business Area	Development Services	Project Manager	Jessica McFarlane
Business Unit Manager	Jessica McFarlane	Project Number	TBA
Date	31/01/2024		
Purpose	For Quoting		
Document Number	TBA		

Approvals

This document requires the following approvals. A signed copy should be placed in the project files:

Name	Signature	Title	Date of Issue	Version

Project Proposal – Operational Projects 24/25FY



1. Project Background & Why

The Main Street Redevelopment Programs for Mathoura & Moulamein aims to create a meaningful centre in each small town which, boosted by the growth of Moama, are beginning to experience some growth in population and tourism. The project intends to establish a precinct which connects the community, businesses and visitors to surrounding points of interest and assist in reviving the older centres of the townships.

The project was a Notice of Motion for Action at the January 2024 Council ordinary Meeting.

Please provide a ranking for the project based on the following criteria – Highlight your answer below	
(1) Critical	Must be done to meet OH&S or legislative requirements, or Council is ordered by a State or Federal Government Department.
(2) High	High priority project required to respond to an identified risk or issue that is left unattended may negatively impact Council or its stakeholders. This could include projects that will respond to compliance issues.
(3) Growth	Project required to increase Council's ability to meet current or future demand for services.
(4) Routine	Project that are as per Asset Management Plans or other plans and are schedule for renewal/ upgrade as part of those plans
(5) Low	Project that is a 'nice have' but not mandatory for Council to do.

2. Strategic Alignment (Council & NSW Government)

[Community Strategic Plan 2022 - 2032](#)

Community Strategic Plan	
Theme:	A PLACE OF Liveable Communities
Goal:	Enable Development of Sustainable Liveable Communities
Objective:	Housing Strategy

3. Project Drivers

Please utilise the table below to outline the risks/impacts to Council associated with Project. Eg. If we don't do this, will this result in non-compliance, service levels or safety compromises for staff for the public.

Please list the known risks or impacts associated with the proposed project. Add rows as necessary.	<input type="checkbox"/> Safety Compromise (if yes select impacted stakeholders)	<input type="checkbox"/> Staff	<input type="checkbox"/> Public	
	<input type="checkbox"/> Legislative Non-Compliance Other than Safety)	<input type="checkbox"/> Operational Impact		
	<input checked="" type="checkbox"/> Impact Service Levels		<input type="checkbox"/> Financial Impact	
	Risk/Impact	Likelihood	Consequence	Rating
	Rejuvenation of the Mathoura & Moulamein Main Streets to accommodate increase in tourism and population growth, which is slowly increasing.	high		
Growth in the region has rapidly increased and new strategic plan is required to support future growth corridors.	high			

4. Project Approach & Options for delivery:

Project Proposal – Operational Projects 24/25FY



Please outline how the project could be delivered and any options that may be available. This could include major capital works, maintenance to extend life or do nothing and accept risk.

Alternative Options Considered to Address Drivers		
No.	Option	Type
1	Continue to Bear the Risk (Do Nothing)	Do Nothing
2	Prepare and implement, using a suitable qualified consultant, a Township Plan for Murray Downs.	Non-Capital

Recommended Option:	Option 2
---------------------	----------

Note: Option Types = Do Nothing, Non-Capital Solution or Other.

Reason for Selecting Recommended Option (and not selecting other Options) – Notice of Motion
--

5. Project Schedule & Cost Estimate (for recommended option)

Estimate Project Schedule: Revise naming of phases to suit the nature of the proposed project.

Phase	Start	End	Duration (Days)
Investigation	Feb 24	March 24	30
Regulatory/Compliance			
Consultation	March 24	April 24	30
Procurement	April 24	May 24	30
Delivery	August 24	September 24	140
Project Closure	October 24		

TOTAL PROJECT TIME			10 months
---------------------------	--	--	------------------

Cost Estimate: Please use the table below to breakdown the estimated costs of the project. If any costs have already been incurred this financial year, please include into the pre-24-25 year.

Cost Item	PRE 24-25	24-25	25-26
Land			
Employee Costs (add 50% oncosts)	\$5000	\$5000	
Materials			
Plant			
Contractors			
Consultants	\$100,000	\$100,000	
Project Mgmt.	\$10,000	\$10,000	
Contingency Provision			
Other			
Total Estimated Cost	\$115,500	\$115,500	

External Funding Sources	PRE 24-25	24-25	25-26
External Grants			
External Contributions			

Project Proposal – Operational Projects 24/25FY



Council Contributions (from internal revenue & rates)	\$115,000	\$115,000	
TOTAL		\$230,000	

** Note: If new project for 24-25, leave Pre 24-25 column blank. If continuing project, indicate estimated total spend up to June 24.*

6. Project Scope and Exclusion (for recommended option)

Inclusion Title	Description
<Add/Remove>	Main Street Redevelopment Plan for the towns of Moulamein & Mathoura

Exclusion Title	Description
<Add/Remove>	Physical construction works, preparation of development applications or any actions associated with the physical on-site implementation of the plan

7. Project Governance

Please also complete the table below with potential project board members:

Sponsor:	Manager Development Services
Project Manager:	Director Planning & Environment
Add additional roles as necessary	

Project Proposal – Operational Projects 24/25FY



Project Title	Murray Downs Masterplan		
Program Name	<If applicable>		
Business Area	Development Services	Project Manager	Jessica McFarlane
Business Unit Manager	Jessica McFarlane	Project Number	TBA
Date	31/01/2024		
Purpose	For Quoting		
Document Number	TBA		

Approvals

This document requires the following approvals. A signed copy should be placed in the project files:

Name	Signature	Title	Date of Issue	Version

Project Proposal – Operational Projects 24/25FY



1. Project Background & Why

The Murray Downs Township Masterplan aims to identify opportunities for further growth, development and expansion through land use planning strategies and rezonings, key infrastructure upgrades and economic development to ensure forecast population growth and demands for development in the area are met, sustained and supported into the future. Responding to population growth, changing conditions and demands of housing the project intends to establish a precinct plan that takes into account the needs for now and well into the future.

The Need for the Murray Downs Township Plan was a Notice of Motion at the January 2024 meeting.

Please provide a ranking for the project based on the following criteria – Highlight your answer below	
(1) Critical	Must be done to meet OH&S or legislative requirements, or Council is ordered by a State of Federal Government Department.
(2) High	High priority project required to respond to an identified risk or issue that is left unattended may negatively impact Council or its stakeholders. This could include projects that will respond to compliance issues.
(3) Growth	Project required to increase Council's ability to meet current or future demand for services.
(4) Routine	Project that are as per Asset Management Plans or other plans and are schedule for renewal/ upgrade as part of those plans
(5) Low	Project that is a 'nice have' but not mandatory for Council to do.

2. Strategic Alignment (Council & NSW Government)

[Community Strategic Plan 2022 - 2032](#)

Community Strategic Plan	
Theme:	A PLACE OF Liveable Communities
Goal:	Enable Development of Sustainable Liveable Communities
Objective:	Housing Strategy

3. Project Drivers

Please utilise the table below to outline the risks/impacts to Council associated with Project. Eg. If we don't do this, will this result in non-compliance, service levels or safety compromises for staff for the public.

Please list the known risks or impacts associated with the proposed project. Add rows as necessary.	<input type="checkbox"/> Safety Compromise (if yes select impacted stakeholders) <input type="checkbox"/> Staff <input type="checkbox"/> Public <input type="checkbox"/> Legislative Non-Compliance Other than Safety) <input type="checkbox"/> Operational Impact <input checked="" type="checkbox"/> Impact Service Levels <input type="checkbox"/> Financial Impact			
	Risk/Impact	Likelihood	Consequence	Rating
	Growth in the region has rapidly increased and new strategic plan is required to support future growth corridors.	high		

4. Project Approach & Options for delivery:

Project Proposal – Operational Projects 24/25FY



Please outline how the project could be delivered and any options that may be available. This could include major capital works, maintenance to extend life or do nothing and accept risk.

Alternative Options Considered to Address Drivers		
No.	Option	Type
1	Continue to Bear the Risk (Do Nothing)	Do Nothing
2	Prepare and implement, using a suitable qualified consultant, a Township Plan for Murray Downs.	Non-Capital

Recommended Option: **Option 2**

Note: Option Types = Do Nothing, Non-Capital Solution or Other.

Reason for Selecting Recommended Option (and not selecting other Options) – Notice of Motion

5. Project Schedule & Cost Estimate (for recommended option)

Estimate Project Schedule: **Revise naming of phases to suit the nature of the proposed project.**

Phase	Start	End	Duration (Days)
Investigation	Feb 24	March 24	30
Regulatory/Compliance			
Consultation	March 24	April 24	30
Procurement	April 24	May 24	30
Delivery	August 24	September 24	140
Project Closure	October 24		

TOTAL PROJECT TIME			10 months
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Cost Estimate: Please use the table below to breakdown the estimated costs of the project. If any costs have already been incurred this financial year, please include into the pre-24-25 year.

Cost Item	PRE 24-25	24-25	25-26
Land			
Employee Costs (add 50% oncosts)	\$2500	\$2500	
Materials			
Plant			
Contractors			
Consultants	\$50,000	\$50,000	
Project Mgmt. (10%)	\$5000	\$5000	
Contingency Provision			
Other			
Total Estimated Cost	\$57,500	\$57,500	

External Funding Sources	PRE 24-25	24-25	25-26
External Grants			
External Contributions			

Project Proposal – Operational Projects 24/25FY



Council Contributions (internal budget, rates revenue)		115,000	
TOTAL		\$115,000	

** Note: If new project for 24-25, leave Pre 24-25 column blank. If continuing project, indicate estimated total spend up to June 24.*

6. Project Scope and Exclusion (for recommended option)

Inclusion Title	Description
Township Plan	Township Plan for the growth of Murray Downs including residential and commercial sectors
Location	Murray Downs Growth Area Only

Exclusion Title	Description
Physical Works	Physical construction works, preparation of development applications or any actions associated with the physical on-site implementation of the plan
Other Locations	Master will not focus on any other locations outside the growth area of Murray Downs.

7. Project Governance

Please also complete the table below with potential project board members:

Sponsor:	Manager Development Services
Project Manager:	Director Planning & Environment
Add additional roles as necessary	

Commented [MS1]: Recommend having a different PM to Sponsor if possible to assist with escalation. In this instance you could put Director as the Sponsor if you like.

9.4.4 DA 10.2023.356.1 HOME INDUSTRY (FOOD MANUFACTURING)

File Number: -
Author: Jessica McFarlane, Manager Building Services
Authoriser:
Applicant: Timothy Stallard Harley
Owner: T S Harley & N E Humphries
Proposal: HOME INDUSTRY (FOOD MANUFACTURING)
Location: LOT 90 DP 717500, 33 Lawson Drive MOAMA

RECOMMENDATION

1. The officer's report be received and noted by Council.
2. Development Application 10.2023.356.1 for a Home Industry (Food Manufacturing) be refused development consent due to the following reasons:
 - (a) Pursuant to section 4.15 (1)(a)(i) of the *Environmental Planning & Assessment Act 1979*, the proposed development is inconsistent with the objectives of the R1 General Residential zone under the Murray Local Environmental Plan 2011. The application as submitted does not demonstrate compliance with this section of the LEP and is substantially deficient in relevant information to make a thorough and adequate assessment of the development. This is further outlined in Part 2.3 of the town planning assessment component of this report.
 - (b) Pursuant to section 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with definition of "home industry" under the Murray Local Environmental Plan 2011. The application as submitted does not demonstrate compliance with this section of the LEP and is substantially deficient in relevant information to make a thorough and adequate assessment of the development. This is further outlined in Part 2.3 of the town planning assessment component of this report.
 - (c) Pursuant to section 4.15 (1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with Chapter 2, Clause 2.6 of Murray Development Control Plan 2012, particularly in relation to car parking. The application as submitted does not demonstrate compliance with the section of the LEP and is substantially deficient in relevant information to make a thorough and adequate assessment of the development. This is further outlined in Part 2.3 of the town planning assessment component of this report.
 - (d) Pursuant to section 4.15 (1)(c) of the *Environmental Planning and Assessment Act 1979*, the site is not suitable for the development. It is considered that the application is substantially void of sufficient information to accurately and confidently determine the actual use and impacts at the site as further outlined in part 3.4(c) of the town planning assessment component of this report.
 - (e) Pursuant to section 4.15 (1)(e) of the *Environmental Planning and Assessment Act 1979* the development is not in the public interest as further discussed in part 3.5(d). The application as submitted is substantially deficient in relevant information to make a meaningful assessment of the development in relation to the impacts on adjoining property owners and those who forwarded objections to the development. This is further outlined in Part 2.3 of the town planning assessment component of this report.

Alternatively, if Council chooses to grant development consent, a DRAFT set of

conditions have been prepared and attached to this report. In the event of an approval, the consent is recommended as deferred commencement to allow adequate information to be collated and submitted to Council's satisfaction and to ensure compliance with the conditions of consent and the LEP. Conditions relevant to fire safety will be based on the information provided to Council with the application and can only be modified upon the submission of detailed plans and information.

3. Council notes that if the development application 10.2023.356.1 is deemed refusal (supporting the officer's recommendation) then Council officers will act on relevant steps under the *Environmental Planning and Assessment Act 1979* to issue an order to cease the use of the property as a business (Home Industry – Food Manufacturing).

BACKGROUND

The applicant seeks consent for a Home Industry (Food Manufacturing) business known as Quincy Jams. Council became aware of the business operations upon receipt of a number of complaints in June 2022 from concerned nearby residents who raised concerns around a business in operation with no known approval in place and alleged rinsing and disposing of product/sullage into the stormwater drain.

A meeting was held with Tim Harley and Council staff on 30th June 2022 to discuss the concerns raised via the complaints and to understand the nature of the business operations. From the information provided, Council informed Mr. Harley of his obligation to have appropriate approvals in place, why an approval was required and how this could be achieved. Various matters surrounding the business were discussed including the nature of the business and it was agreed by all parties that the operator, Tim Harley would engage suitable consultants to determine suitability of the business and the site for a Home Industry in accordance with Council's LEP and that a development application would be prepared in due course.

In September 2022 Mr Harley engaged a planning consultant to prepare a development application for lodgement. This consultant communicated with Council on various occasions around the level of information required, however also advised Council that his level of access to the property was restricted and as such the information prepared would be limited due to lack of sufficient information, they were able to source.

Subsequently an application for Mr Harley was lodged however due to the lack of sufficient information not in accordance with minimum standards set by NSW State government and as a result of an incomplete application, the application was returned on 9th December 2022.

Communications between Council staff, the consultant and Mr Harley continued in regard to this matter to assist in the matter progressing.

In March 2023, Tim Harley lodged a Modification of consent in the NSW Portal, however this action was not necessary or relevant to the matter as no existing consent had been granted, therefore, this application was returned.

Given the on-going nature of this matter and Council's desire to come to a suitable resolution for all parties involved including residents in Lawson Drive and surrounds, Council proceeded to issue a Draft Notice of Intention (NOI) to Serve an Order under *the Environmental Planning and Assessment Act 1979* on Mr Harley, stating that the use of the premises must cease. Such a notice gives Mr Harley 28 days to respond and provide reasons why an Order should not be issued. Should no adequate correspondence be received within the 28-day period, Council can proceed to issue an order under same Act that Mr Harley must cease use of the premises as a business.

Mr Harley contacted Council upon receipt of the Draft NOI and took action to lodge a new development application with Council. It was agreed between Council and Mr Harley that an Order would not be issued until such a time that an outcome of the relevant development application has been reached and resolved.

This report discusses the development application as submitted, outlined in the assessing offers report below and recommends refusal. The assessment officer was unable to determine the full impact of the nature of the business due to the lack of sufficient information provided.

Subject Site

The site subject to this development application is located at 33 Lawson Drive MOAMA 2731 on Lot: 90 DP: 717500. Land size is 772.6 m². The site is zoned R1 General Residential under the Murray LEP 2011. The site is not mapped as River Murray land under Chapter 5 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The site is not identified as having any affectations or hazards, including flooding or bushfire. The site does not contain any known items of environmental heritage significance. The site is a corner lot in shape and contains vegetation along the northern and western boundaries.

Figures 1 and 2 outline the subject site.

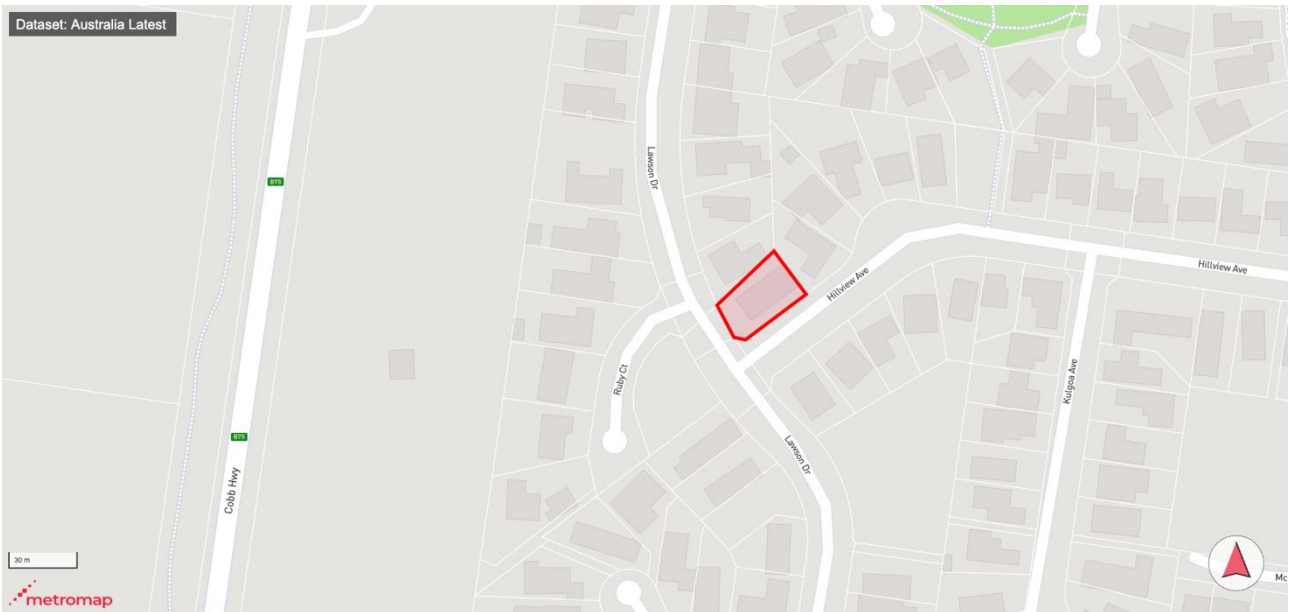


Figure 1 – Locality



Proposal

As per this Town Planning Assessment Report.

STATUTORY ASSESSMENT PROCESS

As per Town Planning Assessment Report.

TOWN PLANNING ASSESSMENT

The proposal seeks consent for a “home industry”. Specifically, the home industry will involve the cooking and preserving of a variety of jams, pickled products, chutneys, relishes, and sauces. The products are sold wholesale and online. It is not intended to allow for the direct sale of products to customers from the site.

The business is formally known as “Quincy Jones Jelly” and has been operating from within the property for over 5 years.

The home industry is located within the existing garage which has been converted and undergone internal alterations to provide for sinks, plumbing, electrical upgrades for kitchen machinery, and the installation of exhaust fans within the ceiling.

An average of 500 jars of preserves are sold each week through a mix of wholesale, markets, and online sales.

The hours of operation are:

- Monday – Friday: 8.45am – 4.45pm
- Saturday, Sunday and Public Holidays: Closed

A total of three (3) staff are employed (two residents and an outside employee).

Section 2: Statutory Assessment Process**2.1 Environmental Planning and Assessment Act 1979****Section 1.3 Objects**

Comment: The proposed development is not inconsistent with the objects of the Act.

Section 1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

Comment: The proposed development will not have a significant effect on the terrestrial and aquatic environment, threatened species, populations or ecological communities, or their habitats. The proposal is not considered to create any significant adverse environmental impact. It is therefore considered the proposal is not inconsistent with Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994*.

Section 4.14 Consultation and development consent—certain bush fire prone land

Comment: Not applicable. The site is not mapped as Bush Fire Prone Land.

Section 4.15 Evaluation

Comment: This report provides the necessary review and evaluation of the development application. See below.

Section 4.46 What is “integrated development”?

Comment: The application is not classed as Integrated Development.

2.2 Chronology of events and public notification and statutory referral process.

The below table provides an overview of the timeline with respect to the lodgement and assessment of the application.

Application history/timeline

Application lodged	04/01/2024
DA Panel	Not required
Neighbour Notification	5/01/2024 – 18/01/2024
Further information requested	7/12/2023
Further information received	-
Site Inspection	Not applicable

A BCA report was requested by Council on 7 December 2023 to detail construction details for the existing walls to be satisfied that adequate fire separation has been provided between the home industry area and the existing dwelling. It is noted that no such report has been provided to-date.

2.3 Referrals and Owners Consent

Internal Referrals	Infrastructure Department Building Team Waste Team Environmental Health
External Referrals	Not required
Public Exhibition	The proposed development was publicly exhibited in accordance with Council's DCP requirements.
Owners Consent	Provided.

2.4 Contributions

Section 7.11 (formerly Section 94) Development Contributions are required.

Section 7.12 (formerly Section 94A) Levy Development Contributions are not required.

Section 64 contributions are required.

Section 3: Town Planning Assessment

Assessment carried out by Hugh Halliwell.

Such a notice gives Mr Harley 28 days to respond and provide reasons why an Order should not be issued Such a notice gives Mr Harley 28 days to respond and provide reasons why an Order should not be issued Such a notice gives Mr Harley 28 days to respond and provide reasons why an Order should not be issued

Assessment of the development application has been undertaken in respect to relevant considerations arising from Section 4.15 of the *Environmental Planning and Assessment Act 1979* as follows:

3.1 Section 4.15 Evaluation**(1) Matters for consideration-general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (v) (Repealed)*
that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Matters for consideration.**3.2(a) the provisions****3.2(a)(i) Environmental Planning Instruments****3.2(a)(i)a Murray Local Environmental Plan 2011*****Part 1 Preliminary*****1.2 Aims of Plan**

Comment: The proposed development is consistent with the aims of the Murray LEP 2011. The proposed development will provide appropriate development within the locality.

1.9A Suspension of covenants, agreements and instruments

Comment: For the purpose of enabling development on land in any zone to be carried out in

accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument which restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

Part 2 Permitted or prohibited development

2.3 Zone objectives and Land Use Table (development permissibility)

Zone R1 General Residential

- *To provide for the housing needs of the community.*
- *To provide a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To avoid potential land use conflict and protect the amenity of residents.*
- *To provide for tourist and visitor accommodation in appropriate locations.*

Comment: As discussed elsewhere in this report, the proposal fails to have regard for the impacts associated with the proposed use, including traffic, parking, odour, and waste. These aspects of the business are likely to result in unreasonable impacts on the residential amenity of the neighbouring properties and wider area. In this regard, the proposed development is inconsistent with the objectives of the zone.

Permissibility

Comment: The application is for a home industry, which is permitted with consent in the zone. MLEP 2011 defines “home industry” as follows:

Home industry means an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,***
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil, traffic generation or otherwise,***
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,***
- (d) the exhibition of signage, other than a business identification sign,***
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,***

but does not include bed and breakfast accommodation or sex services premises.

The application is deficient in relation to the information that has been provided.

First, the application has failed to have regard to the loss of parking for the dwelling house and the impact this loss of parking will have on the traffic and parking along Lawson Drive and surrounding streets. In reality, the traffic and parking impacts generated by the business are far greater than outlined within the documentation. At present, the proposal is considered to have an unacceptable impact on the amenity of the neighbourhood due to the loss of parking created by the proposed development.

Second, the application states the following in relation to green waste:

“Typically, offcuts such as peelings and leaves of certain fruits and vegetables will be disposed of within the green waste Council Bin (10kg – 15kg per week)...”

It is unlikely that a business which sells an average of 500 jars of preserves each week will generate as little as 10-15kg of green waste each week. Furthermore, the application has failed to consider the likely general waste (120-litre red bin) generated by the business. In addition to this, the proposal has not considered the likely waste generation from the existing three (3) bedroom dwelling. There are concerns that the waste generation rates outlined in the documentation are lower than in reality.

Third, it is likely that the proposal would result in a degree of unreasonable impact on the amenity of the neighbourhood due to the odours emitted from the premises. Although the owner has suggested that two extraction fans have been installed, these have not been shown on the floor plan provided nor anywhere else in the supporting documentation, including photos. It is noted from the supporting SEE that *“the landowner has also planted a number of fragrant flowers within the gardens fronting the garage door, which attempt to cover the smells that arise from the jam and preserve production of the kitchen”*. This raises further concern of the likely impacts associated with odours being generated from the premises and impact on residential amenity.

Having regard to the above, the application has not satisfactorily demonstrated that the proposed home industry will not interfere with the amenity of the neighbourhood.

2.6 Subdivision—consent requirements

Comment: Not applicable.

2.7 Demolition requires development consent

Comment: Not applicable.

2.8 Temporary use of land

Comment: Not applicable.

Part 3 Exempt and complying development

Comment: Noted. The proposed development cannot be classed as exempt or complying development as it does not meet all development controls.

Part 4 Principal development standards

4.1 Minimum subdivision lot size

Comment: Not applicable.

4.1AA Minimum subdivision lot size for community title schemes

Comment: Not applicable.

4.1A Minimum subdivision lot size for strata plan schemes in certain rural, residential and conservation zones

Comment: Not applicable.

4.1B Minimum subdivision lot sizes for certain split zones

Comment: Not applicable.

4.2 Rural Subdivision

Comment: Not applicable.

4.2A Erection of dwelling houses on land in certain rural and conservation zones

Comment: Not applicable.

4.2B Rural workers' dwellings

Comment: Not applicable.

4.2C Exceptions to minimum lot sizes for certain rural subdivisions

Comment: Not applicable.

4.2D Boundary adjustments in Zones RU1 and C3

Comment: Not applicable.

4.6 Exceptions to development standards

Comment: Not applicable.

Part 5 Miscellaneous provisions

5.3 Development near zone boundaries

Comment: Not applicable.

5.4 Controls relating to miscellaneous permissible uses

Comment:

Clause 5.4(3) states:

*(3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 60 square metres of floor area.*

The proposed home industry is subject to a maximum floor area of 60 square metres.

The proposal has failed to satisfy Clause 5.4, as the application has not provided any supporting information in the form of a floor plan allocated to the business.

5.10 Heritage conservation

Comment: The site does not contain any known items of Environmental Heritage Significance. It is the responsibility of the Applicant to ensure compliance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. Any consent issued will contain the standard condition regarding protection of Aboriginal Cultural Heritage.

5.13 Eco-tourist facilities

Comment: Not applicable.

5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

Comment: Not applicable.

5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations

Comment: Not applicable.

5.18 Intensive livestock agriculture

Comment: Not applicable.

5.20 Standards that cannot be used to refuse consent—playing and performing music

Comment: Not applicable.

5.21 Flood planning

Comment: Not applicable. The subject land is not within the flood planning area.

5.22 Special flood considerations

Comment: Not applicable. The subject land is not between the flood planning area and the probable maximum flood, whilst Council as the consent authority considers the development is not on land that in the event of a flood may cause a particular risk to life, and/or require the evacuation of people or other safety considerations.

5.23 Public bushland

Not adopted

5.24 Farm stay accommodation

Comment: Not applicable.

5.25 Farm gate premises

Comment: Not applicable.

Part 6 Urban release areas

Comment: Not applicable. The subject land is not mapped as an Urban Release Area

Part 7 Additional local provisions**7.1 Essential services**

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

Subsection	Comment
<i>(a) the supply of water,</i>	Existing/Available.
<i>(b) the supply of electricity,</i>	Electricity is available.
<i>(c) the disposal and management of sewage,</i>	The proposed development is required to connect to Council's existing sewer main. Any upgrades to infrastructure will be required to be constructed to satisfaction of Council at the expense of the Proponent.
<i>(d) stormwater drainage or on-site conservation,</i>	Stormwater infrastructure is available on site.
<i>(e) suitable road access</i>	Existing suitable access to the property frontage.

7.2 Earthworks

Comment: No earthworks are proposed.

7.3 Biodiversity protection

Comment: Not applicable. The subject site is not covered by Council's biodiversity mapping.

7.4 Development on river front areas

Comment: Not applicable. The subject land is not classed as a river front area.

7.5 Riparian land and Murray River and other watercourses—general principles

Comment: Not applicable. The proposed development is not occurring on riparian land.

7.6 Additional provisions—development on riverbed and banks of the Murray and Wakool Rivers

Comment: Not applicable. The proposed development is not occurring on the riverbed or bank of the Murray or Wakool River.

7.7 Wetlands

Comment: Not applicable. The subject land is not mapped as a wetland.

7.8 (Repealed)**3.2(a)(i) State Environmental Planning Policy (Biodiversity and Conservation) 2021**

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 Vegetation in non-rural areas

Comment: Not applicable.

Chapter 3 Koala habitat protection 2020

Comment: Not applicable.

Chapter 4 Koala habitat protection 2021

Comment: Not applicable.

Chapter 5 River Murray lands

Comment: Not applicable. The subject site is not mapped as 'River Murray land' within the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Chapter 6 Water catchments

Comment: Not applicable to Murray River Council.

Chapters 7-12 (Repealed)

Comment: Not applicable.

Chapter 13 Strategic conservation planning

Comment: Not applicable to Murray River Council.

3.2(a)(i) State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 Standards for residential development—BASIX

Comment: Not applicable.

Chapter 3 Standards for non-residential development

Comment: Not applicable.

Chapter 4 Miscellaneous

Comment: Noted.

3.2(a)(i) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Comment: The proposed development cannot be classed as exempt or complying development as it does not meet all development controls.

3.2(a)(i) State Environmental Planning Policy (Housing) 2021

Comment: Not applicable.

3.2(a)(i) State Environmental Planning Policy (Industry and Employment) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 3 Advertising and signage

Comment: Not applicable.

3.2(a)(i) State Environmental Planning Policy (Planning Systems) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 State and regional development

Comment: Not applicable.

Chapter 3 Aboriginal land

Comment: Not applicable to Murray River Council.

Chapter 4 Concurrences and consents

Comment: Not applicable.

3.2(a)(i) State Environmental Planning Policy (Primary Production) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 Primary production and rural development

Part 2.1 Preliminary

Comment: Not applicable.

Part 2.2 State significant agricultural land

Comment: Not applicable.

Part 2.3 Farm dams and other small-scale and low risk artificial waterbodies

Comment: Not applicable.

Part 2.4 Livestock industries

Comment: Not applicable.

Part 2.5 Sustainable aquaculture

Comment: Not applicable.

3.2(a)(i) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 3 Hazardous and offensive development

Comment: Not applicable.

Chapter 4 Remediation of land

4.1 Object of this Chapter

Comment: Noted.

4.6 Contamination and remediation to be considered in determining development application

Comment: The subject land is not considered to be contaminated or likely to be contaminated and is not listed on Council's Contaminated Land Register. In accordance with the requirements of this Policy, it is considered the land is suitable in its current state for the purpose for which the development is proposed to be carried out.

3.2(a)(i) State Environmental Planning Policy (Resources and Energy) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 Mining, petroleum production and extractive industries

Comment: Not applicable.

3.2(a)(i) State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 1 Preliminary

Comment: Noted.

Chapter 2 Infrastructure

Comment: Not applicable.

Chapter 3 Educational establishments and childcare facilities

Comment: Not applicable.

3.2(a)(ii) Proposed instruments

Comment: No relevant proposed instruments apply to the site.

3.2(a)(iii) Any development control plan

Comment: Murray Development Control Plan 2012 applies to the proposal.

Chapter 2 Residential Development

Comment:

Chapter 2 Residential Development	<p>2.1 Neighbourhood character: Not applicable.</p> <p>2.2 Streetscape: Not applicable.</p> <p>2.3 Landscaping: Not applicable.</p> <p>2.4 Private open Space: Not applicable.</p> <p>2.5 Building setbacks: Not applicable.</p> <p>2.6 Car parking & access: the proposed business operates from the existing garage, thereby removing the existing parking spaces within the garage allocated for the dwelling house. In this regard, the proposal fails to satisfy the required two (2) off-street car spaces required under Chapter 2, Clause 2.6. The proposal should provide all parking within the site and not rely on on-street parking to satisfy parking requirements.</p> <p>2.7 Site facilities: Not applicable.</p> <p>2.8 Security: Not applicable.</p> <p>2.9 Privacy: Not applicable.</p> <p>2.10 Energy efficiency: Not applicable.</p> <p>2.11 Outbuildings: Not applicable.</p> <p>2.12 Rich River Golf Club: Not applicable.</p>
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Chapter 3 Industrial Development

Comment: Not applicable.

Chapter 4 Commercial Development

Comment: Not applicable.

Chapter 5 Tourist Accommodation

Comment: Not applicable.

Chapter 6 Strategic Land Use Plan

Comment: The proposed development is consistent with the SLUP.

Chapter 7 Subdivision

Comment: Not applicable.

Chapter 8 Urban Release Areas

Comment: Not applicable.

Chapter 9 Vegetation Removal

Comment: No vegetation is proposed to be removed.

Chapter 10 Watercourses & Riparian Land

Comment: Not applicable.

Chapter 11 Flood Prone Land

Comment: Not applicable.

Chapter 12 Notification Policy

Comment: The application was notified to adjoining property owners.

3.2(a)(iia) Any Planning Agreements

Comment: No planning agreements apply.

3.2(a)(iv) The regulations

Comment: The regulations have been considered in the assessment of this application. It is considered the application is consistent with the objectives of the regulations.

3.3(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Environmental Impacts

Natural Environment

The proposed development is unlikely to adversely impact upon the natural environment. No native vegetation is proposed to be removed from the site.

Built Environment

The proposed development is unlikely to adversely impact upon the built environment. The proposal does not alter the existing built form.

Social Impacts

The proposed development is unlikely to create any adverse social impact.

Economic Impacts

The proposed development has the potential to create positive economic effects to the community and is unlikely to create any adverse economic impact.

- **Traffic and Parking:** As previously noted, due to the loss of off-street parking due to the garage being used for the business, the proposal is reliant upon on-street parking to meet parking demands generated by the development. This results in an unreasonable traffic and parking impact along Lawson Drive and surrounding streets.
- **Noise:** The proposal is unlikely to generate unreasonable acoustic impacts.
- **Amenity:** It is likely that the proposed business will result in unreasonable impacts on residential amenity in the surrounding area including dwellings immediately adjacent to the site. The loss of parking for the existing dwelling and parking generated by the business, along with odour and waste are likely to lead to impacts on residential amenity.
- **Waste:** As previously discussed earlier in this report, it is considered unlikely that a business which sells an average of 500 jars of preserves each week will generate as little as 10-15kg of green waste each week. Furthermore, the application has failed to consider the likely general waste (120-litre red bin) generated by the business. In addition to this, the proposal has not considered the likely waste generation from the existing three (3) bedroom dwelling. There are concerns that the waste generation rates outlined in the documentation are lower than in reality.
- **Non-Aboriginal Heritage:** Not applicable. The site is not subject to any heritage conservation provisions.
- **Aboriginal Cultural Heritage:** No known items identified on the subject land. In any event statutory requirements would trigger contingency measures if any cultural heritage was subsequently identified.
- **Bushfire Hazard:** The subject site is not identified as bushfire prone.
- **Water Quality & Stormwater:** Satisfactory. The subject land discharges stormwater to a lawful point of discharge.
- **Soils, soil erosion:** Satisfactory.
- **Flora & Fauna:** Satisfactory. No areas of critical habitat are affected by the proposal. No native vegetation on site will be impacted upon.
- **Utilities:** Satisfactory.
- **Signage:** Not applicable
- **Safety, security & crime prevention:** Not applicable.

3.4(c) The suitability of the site for the development

Comment: The subject site is considered unsuitable for the proposed development due to the reasons already discussed above, namely traffic, parking, odour and waste.

3.5(d) any submissions made in accordance with this Act or the regulations,

No external referrals were made.

Public Submissions

A total of ten (10) submissions were received during the notification period.

Out of the ten (10) submissions, a total of three (3) were in support of the development with the remaining submissions raising objection to the proposal.

The submissions raised valid objections to the proposal with concerns relating to the following:

- **Smells and odours**
- **Traffic**
- **Waste**
- **Hygiene**

The above matters have been considered throughout the assessment.

3.6(e) The public interest

The public's interest has been taken into consideration in the assessment of this development application. It is considered the proposed development will have an adverse community impact.

3.7 Summary

The proposed development has been assessed in accordance with the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is considered unsatisfactory. The proposed development will adversely impact upon Murray River Council, whilst the application can be determined under delegated authority as per Council's Policy. It is therefore recommended that the proposal be refused subject to the draft reasons for refusal.

CONCLUSION

As outlined in the above report, an assessment of this proposal on its merits and the information provided has concluded the proposed development does not demonstrate compliance with the relevant considerations and is likely to pose an adverse outcome for the site and the community. The proposed development is inconsistent with various provisions of the Murray LEP 2011 and Murray DCP 2012. It is therefore recommended that the application be refused development consent.

ATTACHMENTS

1. **Draft Conditions of Approval** [!\[\]\(098e47036f78288d477e334896a43770_img.jpg\) !\[\]\(4eae4ca9e3bdd839cea72df3843a6754_img.jpg\)](#)
2. **Notice of Determination Refusal** [!\[\]\(85c10fe0ae97c3e2f0e940987ab0a900_img.jpg\) !\[\]\(886bb00f68a0102765319f7e3e73d979_img.jpg\)](#)

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

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 75 Fulfilment of BASIX commitments

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*.

Planning conditions

PURSUANT TO SECTION 4.16(3) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 THIS IS A 'DEFERRED COMMENCEMENT' CONSENT SUBJECT TO COMPLIANCE WITH THE FOLLOWING CONDITIONS OF CONSENT WHICH MUST BE COMPLIED WITH BEFORE THE CONSENT BECOMES OPERATIVE

D1. Within 60 days of the date of this consent, a Plan of Management for the operations of the premises must be submitted to and approved by Council prior to the commencement of the consent and use of the site. The purpose of this Plan is to establish performance criteria for various aspects of the operations of the premises in accordance with the Murray Local Environmental Plan 2011 and to minimise potential for impacts on the amenity of the surrounding neighbourhood. The Plan of Management must address;

- (a) Amenity of neighbourhood;
- (b) Noise, dust and odour;
- (c) Behaviour of occupants and complaint register;
- (d) Deliveries and waste removal and management;
- (e) Maintenance;
- (f) Security Management Plan;
- (g) Use of carpark areas;
- (h) Landscaping of the site;
- (i) Confirmation of food production volumes
- (k) maximum number of people on site at any one time.
- l) a full comprehensive site plan including comprehensive floor plans of the existing buildings on-site. The site plan and floor plans must clearly and accurately indicate which areas are used for the purpose of business operations at the site and which areas are private use.

Council must be satisfied the above matters are reasonably addressed. Once the Plan of Management has been approved by Council it will form a part of this consent.

Should there be any additional or altered activities/procedures to those specified in the approved plan of management which remain within the scope of the development consent, the plan of management must be appropriately reviewed and submitted to and approved by Council.

Reason: To protect the amenity of the area.

D2. Within 60 days of the date of this consent, a comprehensive fire services plan must be submitted to Council demonstrating compliance with the Building Code of Australia and the relevant Australian Standards. All fire services applicable to the building as per the provided Fire Safety Schedule must be indicated on the plans and installed prior to the commencement of the consent.

Reason: To protect the safety of the occupants of the building.

D3. In granting this Deferred Commencement consent and within 60 days of this consent being issued, Council requires the essential fire safety measures, as listed in the fire safety schedule annexed to this development consent, to be installed and maintained to comply with the requirements of the Building Code of Australia. Prior to the commencement of use, the owner must cause the Council to be given a fire safety certificate. The fire safety certificate must state in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated:

- a) The measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so; and
- b) As at the date of the assessment the measure was found to be capable of functioning

at a standard not less than required by the Schedule attached to this development consent.

Note: Annual Fire Safety Statements must be submitted to Council and to the Commissioner of Fire and Rescue NSW (FRNSW) (<https://www.fire.nsw.gov.au/page.php?id=9418>) within each twelve-month period certifying the maintenance standard of the Essential Fire Safety Measure installed on the property. Please see the following link for further information regarding notification to FRNSW (<https://www.fire.nsw.gov.au/page.php?id=9157>).

Reason: To comply with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

D4. Section 62 Requirements

In accordance with the requirements of Section 62 of the Environmental Planning and Assessment Regulation 2021, the following works must be completed to upgrade the fire safety of the existing building:

- a. Fire alarm to be interconnected with the dwelling's smoke alarm system/network; and
- b. The dwelling is to be provided with an automatic smoke detection and alarm system complying with Specification 20 of the NCC Volume One; and
- c. Fire extinguishers are to be mounted and incorporate signage complying with AS2444 and cover Class A fire risks, and if the processes undertaken within the proposed development involve the use of cooking oils and fats a secondary fire extinguisher will be required to cover Class F fire risks.

These works must be implemented, certified and reported to Council PRIOR TO THE COMMENCEMENT OF THE CONSENT DA 10.2023.332.1.

Reason: This is a requirement of Section 62 of the Environmental Planning and Assessment Regulation 2021 to address fire safety where consent involves a change of building use for an existing building where the applicant does not seek the rebuilding, alteration, enlargement or extension of a building.

D5. Fire Safety Certificate

On completion of the erection of the building, the owner must provide Council with a Fire Safety Certificate certifying all essential services installed in the building have been inspected and tested by a competent person and were found to have been designed and installed to be capable of operating to the minimum standard required by the Building Code of Australia.

Note: Annual Fire Safety Statements must be submitted to Council and to the Commissioner of Fire and Rescue NSW (FRNSW) (<https://www.fire.nsw.gov.au/page.php?id=9418>) within each twelve-month period certifying the maintenance standard of the Essential Fire Safety Measure installed on the property. Please see the following link for further information regarding notification to FRNSW (<https://www.fire.nsw.gov.au/page.php?id=9157>).

Reason: To comply with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

D6. Food Safety

The Applicant must comply with all conditions and requirements outlined in Council's Environmental Health Coordinator correspondence (Dated 11 January 2024), attached to this Development Consent as Appendix 1. Prior to the commencement of this consent, the Applicant must provide evidence to Council outlining how the conditions have been complied with. The evidence must be to the satisfaction of Council.

Reason: To ensure compliance with Council's Environmental Health Coordinator conditions of consent.

D7. Section 7.11 Contributions and Section 64 charges

Section 7.11 Development Contributions

DEVELOPMENT	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION AMOUNT (23/24 rates)				
		Road Upgrade	Open Space	Community Facilities	Waste	Street Works
	Fee/ET for Moama	\$2,160.00	\$540.00	\$190.00	\$360.00	\$540.00
Commercial Use (residential use for parking)	9 Trips/day = 9/6.5ET = 1.38ET	\$2,980.80	NA	NA	NA	NA
Total = \$3,780.80						

Section 64 Servicing Charges

DEVELOPMENT	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION AMOUNT (23/24 rates)		
		SEWER	RAW WATER	FILTERED WATER
23m2	Fee/ET for Moama	\$1,700.00	\$400.00	\$3,650.00
Commercial Use (Food preparation = 1ET/m2)	Water ET = 42.23m2 x 0.01ET/m2 = 0.42ET Sewer ET = 0.42ET	\$714.00	\$168.00	\$1,533.00
Total = \$2,415.00				

Total Contributions = \$6,195.80

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 commencement of this consent. The fees are charged and calculated in accordance with Council's Adopted Fees and Charges at the time the Development Application is determined. See below:

- Additional trips/day due to business use:
 - 4 trips/ day staff (2 in, 2 out)
 - 3 trips deliveries (Ford Transit) (2 trips to pick up supplies and to transport jams, 1 trip on average to transport recyclables and account for delivery of sterilized jars)
 - 2 trips/day (Aus post courier)
 - **Total additional trips/day = 9**

Note: In this Guide (Guide to Traffic Generating Developments) a trip is defined as a one-way vehicular movement from one point to another excluding the return journey. Therefore, a return trip to / from a land use is counted as two trips.

Note: The existing use is classed residential but proposes to be partly commercial use. Contributions have been calculated based on the expected trip generation for Road Upgrade contribution amounts and on the converted kitchen floor area for sewer and water servicing charges.

D8. Liquid Trade Waste

A Liquid Trade Waste Approval must be issued by Council prior to the commencement of this consent. Please contact Council to obtain an application to discharge Liquid Trade Waste from Council (Note: a fee on application submission will apply).

Reason: To ensure compliance with Murray River Council Liquid Trade Waste Regulation Policy and State Government requirements.

D9. Odour Management Plan

An Odour Management Plan must be submitted to and approved by Council prior to the commencement of this consent. The plan must include the method and program of 'regular cleaning and disinfection' proposed for all areas.

The use and operation of the premises must not cause the emission of any odours that, by reason of its level, nature, character or quality is likely to be harmful to or interfere unreasonably with the comfort or repose of person who is outside the premises. In the event the use exceeds acceptable levels, the person in control of the premises must implement measures to reduce odour to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

Reason: To protect the amenity of the area.

The above Deferred Commencement Conditions must be complied with within 60 days of the Approval Date, in accordance with Section 4.53 (6A) of the *Environmental Planning and Assessment Act 1979*. If the Deferred Commencement conditions are not met within this period, the subject DA will lapse, and a new application will be required to be lodged for assessment.

Upon resolution of the above Deferred Commencement Conditions, the following conditions will be applied to the 'Operational Development Consent':

General Conditions which must be fulfilled

1. **Approved plans and supporting documentation**

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise. All conditions of consent must be fulfilled at the expense of the Applicant.

Approved plans

Plan Number	Revision Number	Plan Title	Drawn by	Date of plan
tba				

Approved documents

Document Title	Version number	Prepared by	Date of document
tba			

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

The development must comply with the definition of Home industry as outlined within the Murray Local Environmental Plan (LEP) 2011. Under the LEP:

home industry means an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing, but does not include bed and breakfast accommodation or sex services premises.

Note—

See clause 5.4 for controls relating to the floor area used for a home industry. Home industries are a type of **light industry**—see the definition of that term in this Dictionary.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

Note—

Light industries are a type of **industry**—see the definition of that term in this Dictionary.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

No other use is permitted unless prior consent by Council is obtained. No washing of vehicles is permitted to occur on the site at any time. No signage is permitted onsite. All relevant Australian Standards must be complied with throughout the life of the development.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Noise control

- (a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment must comply with all standards outlined in the Noise Policy for Industry 2017 (NSW EPA) & A Guide to the Noise Policy for Industry (NSW EPA).

Reason: To protect the amenity of the area and to comply with the Protection of the Environment Operations Act 1997 and Noise Policy for Industry 2017.

3. Amenity protection

The approved development must not adversely affect the amenity and environment of the neighbourhood in any way including:

- The appearance of any buildings, works or materials used.
- The parking or movement of motor vehicles.
- The transporting of materials or goods to or from the site.
- Noise, air, lighting and water discharges from the site.
- Electrical interference.
- The storage and handling of garbage, fuels, chemicals, pesticides, gasses, waste products or other materials.
- Emissions or discharges into the surrounding environment including, from wastewater, sediment, dust, vibration, odours or other harmful products.

Note: The Applicant must notify, at the earliest opportunity, Murray River Council of any incident which has caused, or threatens to cause, material harm to the environment.

For any other incident associated with the development, the Applicant must notify Murray River Council as soon as practicable after the Applicant becomes aware of the incident.

Within 7 days of the date of the incident, the Applicant must provide Murray River Council with a detailed report on the incident, and such further reports as may be requested.

Reason: To protect the amenity of the adjoining area.

Food Safety

4. Floors in areas and where food is prepared, and stored must be:
- Made of a material that does not absorb cooking grease, food liquids or water
 - Able to be effectively cleaned; and
 - Able to resist damage due to the type of operation on top
5. A cleaner's sink shall be provided which is equipped with hot and cold water for the purpose of washing mops and discharging mop water.
- Or;

Alternatively, an area provided which is graded and drained to sewer and is supplied with enough hot and cold water (i.e. a floor waste drain and separate taps equipped with hose fittings). The floors in the food preparation area should be graded (1 in 50) if drained to a floor waste. No part of the floor shall be more than 6m away from a floor waste.

6. Walls and ceilings must be:
 - Sealed to prevent the entry of dirt, dust and pests;
 - Constructed of a smooth even material, able to be easily cleaned; and
 - To the extent that is practicable, be unable to provide harbourage for pests.
(Exposed and painted brick walls are not suitable for food preparation areas including bars)
7. Light Fittings are to be flush mounted and fitted with diffusers or recessed into the ceiling. Light fittings in food preparation and wash-up areas must be positioned so that shadows are not cast upon working surfaces, sealed in a manner which does not allow pest entry through ventilation slots and does not create an area which is difficult to clean.
8. The premises are to be effectively fly and vermin proofed.
9. Any gaps or holes in walls, floors, ceilings, inside cupboards, benches, shelving and surrounding service pipes where they pass through walls, floors, ceilings and benches must be effectively sealed.
10. A handwash basin must be provided. The hand wash basin must be :
 - A permanent fixture;
 - Of a size that allows for effective handwashing;
 - Clearly designated for the sole purpose of washing hands, arms and face.
 - Provided with enough supply of hot and cold water discharged through a single outlet that is recommended to be hands free. E.g. sink mixer.
 - Provided with a supply of Liquid soap and Disposable paper towels from a dispenser
11. The food premises must ensure that there are adequate toilets available for the use of food handlers working for the food business (either on the premises or elsewhere). The toilet cubicle/s must be provided with an adjacent hand wash basin that is supplied with warm water, liquid soap and paper towel.
12. A drainage rack for air-drying cleaned equipment, utensils and appliances is required, this should be made from materials that are unable to absorb water or food liquids e.g. laminated metal.
13. A separate single bowl sink is required for the washing and preparation of fruit to avoid the risk of contamination from dirt and foreign objects.
14. Service pipes, conduits and electrical wiring shall either be:
 - Concealed in floors, plinths, walls or ceilings; or
 - Fixed on brackets to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.
15. Shelving that cannot be sealed to the wall must allow space for cleaning be kept 25mm clear of the wall and be fixed on metal supports with the lowest shelf not less than 150mm above the floor level.
16. Shelving should be of an adequate size to prevent the area from becoming overcrowded and difficult to keep clean and tidy. The shelves must be constructed of a material that is unable to absorb food liquids or water. For example, laminated

wood, steel, vinyl (Plastic Contact on bare wood is not suitable) and be free of cracks and crevices. Pallets must not be used as shelving as it is difficult to clean the floor underneath.

17. All equipment, appliances and fittings that are *not easily moved* must be installed so that the areas under, behind and at the sides can be easily cleaned by providing clearances of at least 150mm. Where it is not practicable to raise fittings etc. above the floor, away from walls, then it should be sealed with coving.
18. Any gaps or crevices created in the installation of equipment must be sealed or filled in to eliminate breeding areas for rodents and other pests, e.g. cavities, false bottoms and similar hollow spaces should not be formed in the construction of cupboards and must be filled with concrete or the cupboards should be supported on legs that allow access for cleaning.
19. A separate room, locker or cupboard must be provided to store outdoor clothing, footwear and personal items of staff in order to prevent contamination of food. This facility should be located near the premises entrance to avoid staff walking across food preparation areas to get to their storage area. Personal belongings should not be stored in food preparation areas to prevent potential cross contamination.
20. A designated area should be provided for storing detergents, sanitisers and cleaning equipment to ensure they cannot contaminate food. A suggestion would be to store in a separate room or cupboard combine near the cleaner's sink.
21. The premises must be fit out and operate in accordance with Australia New Zealand Food Standards Code and the NSW Food Act 2003

Hours of Operation

- a. Operations related to the business must remain strictly between the hours of 8.45am to 4.45pm Monday to Friday. Any modifications to these hours are subject to assessment by Council.

Reason: To protect the amenity of the area and to ensure compliance with the Statement of Environmental Effects.

22. No waste storage permitted

No waste or waste storage facilities are to be placed or stored on the premises.

Reason: To protect the amenity of the area and to comply with the *Protection of the Environment Operations Act 1997*.

Conditions which must be complied with during works and in perpetuity**2. Waste Containment**

Designated waste containment areas must be provided on site and maintained to prevent any windblown litter escaping from the site.

Reason: To comply with the Protection of the Environment Operations Act 1997 and to preserve the environmental health and amenity of the adjoining area.

3. Council property

Any damage or deterioration to any Council property including footpaths, road reserves, or removal of any existing street trees, must be reinstated to its original condition at the Applicant's expense to the satisfaction of Council. Replacement tree(s) must be the same species and size as the one removed.

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

4. Processing Volume

The use of the site must accord with the processing volume as approved under the Plan of Management. Details of the actual processing must be submitted to Council on an annual basis (12 monthly). The processing rate records must be submitted via email to: admin@murrayriver.nsw.gov.au.

Reason: To minimise environmental and amenity impacts.

5. Complaints handling

In the event of noise/odour or other complaints from the community the Applicant must establish a community environment liaison committee, comprising representatives of the community and the Applicant which will meet at least annually. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.

Reason: To protect the amenity of the area.

Advice to Applicant**26 Before You Dig Australia**

27 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.

28 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.

29 Compliance with conditions

30 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.

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

Compliance with legislation

32 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.

Water supply work, sewerage work and stormwater drainage work

33 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*



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA 10.2023.356.1
Applicant	Timothy Stallard Harley 33 Lawson Drive MOAMA NSW 2731
Description of development	Home Industry (Food Manufacturing)
Property	33 Lawson Drive, Moama Lot: 90 DP: 717500
Determination	Refused Consent Authority - o Council
Date of determination	13 February 2024

Under section 4.18(1)(a) of the EP&A Act, notice is given that the above development application has been determined by refusing consent using the power in section 4.16(1)(b) of the EP&A Act, for the reasons specified below:

DA 10.2023.356.1

1

Reasons for refusal

Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979:

That the Murray River Council determines Development Application No. 10.2023.356.1 for a Home Industry (Food Manufacturing) at 33 Lawson Drive, Moama, by way of **REFUSAL** for the following reasons as outlined below:

1. Pursuant to section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the objectives of the R1 General Residential zone under the Murray Local Environmental Plan 2011.
2. Pursuant to section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with definition of “home industry” under the Murray Local Environmental Plan 2011.
3. Pursuant to section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Chapter 2, Clause 2.6 of Murray Development Control Plan 2012, particularly in relation to car parking.
4. Pursuant to section 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, the site is not suitable for the development.
5. Pursuant to section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979 the development is not in the public interest.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Jessica McFarlane**Manager Development Services**

Person on behalf of the consent authority

For further information, please contact Ashleigh Cartlidge on 1300 087 004.

DA 10.2023.356.1

2

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Murray River Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Murray River Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

DA 10.2023.356.1

3

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Western Regional Planning Panel.

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 TOOLEYBUC, PIANGIL ACTION GROUP

File Number: -

Author: Karen Buckley, Manager of Local Connections

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council

1. Revoke existing members of the Tooleybuc, Piangil Action Group (Tooleybuc Bridge Keepers Cottage) 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 Tooleybuc, Piangil Action Group (Tooleybuc Bridge Keepers Cottage) Committee of Management, held on 15th November 2023, Elections were held to elect all committee positions and office bearers.

DISCUSSION

Present at this meeting were:

Karen Buckley (Council), Scott Smith Tracey Domaille, Deb Porteous, Les Gellie, Matt Walker, Vilma Johnson, Bree Cowly and David Brehm

A block election was held with all positions filled as per previous year:

President: Tracey Domaille

Vice President: Dave Brehm

Treasurer: Les Gellie

Assistant Treasurer: Vilma Johnson

Secretary: Scott Smith

Assistant Secretary: Bree Cowly

Committee: Deb Porteous, Matt Walker, Erin Jonasson, Narelle Fraser, Laura Steer

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 committee financial transactions is low

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 & Committee 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.

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 Tooleybuc, Piangil Action Group (Tooleybuc Bridge Keepers Cottage) Committee of Management, new committee members nominated at the November 2023 AGM.

ATTACHMENTS

1. **Tooleybuc Piangil Action Group Annual General Meeting Nov.2023**  
2. **Tooleybuc Piangil Action Group (Bridge Keepers Cottage) Membership return - Confidential**

Minutes AGM Tooleybuc Piangil Action Group January 2022

Minutes Annual General Meeting Tooleybuc Piangil Action Group 15th November 2023

Held at Tooleybuc Sporting Club Committee Room.

Attendees: Karen Buckley (Council), Scott, Trakka, Deb, Les, Matt, Vilma, Bree and David

Apologies: Anne Crowe, Narelle Fraser and Erin Jonasson

Start time: 18.40

Chaired By: Karen Buckley

Previous Minutes to be accepted as distributed.

Moved by: Trakka

Seconded: Dave

All positions on committee declared vacant

All nominations for committee filled as per previous year.

President: Tracey Domaille

Vice President: Dave Brehm

Treasurer: Les Gellie

Assistant Treasurer: Vilma Johnson

Secretary: Scott Smith

Assistant Secretary: Bree

Committee: Deb, Matt, Erin, Narelle

Financial Report presented by Treasurer Les Gellie

Statement of income and expenditure is as per documents provided

TPAG Balance \$22,879.25

Bridgekeeper's Cottage balance \$18,645.21

Financial Report tabled by Treasurer:

Moved by: Les Gellie

Seconded: Scott

Business arising from previous minutes: nil

Correspondence In: nil

New Business: nil

Meeting closed 18.50

Next AGM proposed for September 2024

9.5.2 ADOPTION OF FINAL ECONOMIC DEVELOPMENT & TOURISM STRATEGY 2024-2034**File Number:** -**Author:** Beck Hayward, Acting Manager Economic Development**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

That Council:

1. Council notes the information outlined in the council report in relation to the Final Murray River Council Economic Development and Tourism Strategy 2024-2034.
2. Council adopts the Final version of the Murray River Council Economic Development and Tourism Strategy 2024-2034.
3. Council note that Council resources will be required to implement the Strategy.

BACKGROUND

Council officers commenced development of a Draft Murray River Council Economic Development and Tourism Strategy (“Draft Strategy”) in 2022. In February 2023, Lucid Economics were appointed to assist with progressing the development of the strategy. A draft strategy was presented to the November 2023 Council meeting, where it was resolved to *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.*

The Economic Development and Tourism Strategy 2024 – 2034 has been prepared to provide Council, in its role as promoter and facilitator of economic development, with a high-level plan of action to ensure the region is a *Place of Prosperity and Resilience.*

The Strategy has been developed based on extensive research, analysis and consultation (with input from key stakeholders including the community, businesses, Councillors and executive). It presents a plan of action that builds on our existing strengths to stimulate, support, attract and maintain business activity in the Murray River Council area. The strategy provides focus to direct Council’s activities where they can have the most benefit and best add value to the community.

The Strategy provides an overview of Council’s role in economic development and its contribution to the economic wellbeing and liveability of the Murray River Council region.

It is noted that while this strategy is developed for the next ten years, the action plan connected to this strategy will be a 12-month delivery plan, with the balance of the period considering the aspirational concepts across the main pillars of economic development, tourism and investment attraction. This design is intentional and will allow the annual action plan to adapt over time and to matters, or issues that arise suddenly (e.g. pandemics and floods). In such a way, the strategy provides for long-term direction towards goals while providing flexibility and adaptability to the ever-changing environment that we live in.

The Draft strategy was placed on public exhibition, via Council’s Your Say page, for a 28-day period, inviting submissions until 11 January 2024. This resulted in 15 views and 4 submissions being received (please see attached). Staff also received email feedback from counterparts in Edward River Council, Campaspe Shire Council and Murray Regional Tourism, each complimenting the strategy and noting they are keen to partner with Murray River Council on relevant projects.

DISCUSSION

The Strategy links to the Community Strategic Plan 2022-2032 and will support the community to achieve the community's vision for the future:

Murray River Council has vibrant, diverse and cohesive communities. We are supported by strong local business and primary industries. We value our beautiful waterways and natural surrounds.

The Strategy recommends a triple bottom line approach, where a balance can be established between the economy, community and the environment. All three elements of the destination should thrive, and Council should recognise that without a strong community and healthy environment, economic growth will not deliver positive outcomes for the Murray River Council.

The strategy identifies four strategic themes for action and delivery:

- Support existing businesses and communities;
- Promotion and investment attraction;
- Growing tourism;
- Advocacy and partnerships.

These themes align to Council's role in economic development and tourism and will be focused on key industries and areas identified for future economic and tourism growth. The framework provides long-term direction for Council, aligned to existing competitive advantages and its role in economic development and tourism. It provides key initiatives to further focus Council activity, energy and resources to deliver tangible benefits to the community. While its main focus is on the economy, the framework seeks to strike a balance across the economy, community and environment.

The long-term framework is supported by a short-term, annual action plan to implement the strategy over time. This design is intentional and will allow the annual action plan to adapt over time and to matters or issues that arise suddenly (such as pandemics and floods). In such a way, the strategy provides for long-term direction towards goals, while providing flexibility and adaptability to the ever-changing environment that we live in.

STRATEGIC IMPLICATIONS

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

5.9 - Promote and grow tourism across the region - Promote advantages to visit, live, work and invest.

BUDGETARY IMPLICATIONS

Through adoption of the Strategy, Council commits to investing in achieving the identified outcomes. This commitment will provide the community with reassurance that the strategies identified will be implemented over the next ten years.

Many of the actions within the annual action plan will require staff resources only and some will require both staff time and budget. Once the Strategy has been adopted and the action plan finalised, the activities within the action plan will be costed and included in the economic development budget, to be adopted as part of the 2024-25 budget.

Council's current operating deficit and its efforts to restore long-term financial sustainability will be considered when developing the action plan and budget and some projects may have to be spread over multiple financial years to lessen the financial burden to Council.

POLICY IMPLICATIONS

Murray River Council Economic Development Assistance Policy (POL600).

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**

Council's capacity to implement the Strategy may diminish.

A reduction in operational expenditure will impact Council's ability to deliver on its commitment to implementing the Strategy.

- **How can it happen?**

Continued deterioration of Council's operational position.

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

A reduction in operational expenditure will impact Council's ability to deliver on its commitment to implementing the Strategy.

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

Likely

- **Adequacy of existing controls?**

Inadequate

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

To restore long term financial sustainability, Council will need to review its current commitment to service levels across our community.

Action plan to be reviewed annually, or as required.

CONCLUSION

The Economic Development and Tourism Strategy 2024-2034 has been developed based on extensive research, analysis and consultation. It presents a plan of action that builds on our existing strengths to stimulate, support, attract and maintain business activity in the Murray River Council area. The strategy provides focus to direct Council's activities where they can have the most benefit and best add value to the community.

The Strategy aligns with Councils' Community Strategic Plan and supports the community's vision for the future. The Strategy will be delivered through implementation of a flexible annual action plan.

ATTACHMENTS

1. **EDTS Submissions** [↓](#) 

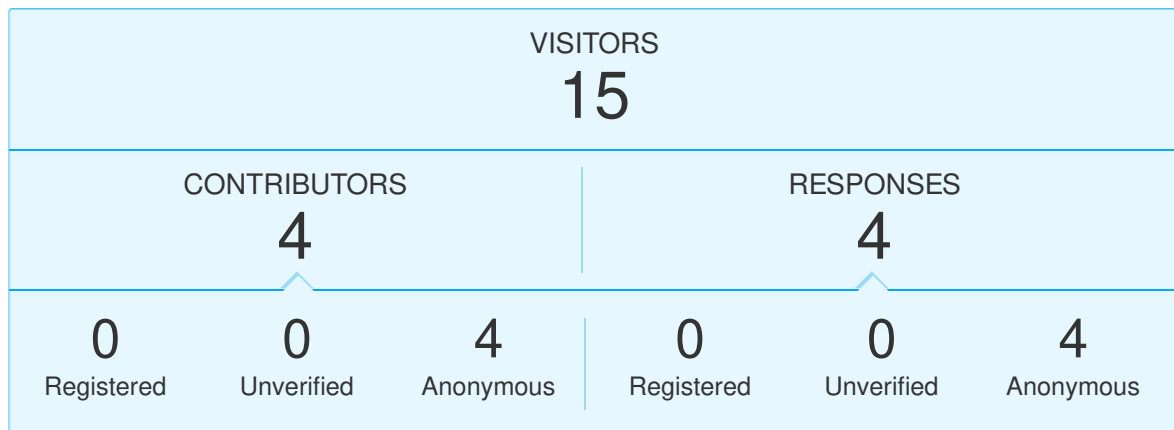
Survey Responses

29 March 2020 - 11 January 2024

Make a submission

Your Say Murray River

Project: Economic Development and Tourism Strategy



**Respondent No:** 1**Login:** Anonymous**Email:** n/a**Responded At:** Dec 06, 2023 19:07:35 pm**Last Seen:** Dec 06, 2023 19:07:35 pm**IP Address:** n/a

- Q1. **First name** Jono
-
- Q2. **Surname** Alexander
-
- Q3. **Your email address** jono.alexander@hotmail.com
-
- Q4. **Your phone number** not answered
-
- Q5. **Please provide your submission details in the text box below. You can provide any relevant attachments at the next step.**
- Barham needs more for young families to do. The playground in the parks are outdated and not fit for young children. There is a fantastic playground in koondrook and it is a shame Barham can't have similar as it would entice families to stop there and also wander the shops and have a meal at any of the eateries adjacent the riverside park. There are also no baby change room facilities in Barham for locals to use or people travelling through.
-
- Q6. **If you have an image or file relevant to your submission, please upload it here.** not answered
-
- Q7. **If you have another image or file relevant to your submission, please upload it here.** not answered
-



Respondent No: 2
Login: Anonymous
Email: n/a

Responded At: Dec 19, 2023 16:04:38 pm
Last Seen: Dec 19, 2023 16:04:38 pm
IP Address: n/a

- Q1. **First name** Lisa
-
- Q2. **Surname** Mango
-
- Q3. **Your email address** lisa.mango@windlab.com
-
- Q4. **Your phone number** 0429276698
-
- Q5. **Please provide your submission details in the text box below. You can provide any relevant attachments at the next step.**
- * Under 4.6.3 Renewable Power Generation, please revise the project name from Burrawong Wind Farm (Windlab) to Junction Rivers and * That the Junction Rivers project can be grid-connected via existing transmission infrastructure or the Energy Connect line
-
- Q6. **If you have an image or file relevant to your submission, please upload it here.** not answered
-
- Q7. **If you have another image or file relevant to your submission, please upload it here.** not answered
-

**Respondent No:** 3**Login:** Anonymous**Email:** n/a**Responded At:** Jan 04, 2024 14:22:09 pm**Last Seen:** Jan 04, 2024 14:22:09 pm**IP Address:** n/a

- Q1. **First name** Rowan
-
- Q2. **Surname** Jayasuriya
-
- Q3. **Your email address** yycoo@yynac.com.au
-
- Q4. **Your phone number** 0419428718
-
- Q5. **Please provide your submission details in the text box below. You can provide any relevant attachments at the next step.**
- The YYNAC contribution to the Strategy Document is attached as a PDF. Please advice is it is no received.
-
- Q6. **If you have an image or file relevant to your submission, please upload it here.** https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/9910f249c61d4815e203f69705dcb01b7a4e9e04/original/1704338270/da5b4466de294535ed980329eb12aacb_YYNAC_Contribution_to_the_MRC_Tourism_Strategy_23_-_33_Document.pdf?1704338270
-
- Q7. **If you have another image or file relevant to your submission, please upload it here.** not answered
-



Respondent No: 4
Login: Anonymous
Email: n/a

Responded At: Jan 11, 2024 17:32:54 pm
Last Seen: Jan 11, 2024 17:32:54 pm
IP Address: n/a

- Q1. **First name** Austin
-
- Q2. **Surname** Ley
-
- Q3. **Your email address** a.ley@campaspe.vic.gov.au
-
- Q4. **Your phone number** 0455216011
-
- Q5. **Please provide your submission details in the text box below. You can provide any relevant attachments at the next step.**
- I am the new Manager Economy and Business at Campaspe Shire Council and have just appointed consultants to prepare the Shire's new Economic Development and Tourism Strategy. As the MR draft EDTS states on page 22, "The only economic future that either side of the river can have is a shared one." I am keen to work with Murray River to ensure our strategies compliment and support each other. The attached are some general comments on the MR draft EDTS which I would be happy to elaborate on. regards, Austin Ley
-
- Q6. **If you have an image or file relevant to your submission, please upload it here.** https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/4b70ff37986a78b54c69a5a166faff95cc3aa26d/original/1704954737/dedd20527eb1f4b1c2b993e8aab5c66e_AL_Draft_MRC_EDS_Comments.docx?1704954737
-
- Q7. **If you have another image or file relevant to your submission, please upload it here.** not answered
-



YORTA YORTA NATION ABORIGINAL CORPORATION

(under special administration)
ABN: 55 942 996 311 - ICN: 3279

MURRAY RIVER ECONOMIC DEVELOPMENT & TOURISM STRATEGY 2023-2033

The Yorta Yorta Nation Aboriginal Corporation (YYNAC) congratulates the Murray River Shire on the development of this strategic plan and offers the following as contribution to the development of the plan. Furthermore, we extend genuine partnership opportunities in the execution of the strategy.

LOCAL

With the Murray River Shire located in the heart of Yorta Yorta Country, we fully concur with the seven themes of direction, with extra emphasis on the point of **A place of inclusion, culture and wellbeing**. Through cooperation we see many opportunities to join with the Murray River Shire to see new and exciting cultural immersive attractions brought to the region for both our locals and visitors to experience and enjoy.

Cultural Tourism is an area of tourism that is very much lacking in our region but offers strong growth opportunities along with employment opportunities and income growth across our region. We see this as a real moment to come together and see this tourism sector reap benefits across our region.

TOURISM

The YYNAC recognizes the importance of tourism to our region. And through the re-development of the Dhanya Centre, we see ourselves as an important part of the overall attraction to our region for visitors. We are developing cultural immersive experiences "on country" that will go a long way to fill the current void. We will work with our Elders to be able to offer stories and experiences that will only be found in this region.

We see international tourists as a real target for us to attract to our region, but we also understand the importance of attracting "traditional" tourists as well. The international tourist is a high spending customer, keen to book their experiences in advance. It is our strategy to create half day, full day, and potentially two-day experiences. By bringing these tourists into our region, this will have positive flow on effects for accommodation providers, restaurants, and other local tourist attractions.

FUTURE ECONOMIC DEVELOPMENTS OPPORTUNITIES IN TOURISM

With the re-development of the **Dhanya Centre in the Barmah National Park**, we will create both cultural immersive attractions and general tourist attractions. Visitors to our region will have the opportunity to enjoy.

- Guided cultural trail walks in the Barmah Forrest and around the Barmah Lakes
- Guided cultural night walks in the Barmah Forrest
- Guided cultural tours on the Murray River and Barmah Lakes aboard the Kingfisher River

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Barmah Head Office
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Yenbena Training Centre
2-8 Schier Street
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YORTA YORTA NATION ABORIGINAL CORPORATION

(under special administration)

ABN: 55 942 996 311 - ICN: 3279

Cruiser that will be re-launched in 2024

- Local Yorta Yorta artists paintings and crafts on display at the Dhanya Centre
- The display and explanation of the cultural importance of Yorta Yorta Artifacts at the Dhanya Centre
- Glamping in the Barmah National Park
- Bird Watching

INTERPRETIVE CENTRE IN MOAMA

There is potential for YYNAC to base its proposed Interpretive Centre in Moama if a suitable location is available to the MRC. This will be an attraction in its own right, but it will act as a gateway to the Dhanya Centre precinct much in the same way as Budj Bim is a primary destination for visitors to both Warrnambool and Port Fairy Shires. The two shires host tens of thousands of visitors (domestic and international) as they act as the gateway to the Budj Bim site. We believe the effect of the Dhanya Centre will be even more significant as the Barmah Forest is only 30 minutes away from Moama.

In addition, we see a great opportunity to join the Murray River Shire to be an important part of the **Bridge Arts Project**, with arts and crafts included into the gallery from our local Yorta Yorta Artists. We will have Yorta Yorta people who can provide the cultural expertise to facilitate Moama based attractions, Guided Murray River (Dungula) Walks, Story Telling and Gallery Guides, as potential examples.

We see great importance in having a strong and vibrant presence in Moama. We see real synergies in being able to share resources, especially through Yorta Yorta people being able to deliver the cultural immersive experiences that visiting tourists will be wanting to partake in.

Through development and cooperation between MRS & YYNAC, we see joint tour opportunities, with tourists being able to experience the attractions of Moama and then being taken by Bus (electric busses with supporting infrastructure to be provided by YYNAC) out to Barmah, stopping along the way to visit our unique medical-grade Manuka Honey Farm, experience Wattle Seed harvesting /tasting, taking a guided cultural walk through the Barmah Forest and a river cruise on the Kingfisher. In other words, the **FULL cultural immersive experience**.

We want to see the Murray River Economic & Tourism Strategy Plan continue to develop and we want to offer our assistance to its development. We will be happy to meet with you and expand upon any of the points we have raised. We have had informal and preliminary discussions with the Economic Development team at MRC and see the YYNAC as the logical gateway to ensure the cultural aspects of this plan are developed in a mutually agreed manner.

We look forward to your response.

Kind regards,

Rowan Jayasuriya (Action CEO) and **Garry Armstrong** (Business Manager – Dhanya Centre)

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Campaspe Shire Council's submission on the Murray Shire Council's draft Economic Development & Tourism Strategy**Overall Comments**

On the Murray River Council website, the introduction to the development of the Economic Development and Tourism states that *"the document details a longer-term strategy for the next ten-years, along with a delivery/action plan that covers the first 12-months of implementation"*.

The Strategy's Strategic Framework on page 61 sets out four Strategic Themes as follows:

1. **Engaging with and supporting existing businesses and communities** via workshops, programs, investments into place improvement projects and hosting events
2. **Promotion and Investment Attraction** of the area as a business destination through planning, facilitation and support, investment in catalytic infrastructure and talent attraction initiatives
3. **Growing Tourism** by promoting the area as a tourism destination through targeted campaigns and activities, new events and experiences, new infrastructure and product development
4. **Advocacy and Partnerships**, for infrastructure investment, partnering with the private sector to develop surplus Council land and industry groups and other levels of Government to support marketing, investment and job creation.

The Strategy states on page 22 that:

"The only economic future that either side of the river can have is a shared one".

This statement is supported by the following statements:

"The Murray River region has a number of cross-border communities. While the Murray River may separate many communities, the areas function as individual regions.....despite the political border.....they function as a singular, functional regional unit".

"37% of workers in Murray River live in cross border areas, and 40% of employed residents in Murray River work in cross border areas. In a similar exercise, residents from both sides of the river would access services from the other side. Businesses will trade likely at a similar level, across the border".

"While often cross-border communities are made up of two towns, the area is in fact one region that has a shared history, strong similarities in their economic structure and very close economic ties. The future fate and economic evolution of one side of the river will undoubtedly impact the other and vice versa".

Conservatively the current combined population of Murray River and Campaspe Shires and the towns of Echuca Moama are around 40,000 and 23,000, respectively.

The draft Strategy's economic analysis concludes on page 49 that there are future economic development growth opportunities in a number of industries, including:

- Agriculture
- Tourism (evidenced through accommodation and food services and retail trade)
- Professional services
- Health care
- Manufacturing

Campaspe has a similar profile and, no doubt similar economic development growth opportunities.

The draft Strategy states on page 53 that the Murray River region competes with a number of surrounding destinations for new jobs and business investment. The analysis shows that Murray River is the smallest community with the smallest economy and visitation market.

Campaspe Shire Council's submission on the Murray Shire Council's draft Economic Development & Tourism Strategy

Again, it is important to include the Cross Border communities to view the combined region's offering, which would be more competitive.

Based on the above, it would be sensible if Murray River and Campaspe Shires could align their two Economic Development and Tourism Strategies, so they complement and support each other.

Specific Comments

1. The plans for the Meninya Street Upgrade to be an innovative and sustainable precinct, are very encouraging and will no doubt provide a boost to Moama.
2. Working with Governments and telecommunications networks to advocate for improved quality, reliable highspeed fixed and mobile telecommunication infrastructure and services, is a very important initiative. Fixed and mobile connectivity are critical for businesses and the community.
3. The Cluster maps on pages 47 and 48 show that "Agriculture, Forestry and Fishing" and, to a lesser extent, "Manufacturing" Electricity, Gas Water and Waste Services" and "Transport, Postal and Warehousing" all have a high competitive advantage with weak growth.

It would be useful to understand why the growth potential is weak and whether anything could be done to increase the growth potential, given their competitive advantage.

4. The report's economic analysis indicates that there are future economic development growth opportunities in a number of industries, including:
 - Agriculture
 - Tourism (evidenced through accommodation and food services and retail trade)
 - Professional services
 - Health care
 - Manufacturing

In contrast the majority of the "Opportunities" listed in the SWOT analysis on p52 relate to Tourism. It would be valuable to explore and potentially expand on the opportunities in the other industries.

In Summary

Campaspe Shire is keen to work with Murray River to ensure our strategies compliment and support each other.

Austin Ley
Manager Economy and Business
Campaspe Shire Council

9.5.3 SECTION 355 COMMITTEE MEETING MINUTES AS AT JANUARY 2024

File Number: -
Author: Karen Buckley, Manager of Local Connections
Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council receive and note the January 2024 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 School of Arts Hall Committee

- General discussion – no issues raised.

Koraleigh Hall & Recreation Reserve Committee

- Motion: Committee disappointed tennis lights still not operational, it has been two seasons of tennis without lights.
- Motion: Flagpole at Rec Reserve damaged and removed. Need a replacement for Australia Day Event.
- Motion: Committee verbally told that when storage shed was dismantled at Rec Reserve it would be replaced. After considerable time still no communication from Council officers. This was without community consultation.
- Key Boxes: Rec Reserve broken into - drinks from fridge and whole cricket set bag taken. Police notified and under investigation.
- Christmas Tree at Rec Reserve: good crowd, Santa excellent, Raffle-3 prizes, tennis enjoyable; approx. 30 children 40 adults.

Tooleybuc Piangil Action Group – (Bridge Keepers Cottage)

- Harvest festival was successful.
- Karen mentioned there are 27 x “355” committees. In reference to us, the Bridge keeper’s cottage is tied to our action group.
- Op Shop is a “user group” of the TPAG and responsible for their own insurance.

ATTACHMENTS

1. **Barham School of Arts Hall Committee Meeting Minutes 8 Jan 2024** [!\[\]\(8c4dca64662d21542001ca0ed7eeb688_img.jpg\)](#) [!\[\]\(3de35c640e7147a3fb61ee393128d2ae_img.jpg\)](#)
2. **Koraleigh Hall & Recreation Reserve Meeting Minutes Jan 2024** [!\[\]\(d1438aeefda19c86ae7477bf1fb30796_img.jpg\)](#) [!\[\]\(dc4d2c544087998b6f093f485f5119d7_img.jpg\)](#)
3. **Tooleybuc Piangil Action Group Meeting Minutes 15 Nov. 2023** [!\[\]\(f26ab61dd00ea7e5f19553908ec3fa6b_img.jpg\)](#) [!\[\]\(ecf85e064bcd351a8999f71bf3f405e7_img.jpg\)](#)

SECTION 355 LGA BARHAM SCHOOL OF ARTS HALL REPORT:

MEETING OF 8/1/2024

Meeting commenced about 8.10 pm.

PRESENT CHAIR: T Barker.

J Boyd, R Millar, A Millar, J Pye, C Pye, R Daws, J Whelan, A Mathers, G Barker, C Webster, G Webster,
R Salter, D Griffiths, B Rash, D Agelakis, G Minnis, B Campbell, G Cook.

APOLOGIES: P Lloyd, Clr. Gorey

John Boyd*-

*He is very concerned about the future of the Hall and Reception Room given Council's apparent financial issues. He would not wish to see it sold off under any circumstances. It is ideal for Funerals/ Weddings etc.

*December was a very quiet month, with few users.

*Due to inclement weather the Christmas Eve Mardi Gras was held in the Hall.

FINANCIAL REPORT: As per attached report from Moulamein.

Meeting Finished: 8-15 pm.



Koraleigh Hall and Rec. Reserve Committee

Meeting Minutes

Date/time of meeting	24/01/2024 7 pm
Location of meeting	Koraleigh RFS Meeting room
Attendees	<ul style="list-style-type: none"> • Brian Hoare • Cassie Andrews • Mary Hoare • Liam Hoare • Peter Thompson • Sandra Andrews • Gina Bailey
Apologies	<ul style="list-style-type: none"> • Bev Thompson • Vern Andrews • Sue Russell
Guests	<ul style="list-style-type: none"> • Greater Wakool Ward Cr Ann Crowe • MRC Manager Local Connections Karen
Approval of Previous Minutes	Moved: Brian Hoare Seconded: Gina Bailey
Business arising from previous minutes	<ul style="list-style-type: none"> • New flagpole at Rec Reserve: not sure will contact Australia Day Committee. • Rec Reserve kitchen completed, cost of sink not included in original quote. Now cost \$4,170, extra \$1,170 paid for by Rec Reserve Funds. • No hot water system, Karen Buckley will advise David. • Transfer of electricity a/c still on agenda with Luke Keogh. <p>Moved: Cassie Andrews Seconded: Brian Hoare</p>

<p>Treasurers Report</p>	<ul style="list-style-type: none"> • Hall a/c balance \$10,642.20. <ul style="list-style-type: none"> - Interest +0.12 Hall Hire +100 - Electricity -86.54 • Rec Reserve a/c balance \$9,438.88. <ul style="list-style-type: none"> - Interest +0.11 Grant +3,000 Hall Hire +300 - Kitchen Cost -4,170 Xmas Tree -100 <p>Moved: Cassie Andrews Seconded: Brian Hoare</p>
<p>Email Correspondence</p>	<ul style="list-style-type: none"> • Lisa Howieson: metered outlet for Hall. • Karen Buckley: Master plan removed from this years budget. Lights should be completed by Xmas and fence repaired. 355 Committee reminders. MRC Social Media Policy. • Matt Sherman: Lights installed 20/12/23, work to be completed after 8/01/24, including lights for playground/carpark. MRC replace padlocks. Damaged concrete club responsibility, fence MRC repair. Major voltage drop issues. • Lisa Mango. Windlab - Grants available as good will to community. <p>Moved: Mary Hoare Seconded: Ann Crowe</p>

General Business

- Motion: Committee disappointed tennis lights still not operational, it has been two seasons of tennis without lights.
 - Moved: Liam Hoare
 - Seconded: Cassie Andrews
 All in Favour
- Motion: Flagpole at Rec Reserve damaged and removed. Need a replacement for Australia Day Event.
 - Moved: Cassie Andrews
 - Seconded: Mary Hoare
 All in Favour
- Motion: Committee verbally told that when storage shed was dismantled at Rec Reserve it would be replaced. After considerable time still no communication from Luke Keogh. This was without community consultation.
 - Moved: Liam Hoare
 - Seconded: Cassie Andrews
 All in Favour
- Key Boxes: Rec Reserve broken into - drinks from fridge and whole cricket set bag taken.
 - Police notified and under investigation.
- KeyBox: Key to be left when needed.
 - Change code - 2733
- Christmas Tree at Rec Reserve: good crowd, Santa excellent, Raffle-3 prizes, tennis enjoyable; approx. 30 children 40 adults.
- Thanks go out to the following
 - CWA - Donation
 - Doey's Meats - Raffle Donation
 - Ross Fleming - Raffle Donation
 - Koraleigh Fire Brigade - Icy Poles
 - Ralph and Mary Hoare - Lolly Bags
 - Vern and Sandra Andrews - Coleslaw
 - Zoli Hutnik - Xmas Tree
 - Kerrie Hoare - setting up
 - Wayne - cooking the BBQ
 - Henry Withoos - for being the guest of honour
 - The Murray River Shire for mowing
 - Koraleigh Recreation Reserve - Donation
- Australia Day Breakfast 7am -9am - Rec Reserve.
 - guest: Ann Crowe

General Business (continued)	<ul style="list-style-type: none"> • Community Centre <ul style="list-style-type: none"> - Integra to help with drawing up draft plans. - Meet on Tuesday 30/01 at Fire Shed then to Rec Reserve to mark out on-site placement of Fire Shed/ Community Centre - Sketch plans and send to Integra • Rec Reserve rainwater emptied as pump/tap left on inside hall. <ul style="list-style-type: none"> - Cassie & Mitchell fixed and fitted down pipe. • Koraleigh Hall: Lisa Howieson received information; Chris to investigate transfer to BKIT <ul style="list-style-type: none"> - Hall is on community land → Community Group. - Lisa be at next meeting.
Meeting Closed	8.47 pm
Next Meeting	Date: Wednesday 21st February 2024 Time: 7 pm. Venue: Koraleigh Rec Reserve

Minutes General Meeting Tooleybuc Piangil Action Group January 2022

Minutes
General Meeting
Tooleybuc Piangil Action Group 15th November 2023

Held at Tooleybuc Sporting Club Committee Room

Attendees: As per previous AGM

Apologies: As per previous AGM

Start time: 18.50

Presentation of previous minutes.

Accepted: Scott

Seconded: Vilma

Correspondence In:

Nil

Business arising from previous minutes:

Nil

Financial Report tabled by Treasurer as per the AGM:

Accepted: Les Gellie

Seconded: Scott Smith

New Business:

- 1) Harvest festival was successful.
 - a. Deb suggested different themes at different times
 - b. Tahlia Stewart looks to be securing more funding but may be outside the scope of council.
 - c. Any event on council property needs to go through "Council Event management"
 - d. Dave asked about introducing a stand of our own
- 2) Scott asked about the pub luncheon held by Windlab.
- 3) Karen mentioned there are 37 x "355" committees which is the council's ability to manage a council asset. In reference to us, the Bridgekeeper's cottage is tied to our action group.
 - a. Op Shop is a "user group" of the TPAG and responsible for their own insurance.
- 4) Request was proposed for a plaque in Mensforth Park.
- 5) Is it possible to do an opening for the pontoon.
- 6) New seat request for the Bridgekeeper's cottage.

Meeting closed 19.57

Next Meeting: Proposed Wednesday 14th February 2024 at 6.30 pm.

9.5.4 COMMUNITY SERVICES - CLIENT SATISFACTION SURVEY RESULTS

File Number: -

Author: Leanne Orr, Acting Manager Community Services

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council receive and note the Community Services client satisfaction results.

BACKGROUND

Community Services sends out an Annual Survey to Clients receiving our Services to measure satisfaction.

DISCUSSION

Results over the last 12 months show an outstanding positive result in regard to client satisfaction.

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**POLICY IMPLICATIONS****LEGISLATIVE IMPLICATIONS****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

Community Services are very pleased with the results from our Survey and ask Council to receive and note results.

ATTACHMENTS

1. **Community Services Client Satisfaction Survey 2023** [!\[\]\(8c4dca64662d21542001ca0ed7eeb688_img.jpg\) !\[\]\(3de35c640e7147a3fb61ee393128d2ae_img.jpg\)](#)

Client Satisfaction Survey 2023 Results

The wording of the 2023 survey was modified for better clarity of meaning and prevention of misinterpretation of the questions. I believe this helped but there are still some minor changes that I have already identified for the 2024 version.

The survey was circulated with CHSP invoices to clients and via the Martin Street Loop and the Western Whiparound client newsletters. We didn't distribute it on public counters because last year we found that this encouraged non-clients to submit responses that were outside of the Community Services framework.

The 2023 survey was in circulation for about 3 weeks prior to the due date of November 21st but I continued to receive responses through to the end of the 2023 year.

Thank you to all staff for your efforts in distributing and collecting surveys. We received **39 responses**, the same number as last year.

Whilst some surveys were filled out completely, others omitted responses to some questions. So, in some instances the total number of responses to a question didn't add up to 39.

Barham	- 9 surveys	TSPT - 7, MOW - 2, SS - 2, HMM - 3
Mathoura	- 3 surveys	TSPT - 3, MOW - 0, SS - 1, HMM - 0
Moama	- 12 surveys	TSPT - 8, MOW - 1, SS - 2, HMM - 3
Moulamein	- 5 surveys	TSPT - 5, MOW - 3, SS - 4, HMM - 1
Tooleybuc	- 10 surveys	TSPT - 4, MOW - 0, SS - 8, HMM - 3

This year there seemed to be less misinterpretation of the questions and surveys gave a good indication of satisfaction levels of our service provision through the eyes of the clients.

Q1. Are you satisfied with the overall services provided to you by MRC Community Services Home Support program?

RESPONSES: 36-Always or Often, 3-Sometimes, 0-Lower

REASONS: #Friendly, punctual and agreeable #❤️ is always helpful, smiling and kind #They respond when you ask for help #The company of the bus drivers and other passengers, and the lunch and places we go, the library #During the illness of my husband I received full support from them and is still ongoing #Transport for medical appointments #Always supportive, caring, friendship, respect #Because ❤️ is very helpful and I feel safe in her care #❤️ is so helpful and friendly #My mum has benefitted 100%

Q2. Do our services help you to remain living at home?

RESPONSES: 33-YES, 3-NO

REASONS: #I would be unable to go shopping and to doctor #Anytime I need help or assistance I know I can ask and help will be provided to me #I mainly use for social interaction #Gives my mum social interaction - she no longer feels lonely and lost #Meeting people my own age and being active #The availability of community transport and social support #Feel independent #Eating nutritious meals #Being without transport I can only rely and depend on the services provided by MRC #Just knowing if I need anything I can talk to ❤️ or the staff # I live alone and my children are in other states # Makes a good difference to my quality of life #We are unable to drive to medical specialists #Can get to

out of town appointments, Can get things done and not call family #Knowing there is support available for most situations #Transport and Home Maintenance have been very good #My outings,Cuppa & Chat

Q3. When decisions are made about your support services, do you feel you have been listened to?

RESPONSES: 35-Always or Often, 2-Sometimes, 0-Lower

REASONS: #Relative questions show they understand my situation #Always helpful when I've used #Most definitely # During my husband's illness and passing I still have the faithful communication with the staff and am so blessed to have them in my wellbeing # ❤️ is a good listener and trustworthy # Discussed and mum gave her input #Always listened to

Q4. Are staff and volunteers sensitive and responsive to your personal background, beliefs and/or customs?

RESPONSES: 37-Always or Often, 0-Sometimes, 0-Lower

REASONS: #I have had no problems #They can see if you need assistance #Bless the staff and volunteers 😊 #Staff and volunteers most helpful in all respects – very supportive #Very easy to get along with, We can talk about anything #Very helpful # They just are #Always made feel welcome

Q 5. If your personal goals or choices for services change, do staff make adjustments to your support program promptly to accommodate your needs?

RESPONSES: 23-Always or Often, 1-Sometimes, 0-Lower, NA or no answer-15

REASONS: #If there are any life changes or goals I'm sure with the present staff they will accommodate my needs

Q6. Is the client contribution you pay for services affordable and represents good value for money?

RESPONSES: 33-YES, 1-NO

REASONS: #For transport good value #It is more than affordable #Definitely #When I used the service the payment arrangements were ok #For the services I use, the payment arrangement is perfect

##Invoices sometimes hard to understand ##Quote for safety rail too high

Q7. When services are to be postponed and/or cancelled, is enough notice given?

RESPONSES: 34-Always or Often, 1-Sometimes, 0-Lower

REASONS: #Have not had the above problem #I pray that they may keep all the valuable services for us oldies #Only a phone call away

Q8. Are the services we provide reliable?

(Eg Staff turning up as scheduled; Reaching appointment destinations on time.)

RESPONSES: 37-Always or Often, 1-Sometimes, 0-Lower

REASONS: #Never had any problems # Arrived on time #Perfect,always on time #Always on time, most reliable #Our coordinator is always prompt # ❤️ is always professional in all aspects of my mum's care

Q9. Are our services enabling you to thrive and live your best life?**RESPONSES: 32-Always or Often, 1-Sometimes, 0-Lower, NA or no answer-6****REASONS:** #Makes life worth living #Social interaction, Sense of belonging #Nothing seems a problem to staff #As good as it's going to get # For sure, at my age of 82 I'm so blessed to have all the services provided and I'm sure to thrive and live the best life that lays ahead of me #If I did need help I know I could get it # I'm grateful to know there is help when I need it**Q10. Do you feel able to make a suggestion or complaint about the service we provide?****RESPONSES: 24-Always or Often, 1-Sometimes, 0-Lower, NA or no answer-16****REASONS:** #I feel I could if necessary # No complaint #Have suggested some places to visit and gone there # Good helpful staff # At this stage it would be wrong of me to complain because I'm highly satisfied # I am happy with services you provide – thankyou # I have no problem to ask or suggest something if I feel it is for betterment # I don't think there will ever be anything to complain about # Very happy #Have never had to make a complaint # Very happy with the way things are**Q11. If you have any suggestions for improvement of our services, or comments you would like to make about services please let us know.****REASONS:** #More than satisfied #All good #Thankyou #Blessings to all #I am very happy/satisfied with the services I receive and look forward to it continuing if possible, particularly living on your own, the friendship and company means so much #I miss the trips to meet with other nearby people in close towns. (This comment is written by a client who hasn't been well enough to do the trips.)

Please simplify invoices, Very difficult to understand

CONCLUSION

Our clients' responses indicated they are very happy with the services we provide. (Q1) Clients feel listened to (Q3) when decisions are being made and that staff are sensitive (Q4) to their beliefs and wishes. They are satisfied with the reliability and timeliness of our services (Q8) and that they are given adequate notice if there are to be cancellation of services (Q7).

They believe they are getting good value for money (Q6) but invoices can be complicated and hard to understand. In recent times a number of glitches with Tech 1 have been resolved, so hopefully going forward our clients will be happier with the process. A quote for safety rails was considered too high. Unfortunately we are guided by the prescribed MRC fees and charges. The current fee is \$25 per hour plus materials. This fee is reviewed annually via consultation with MRC Community Services Manager.

A significant number (15) either didn't respond or put N/A for how we change to accommodate their needs. I believe they feel that they are happy as things are and so this is not relevant. The majority of other responses indicated they felt any changes suited them. (Q5)

(Q10) Similarly 16 clients responded N/A or no answer for complaints handling, again, I believe, indicating they had no need to complain. The responses indicated that clients don't like to make a fuss about things. They are content and don't see a reason or a need to complain or ask for anything different.

(Q2) 35 clients believe the services help them to remain at home. This is a significant change from 2022 survey. I think there is a growing awareness by clients of how community services can help prevent the necessity to go into residential care and empower them to remain living in their own home for longer. (Q9) 32 clients indicated that they believe our services help them to thrive and live their best lives.

(Q11) Comments/ Improvements/ Suggestions were all very positive and are shown below:

#I love your newsletter every month I look forward to getting it every month – thanks # Thanks ❤️ #Thanks you for the meal sent, nice to meet with the group and meet a new lady and others from round about # With many thanks for the service provided # ❤️ very helpful and supportive, Also other staff who fill in for her # Service is very good for someone in my position # Looking forward to Christmas lunch #In my opinion service is first class #I am enjoying the Get togethers, Morning teas, Chair Based Exercises, and have met a lot of lovely ladies #I feel comfortable to use the services provided when necessary

Summary

Thankyou and Congratulations to our Community Services team at MRC for such a wonderfully positive response to the survey. As we all know, when we distribute a survey people can respond anonymously and say whatever they like. So it is just so wonderful to receive all these positive comments.

There are 3 points I have noted that we can address. These are all more systemic issues.

1. Invoices – We have been asked to please simplify invoices, they are very difficult to understand. In recent times a number of glitches with Tech 1 have been resolved, so hopefully going forward our clients will be happier with the process.
2. Fees and charges - A quote for safety rails was considered too high. Although our fees and charges for Home Modifications are relatively moderate, this charge can still be a hardship for low income clients.
Is there room for negotiation of fees?
3. Confusion over which services are provided by MRC - Some clients receive services from a range of community organisations and it is difficult to keep track of who provides what, especially when many of the services are arranged via telephone calls. Sometimes clients think it is MRC CS who are being unreliable or inefficient when it is actually a different service provider.

This mix-up commonly occurs, not just with clients but other organisations. For example, ERH recently discharged a client and referred him to us for 2 different services that we don't provide. More collaboration with other community organisations might help this.

9.5.5 BARHAM MICRO ABATTOIR - VARIATION TO LEASE

File Number: -

Author: Sarah Ryan, Director Community and Economic Development

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council approve a variation to the Agreement to Lease to delay the commencement of lease payments until 1 June 2024.

BACKGROUND

At its August 2023 meeting, Council resolved (Resolution 250823) to approve a variation to the Agreement to Lease to delay the commencement of the Lease to 1 September 2023 with Lease payments to commence 1 March 2024.

DISCUSSION

Since the August 2023 meeting, Murray Plains Meat Cooperative have taken up the Lease of the Barham Micro Abattoir.

In November 2023 NSW Department of Primary Industries ("NSW DPI") approved the desktop Audit for Murray Plains Meat Cooperative (Food Safety Program) and progressed to a practical audit undertaken in December 2023.

The audit carried out on the abattoir for processing sheep, cattle, pigs and poultry included assessment of food safety, animal welfare and biosecurity systems and documentation. The results did not meet acceptable audit standards across all categories and recommendations from the audit include improvements to fit out, process control and pre-requisite programs.

As such, Council should consider a variation to the Agreement to Lease to delay the commencement of lease payments until 1 June 2024. This time frame will allow Council to undertake the fit-out rectifications and will also allow Murray Plains Meat Cooperative to implement process control improvements as recommended by NSW DPI.

STRATEGIC IMPLICATIONS

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

5.3 - Encourage and support economic development across the region - Economic development / Attraction of Businesses.

BUDGETARY IMPLICATIONS

Council has not expended any Council funds on this arrangement and there is minimal financial risk to Council if MPMC fail to operate.

POLICY IMPLICATIONS

Murray River Council Land Acquisition and Disposal Policy POL-602 V#1

LEGISLATIVE IMPLICATIONS

If MPMC fails to operate the micro abattoir it is in breach of the Lease and Council could follow the notice procedures under section 129 of the Conveyancing Act 1919 to notify of the breach and terminate the Lease or refuse to allow the exercise of the option to transfer the Premises to MPMC. If either the Agreement or Lease is terminated (whichever is applicable) Council could sell the premises by competitive process in accordance with its Policy referred to above or lease the

premises to an alternative operator under a tender or other competitive process and in accordance with the Local Government Act 1993.

Food Act 2003 (NSW)

Biosecurity Act 2015

Prevention of Cruelty to Animals Act 1979

RISK ANALYSIS

- **What can happen?**

As Council has not expended any Council funds on this arrangement, there is minimal financial risk to Council if MPMC fails to operate, however there may be reputational risk to Council flowing from the Grants obtained by Council for the premises.

Accordingly, Council should exercise its rights to ensure the operation of the micro abattoir if the MPMC fails to operate.

- **How can it happen?**

MPMC takes up the lease and fails to operate the micro abattoir at the premises

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

Minimal

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

Likely

- **Adequacy of existing controls?**

Adequate

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

If either the Agreement or Lease is terminated (whichever is applicable) Council could sell the premises by competitive process in accordance with its Policy referred to above or lease the premises to an alternative operator.

CONCLUSION

Council should consider a variation to the Agreement to Lease to delay the commencement of lease payments until 1 June 2024. This time frame will allow Council and Murray Plains Meat Cooperative to undertake rectifications as recommended by NSW DPI.

ATTACHMENTS

Nil

9.5.6 ECONOMIC DEVELOPMENT ASSISTANCE POLICY V#2

File Number: -
Author: Sandra Gordon, Manager Governance & Risk
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the Economic Development Assistance Policy V#2 be adopted and placed in the Policy Register.

DISCUSSION

The Economic Development Assistance Policy will overarch the implementation of the Economic Development and Tourism Strategy to provide a robust, consistent and transparent process for Council to consider, assess and determine requests for assistance.

The objectives of this Policy are to:

- Promote the Council as a welcoming and supportive organisation willing to meet the needs of investors and developers to attract business, investment and new employment into the region;
- To support the goals identified in the Community Strategic Plan and the Economic Development and Tourism Strategy;
- Ensure that the Council region remains competitive with surrounding council areas in retaining existing and attracting new employment creating developments; and
- Provides a transparent and equitable process for requests for assistance from existing businesses or investors making application to set up a new business with the Council area.

The DRAFT Economic Development Assistance Policy was tabled at the 28 November Council meeting and was adopted and placed on public display.

There were no submissions received.

ATTACHMENTS

1. **Economic Development Assistance Policy V#2**  

MURRAY RIVER COUNCIL
COUNCIL POLICY

**ECONOMIC
DEVELOPMENT
ASSISTANCE
POLICY**

POL-600.V#2





ECONOMIC DEVELOPMENT ASSISTANCE POLICY POL-600.V#2

1. INTRODUCTION

Murray River Council (the 'Council') recognizes the value and importance of healthy and sustainable local economies and acknowledges it has a role to play as a catalyst for the growth of existing businesses and the attraction of new industries to Murray River communities.

Council is committed to the creation, retention and development of business and employment opportunities within the Council area and continues to encourage business development within its footprint.

The purpose of the Economic Development Assistance Policy is to provide guidance to the Council and a substantive framework for the provision of economic assistance to facilitate new investment, new jobs, diversification of the economy and improvements in skills to achieve additional employment in the region.

The Murray River Council Economic Development and Tourism Strategy seeks to create resilient and prosperous communities (in line with the Community Strategic Plan) and has recommended that the Policy remains relevant and should be reviewed and implemented.

The Policy provides a strategic, consistent and accountable process for providing economic development assistance within the Council area.

2. OBJECTIVE

The objectives of this Policy are to:

- ▶ Promote the Council as a welcoming and supportive organisation willing to meet the needs of investors and developers to attract business, investment and new employment into the region
- ▶ To support the goals identified in the Community Strategic Plan and the Economic Development and Tourism Strategy
- ▶ Ensure that the Council region remains competitive with surrounding council areas in retaining existing and attracting new employment creating developments; and
- ▶ Provides a transparent and equitable process for requests for assistance from existing businesses or investors making application to set up a new business with the Council area.

3. SCOPE

This Policy applies to the whole of the Murray River Council Local Government Area and economic development assistance that may be provided to existing businesses considering expansion as well as new businesses investing into the region.

4. LEGISLATION

- ▶ Local Government Act 1993 (NSW)

5. POLICY STATEMENT

Murray River Council desires to attract new employers and to facilitate expansion of existing employment providers in the region. This specific Policy is designed to encourage expansion by the provision of assistance to businesses that can provide economic and community benefits to the region (that would otherwise not happen in absence of the assistance). This assistance is evidence of the Council's commitment to increasing employment opportunities throughout the municipality and creating an environment conducive to investment and business growth. This Policy is also designed to facilitate local industry to be internationally competitive and to build on the unique strengths and competitive advantage of the region.



ECONOMIC DEVELOPMENT ASSISTANCE POLICY POL-600.V#2

5.1 RANGE OF ECONOMIC DEVELOPMENT ASSISTANCE AVAILABLE

Economic development assistance could include (but is not limited to):

Non-Financial Assistance:

- ▶ Provision of a single point of contact within Council;
- ▶ Provision of statistical data and information about the region;
- ▶ Provision of information on the local business environment including introduction to relevant networks, potential investors and state and federal government representatives;
- ▶ Facilitation of investment through identifying potentially suitable premises or land;
- ▶ Support in dealing with legislative requirements and Council's development approval process;
- ▶ Information on external grant funding availability and deadlines; and/or

Financial Assistance:

- ▶ Waiving of Council fees;
- ▶ Rate relief;
- ▶ Delayed payments, reduction or waiving of development contributions;
- ▶ Assistance in connection of services;
- ▶ Facilitation of consolidation/aggregation of sites;
- ▶ In-kind contributions to deliver infrastructure works;
- ▶ Disposal of Council owned property (land and/or buildings) where the proponent proposes a development outcome that aligns with stated policy outcomes or strategy goals;
- ▶ Construction of premises for purchase or lease;
- ▶ Employee or worker relocation; and
- ▶ Other financial assistance deemed appropriate by Council.

5.2 DISCRETION

Any economic development assistance is provided at the full discretion of Council and Council is under no obligation to provide any assistance. Economic development assistance may be provided on a case by case basis and at a level commensurate to the economic and community benefits generated by the project. Economic development assistance may be tailored to meet the circumstances of any eligible projects.

5.3 ELIGIBILITY CRITERIA

To be eligible to receive financial assistance, a business must:

- ▶ Hold an active Australian Business Number (ABN) or Australian Company Number (ACN);
- ▶ Demonstrate a proven track record in the industry (including providing evidence of profitable operations over the last three years);
- ▶ Demonstrate significant capability and technical experience to carry the project out;
- ▶ Demonstrate alignment with the Economic Development and Tourism Strategy;
- ▶ Provide evidence of future capital expenditure and new jobs to be created;
- ▶ Demonstrate how the proposed project/activity is commercially viable in the absence of any financial support provided by Council; and
- ▶ Show that the proposed project/activity will not cause significant detriment (in the absolute discretion of Council) to existing businesses located within the Council area.



ECONOMIC DEVELOPMENT ASSISTANCE POLICY POL-600.V#2

5.4 APPLICATION AND ASSESSMENT PROCESS

Any financial assistance will only be provided after an application for such assistance is provided to Council. Applications should include sufficient information to allow for the assessment of the project to ensure it will deliver on the objectives of this policy and provide economic and social benefits to the community.

The assessment process includes the following steps:

- ▶ Applications are assessed against the eligibility criteria
- ▶ Applications are reviewed to ensure they achieve the objectives of this policy
- ▶ Due diligence is conducted on projects and project proponents, including review of the project's business plan, company financial statements, credit checks and/or ASIC company searches
- ▶ Applications are assessed based on a number of criteria, including:
 - Amount of new investment and/or new employment outcomes
 - Alignment with the Economic Development and Tourism Strategy
 - Economic and social benefits created
 - Project timing
 - Strategic merits

Information regarding the eligibility criteria, application process and assessment criteria will be provided separately to this policy through the Economic Development Assistance Guidelines to assist interested businesses and investors.

5.5 CONTRACT AND REPORTING

Any financial assistance will be the subject of a contractual agreement with the project proponent, contingent upon the delivery of the identified economic and community benefits (identified in the application). The contractual agreement will provide redress and compensation options for Council, if identified milestones are not achieved.

As part of the contractual agreement, project proponents will agree to provide information about the subject project at differing times, for example, start of construction, completion of construction, operational employment outcomes in year 1, etc. so that individual agreements can be monitored and annual reporting can be made to Council to ensure that the outcomes and objectives of this policy are being delivered.

5.6 CONFIDENTIALITY

To the extent possible, Council will hold information received as part of the application process for financial assistance that is marked as 'Commercial-in-Confidence' as confidential for as long as possible.

6. ROLES AND RESPONSIBILITIES

Position	Responsibility
CEO	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy and related Procedures.
Directors, Managers and Supervisors	To communicate, implement and comply with this Policy and related Procedures.
All Council Employees	To be aware of and ensure compliance with this Policy.
Council Committees	To be aware of and adhere to this Policy.



ECONOMIC DEVELOPMENT ASSISTANCE POLICY POL-600.V#2

7. EVALUATION AND REVIEW

It is the responsibility of the Manager Economic Development & Tourism to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

8. NON-COMPLIANCE

Non-compliance with this Policy could result in a breach of the Code of Conduct Policy and/or disciplinary action.

9. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

External:

Nil

Internal:

- ▶ MRC Plan - Community Strategic Plan 2022-32
- ▶ MRC Strategy - Economic Development and Tourism Strategy (2023)
- ▶ MRC Guidelines - Economic Development Assistance Guidelines (2023)

Definitions

Term	Definition
CEO	Chief Executive Officer of Murray River Council
CSP	Community Strategic Plan

10. DOCUMENT CONTROL

Version No.	Details	Date	CM9 Reference	Resolution No.
1	Initial Issue –	27 Nov 2018 to 27 Feb 2024	VF/18/2191	181118
2	Updated to reflect current practise and to provide clarity for users of the Policy	27 Feb 2024 to today	VF/18/2191	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in 2028.

NOTE:

This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Council's Electronic Document system. Printed or downloaded versions of this document are uncontrolled.

DISCLAIMER:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.



**ECONOMIC DEVELOPMENT ASSISTANCE POLICY
POL-600.V#2**

9.5.7 EXTENSION OF OPTION TO LEASE DEED - LOT 140 DP 1103606, TCHELERY ROAD MOULAMEIN

File Number: -
Author: Sarah Ryan, Acting Chief Executive Officer
Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That Council receive and note the Extension of Option to Lease request from MPower.

BACKGROUND

On 25 January 2022, Council resolved (*Resolution 280122*) to provide a six-month period of exclusivity to decide whether to proceed with the 5MW solar energy proposal, negotiate a satisfactory lease agreement for Lot 140 DP1103606 in Moulamein, for the purpose of a 5MW solar farm development.

Subsequently, in good faith and with delegated authority, Council officers entered an Option to Lease Deed with MPower Capital Pty Limited ("MPower") on 5 August 2022 for a period of 18 months (See Attachment A).

MPower is a developer, owner and operator of solar energy and battery storage facilities for the commercial general of electricity.

The lease term is 30 years plus two further terms of 5 years and the Option Period of 18 months is from the date of the agreement (5 August 2022 – 5 February 2024).

On 24 January 2023, Council resolved (*Resolution 250123*) to vary Schedule 2 of the Option to lease Deed to include the entire area of 25 hectares of Lot 140, DP1103606 at Tchelery Road, Moulamein. Site diagram below (See Attachment B):

**DISCUSSION**

Clause 4.1 of the Option Deed outlines the requirements for an extension of the initial option period. If in respect of an application for or grant of planning permission or a grid connection for the development of the relevant application has not been determined by the expiration of the Option Period, then the Company may extend the Option Period by 18 months upon giving written notice to

the Landlord (such notice to be served prior to the expiration of the initial Option Period) and payment of the Option Extension Fee.

Pursuant to Clause 4.1 of the Option Deed, MPower has given notice to Council of its intention extend the option period (as defined in the Option Deed) for a period of 18 months from 5 February 2024 to 5 August 2025 (See Attachment C).

The development phase for the project has progressed and discussions regarding the option area have now been finalised. Planning approval and grid connection approvals are yet to be finalised.

Council officers will arrange to prepare an invoice for MPower for the Option Extension Fee.

STRATEGIC IMPLICATIONS

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

5.3 - Encourage and support economic development across the region - Economic development / Attraction of Businesses.

BUDGETARY IMPLICATIONS

The proposed Lease term, if exercised, is 30 years plus options to the lessee on two further terms of 5 years.

The Option Fee for a period of 18 months is \$1,500, with an extension of 18 months available for an additional \$1,500.

An amended lease to cover the entire area of 25 ha. at \$1,500 per ha. per annum ex GST would return to Council a rental income of \$37,500 per annum plus CPI increases over 30 years.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

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

Pursuant to Clause 4.1 of the Option Deed, MPower has given notice to Council of its intention extend the option period (as defined in the Option Deed) for a period of 18 months from 5 February 2024 to 5 August 2025.

Notice by MPower satisfies the specified conditions of the Option Deed.

ATTACHMENTS

- 1. Option to Lease Deed - Confidential (under separate cover)**
- 2. Deed of Variation - Option to Lease Deed - Confidential (under separate cover)**
- 3. Notice of Extension - Confidential**

9.6 CORRESPONDENCE REPORT

9.6.1 CORRESPONDENCE REPORT

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Sarah Ryan, Acting 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:

- Email from Moulamein & Mellool Committees – 7 February 2024

OUTGOING CORRESPONDENCE:

- Response to Moulamein Community Development Inc – 25 January 2024
- Cost shifting letter to Ministers – 30 January 2024
- Response to Email from Moulamein & Mellool Committees – 8 February 2024

ATTACHMENTS

1. **MRC Response to MCD Inc_Redacted** [↓](#) 
2. **Cost shifting letter to MPs** [↓](#) 
3. **Murray River Council's position on undergrounding VNI West and response to Moulamein & Mellool community email** [↓](#) 



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

25 January 2024

Mr [REDACTED]
President
Moulamein Community Development Inc.
e: [REDACTED]

Dear [REDACTED]

RE: Moulamein Township

I refer to your letter dated 13 November 2023 and the concerns raised therein. I do apologise for the delay in responding - unfortunately in the lead up to Christmas we were unable to coordinate a meeting with the appropriate staff to form a response to the issues outlined.

1. Historic Wharf

Following an informal inspection on 14 September 2023 it was found that the wharf is damaged beyond repair, that remedial action **should not be taken** and that consideration should be given to removing the structure, noting it is not heritage listed.

Wright Consulting Engineers provided Council with a Preliminary Structural Assessment Report dated 25 September 2023. The assessment provided detailed information pertaining to the existing condition and damage to the wharf and notes the overall condition of the wharf is extremely poor and in its current condition provides a significant public safety concern. Due to the immediate public safety issues, Council proceeded to close access to the area.

Given the independent report to remove the structure, Council would like the Heritage Village Committee to consider dismantling the wharf and repurposing the timber (or the structure itself) at the Heritage Village in an effort to hold on to the historic value for the community.

2. Residential and Commercial zoned blocks

A Housing Strategy has been completed and adopted by Council. There is available supply of vacant lots located in Moulamein and zoned RU5 Village, which means that both residential and commercial (retail premises) are permitted with consent from Council.



The Housing Strategy has identified some areas of test rezonings, if there is sufficient demand for housing, but would require NSW Government approval like any other rezoning.

The problem Council faces is that there are already many existing spare blocks within the township. This can be due to residents who own two blocks next to each other only build on one, which means, on paper (and more importantly what the NSW State Government Department of Planning and Environment (DPE) considers when approving rezoning), that there is a surplus of vacant land available and therefore Council has limited ability to proceed with the release of further residential land, noting that rezonings are often landowner lead, and the main decision maker in rezoning land is the NSW State Government.

It is Councils understanding that several wind farms have already considered short-term accommodation models and have preference for housing workers at the construction phase in organised portable camp-like facilities, noting that Moulamein's road access during flooding and parts of the township itself would also be a consideration for the wind companies.

A consultant has been engaged for the development of a Council-wide Employment Land Strategy which will identify commercial demand for future development. As the township of Moulamein and surrounds is subject to flooding, as was evident during the 2022 flood event, Council will investigate modelling.

3. LEP

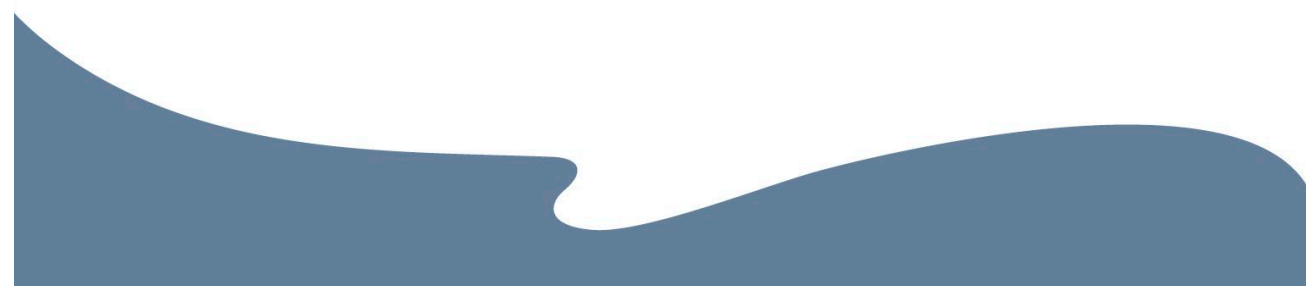
Unfortunately, when the NSW DPE prepared the [Riverina Regional Environmental Plan 2041](#) and the REP2 prior to this one, subdivision of riverfront land and development on the outside of riverbends in particular was ruled out for environmental protection reasons and further prioritising public access.

Additional to this, riverfront setbacks and flood considerations also impact development along riverfront areas. There are a few examples where this has occurred to date however, they were approved prior to these plans coming into effect, especially in Barham. Also, the minimum lot size provision applies to rural land, and therefore reducing the size of land holdings to smaller rural residential lots will need to consider primary production and servicing infrastructure.

Council has advocated to reduce the restrictions and allow riverfront development through NSW State Government without success. This is unlikely to change.

4. Moulamein Heritage Village amenities

Councillors and staff have been working hard behind the scenes to investigate potential service level changes across the region that will assist in the long-term financial sustainability of Council.



I can confirm in the coming months, Council will be consulting with the community about some of the proposed service levels changes that we have been investigating, especially the changes that will have a larger direct impact on our customers.

One of many services Council will be investigating is a reduction in the number of public amenities that we service and maintain. Which facilities in which town centres are unknown. We understand some of the decisions Council must make will not be popular, but we cannot sustain all of Councils services at their current level.

For further information about the potential service level changes and to keep up-to-date with the *Working towards a sustainable MRC project* visit <https://yoursay.murrayriver.nsw.gov.au/working-towards-a-sustainable-mrc>

5. Old Town Hall

Council has deemed the town hall not fit-for-purpose and the building will be demolished in due course. As part of Councils “*Sustainable MRC*” policy Council will not be investing in any **new** capital infrastructure. With that in mind Council will be considering alternative options which may be beneficial to the community, which could include upgrading existing facilities to serve this purpose.

6. Footpaths

Any public safety issues identified as needing attention or rectification can be advised to Council by [Lodging a Request](#) through our website. Alternatively, please consider downloading the [Snap Send Solve](#) app to your phone to make reporting issues even easier.

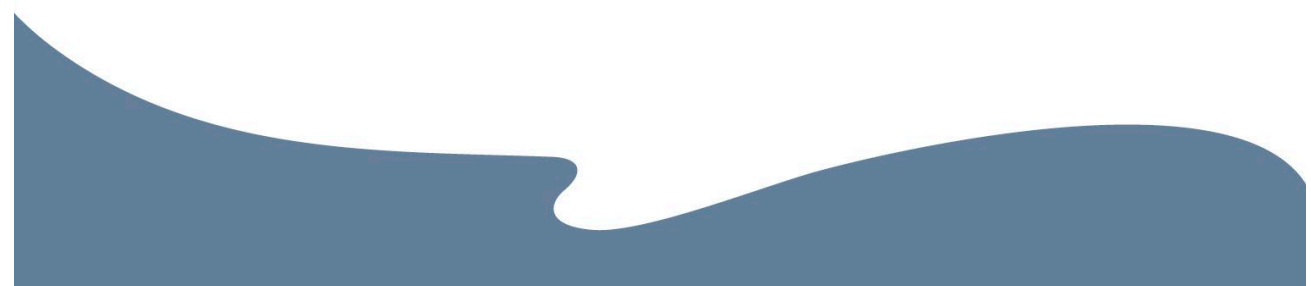
7. Howard Park amenities

Please refer to Item No. 4 above.

8. Barratta Street house

A complaint can be lodged by submitting photos and advising the street address of the property to admin@murrayriver.nsw.gov.au. Once the owner of the property is identified Council can investigate to ensure compliance and fire hazard inspections are up to date and work with the owner to resolve any further issues.

There are many derelict houses across our Local Government area including Moama, Barham and Mathoura that Council is actively pursuing via the compliance process, noting that sometimes there are equity and social housing associated issues that make these process complex and lengthy.



9. Truck Stop

There is no capital budget for development or constructions of this type of facility. There may be an opportunity for private development of a truck stop/service station. Council can investigate commercial development opportunities.

10. Christmas decorations

Council has limited resources for the purchase and maintenance of Christmas decorations. There may be an opportunity for the Men's Shed to provide a more sustainable option for the town in 2024 and beyond. The Sustainable MRC mandate is to reduce operational expenditure in the coming years.

11. Roads affected by floods and flood bridge

Repairs of flood affected roads was funded by Disaster Recovery Funding Arrangements (DRFA) and have now been restored to pre-flood condition.

Council has applied for funding to conduct a new flood study which will determine the extent of residential and commercial development available in Moulamein. The study will help determine access to the township, including the flood bridge.

12. Tallow Street house

The Tallow Street property is, and has been for 6-12 months, under compliance investigation regarding a number of matters. When it comes to a person's place of residence, Council's stance is to first provide the owner the opportunity to rectify the issue, prior to enforcing further action. Noting there are a number of considerations taken into account, including social issues including the means for the owners to do the required rectification work.

At this stage the owner has been cooperating with Council's Planning and Building department requests regarding what is required to meet current building standards. It is important to note, that portables and tiny homes etc can be exempt from any planning approvals from Council depending on whether they meet the definitions. These rules and definitions are set by NSW State Government and not Council. Whilst other items (in one's opinion are unsightly) Council is limited in what enforceable action we can take, as these are located well within private property boundaries.

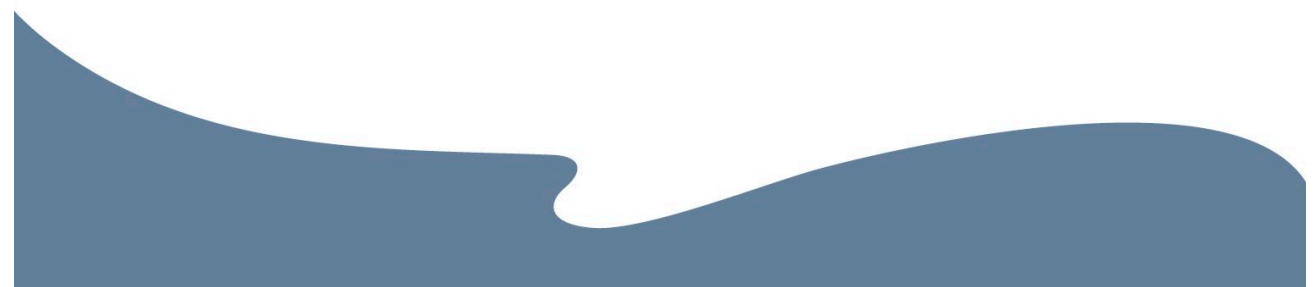
Should you wish to discuss any of the above points further, please contact me on 0437 394 790 or by e: sryan@murrayriver.nsw.gov.au.



Yours Sincerely



Sarah Ryan
Director Community & Economic Development





Murray River Council
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w www.murrayriver.nsw.gov.au

30 January 2024

The Hon. Chris Minns MP
Premier
kogarah@parliament.nsw.gov.au

The Hon. Daniel Mookhey MLC
Treasurer
office@treasurer.nsw.gov.au

The Hon. Ron Hoenig MP
Minister for Local Government
office@hoenig.minister.nsw.gov.au

Dear Premier, Treasurer and Minister

Cost shifting onto Murray River Council

I write to you on behalf of Murray River Council to seek your commitment to work in partnership with the local government sector to address the issue of cost shifting, which arises where the NSW Government forces councils to assume responsibility for infrastructure, services, and regulatory functions without sufficient supporting funding.

Alarming, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting accelerated. The latest cost shifting report produced by independent consultants Morrison Low on behalf of Local Government NSW, shows that the cost shifting burden is now valued at more than \$1.36 billion per year, up 78 per cent in just over five years. (Full report at www.lgnsw.org.au/costshifting).

On average, this represents an additional cost of \$460.67 for every ratepayer across the state, and results in lost services, lost opportunity and lost amenity for all our residents and businesses. These hidden taxation arrangements harm communities and run counter to principles of transparency and good government.

For Murray River Council, this cost impost not only effects what we can achieve on behalf of our community, but also depletes the **trust** in the government. When this occurs, it is human nature to question the motivation behind almost every initiative or action by the government.

Document ID:

The most recent example of trust being breached was the removal of the 1.6% normalisation figure, that was initially in the IPART draft report on rate pegging, after consultation with local government had occurred.

Councils welcomed your pre-election acknowledgement that the decade-long practice of cost shifting had undermined the financial sustainability of the local government sector.

Another positive is your forthcoming review of the Emergency Services Levy, which must no longer be imposed on either councils or on insurance policies, in line with every other state in Australia.


However, significant reforms remain required, and in November 2023 councils unanimously resolved at the LGNSW Annual Conference to call on the NSW Government to take urgent action to address cost shifting onto local government.

Would you please urgently work to deliver your pre-election commitments to ensure that cost shifting onto local government is addressed through a combination of regulatory reform, budgetary provision and appropriate funding?

Addressing this longstanding matter would demonstrate a commitment from your government to work in partnership with councils for the benefit of the communities we all serve.

For further information or to arrange a meeting, please contact Terry Dodds at tdodds@murrayriver.nsw.gov.au or on 0417 425 948.

Your sincerely



Cr Frank Crawley
Mayor

From: Sarah Ryan
Sent: Thursday, February 8, 2024 3:34 PM
To: [REDACTED]
Cc: g.Councillors <g.Councillors@murrayriver.nsw.gov.au>; Admin <admin@murrayriver.nsw.gov.au>
Subject: FW: Murray River Council's position on undergrounding VNI west

Dear [REDACTED] and Committees,

We understand the importance of balancing the needs of our community with the broader goals of sustainable energy development. That's why we want to update you on our ongoing efforts regarding the proposed VNI West transmission line.

Murray River Council fully supports the undergrounding of the VNI West transmission line. We have actively engaged in the consultation process, providing feedback, and advocating for solutions that minimise the impact on our community and environment.

Our stand is rooted in several key considerations:

1. **Protection of Agricultural Land:** Our region boasts high-value agricultural land, which is essential for our local economy. We believe that overhead transmission lines would pose a significant risk to this vital resource. By advocating for undergrounding, we aim to safeguard our agricultural industry and the livelihoods it supports;
2. **Preservation of Natural Beauty and Tourism:** The Murray River region is renowned for its natural beauty and attracts visitors from far and wide. Overhead lines would not only disrupt the scenic landscape but also hinder tourism activities. Undergrounding the transmission lines would help preserve the charm and appeal of our region for residents and visitors alike;
3. **Mitigation of Social Impacts:** We recognize the social implications of infrastructure projects on our communities. Overhead transmission lines could disrupt the tranquil way of life enjoyed by our residents and jeopardize residential expansion plans. Undergrounding offers a more sustainable solution that minimizes social disruption and supports the continued growth of our communities;
4. **Cultural Sensitivity:** Our region has significant cultural heritage, which must be respected and protected. We have raised concerns about the impacts on cultural sites and Indigenous communities. Undergrounding the transmission lines demonstrates our commitment to preserving our cultural heritage and respecting the values of all residents.

We have actively participated in meetings, workshops, and consultations to convey these concerns to Transgrid and other stakeholders. Further, Council has made in person, a submission to the Inquiry, and a second submission to the inquiry's extension.

While we understand the challenges of balancing energy needs with community interests, we believe that undergrounding offers the most viable and sustainable solution for the VNI West project.

Despite the limitations on our influence over the project, we will continue to advocate tirelessly on behalf of our community. We urge residents to stay informed and engaged in the consultation process, as your input is invaluable in shaping the outcome of this project.

Thank you for expressing your concerns and suggesting a meeting with the Mayor, CEO, and Ward Councillors. While February is fully booked for meetings, we can certainly arrange for a meeting in early March if suitable for relevant stakeholders and committees.

Kindest,



Sarah Ryan | Director Community & Economic Development
Murray River Council
52 Perricoota Rd Moama, NSW 2731
PO Box 906, Moama, NSW 2731
m 0437 394 790
1300 087 004 | www.murrayriver.nsw.gov.au

From: [REDACTED] >
Sent: Wednesday, February 7, 2024 1:04 PM
To: Neil Gorey <ngorey@murrayriver.nsw.gov.au>; Dennis Gleeson <dgleeson@murrayriver.nsw.gov.au>; Ann Crowe <acrowe@murrayriver.nsw.gov.au>; Nikki Cohen <ncohen@murrayriver.nsw.gov.au>; Frank Crawley <fcrawley@murrayriver.nsw.gov.au>; Kron Nicholas <knicholas@murrayriver.nsw.gov.au>; Thomas Weyrich <tweyrich@murrayriver.nsw.gov.au>; Geoff Wise <gwise@murrayriver.nsw.gov.au>; Terry Dodds PSM <tdodds@murrayriver.nsw.gov.au>
Subject: Murray River Council's position on undergrounding VNI west

Dear Mayor, Councillors and Mr Dodds,

As you should be aware, TransGrid has recently sent out correspondence detailing a new route for their VNI West interconnector which has put several new landholders in the firing line, with yet again zero timeframes to get any direction from their advisors: bank managers, accountants etc. They have also, what appears to be haphazardly posted correspondence out to a few landholders notifying them that "TransGrid has revised the proposed corridor route, and this action has deleted your holding from the original corridor". They then end the letter stating that must be of significant relief to you, knowing that they are impacting people's livelihoods and not really working with them for the best outcome. They are clearly attempting to find the path of least resistance, but they have zero social license or local community support to route this line anywhere through our region. In their new report they have also outlined that 45 homes with varying degrees of proximity but all under 1km of these towers are now in the firing line of the proposed towers. 5 of these homes are less than 300m from the towers, meaning they will have to be relocated.

Whilst in total opposition to the project but trying a different approach to get the best outcome for their area a landholder met with TransGrid and said if I am made to host it can you avoid this infrastructure and they have totally ignored this good faith and dissected this infrastructure in half, which happen to be lateral irrigators that are in excess of \$4500/ha to install and are in-line with other pieces of legislation for water use efficiency targets.

How will council rates be impacted when this line goes through the region and devalues land by 50% in its path?

This is severely impacting the mental health of many people in our region who are severely battle worn from other political fights attempting to undermine the viability of our amazing region.

The Moulamein and Mellool Committees are asking if it still the position of Murray River Council (MRC) to underground this 500 kV line or not at all? It is still the position of some 90 landholders

that have been in attendance of these meetings that this is the best path forward and it is the only route that they will accept.

If the MRC is serious about standing with its community it should travel to the area and host a meeting where TransGrid are targeting with the Mayor, all the councillors and the CEO in attendance to work out a strategy going forward to push this in a direction that has full landholder support.

We look forward to hearing from you.

Kind Regards,
The Moulamein and Mellool Committees

9.7 SUNDRY DELEGATES REPORT

9.7.1 SUNDRY DELEGATES REPORT

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 January 2024 through to 31 January 2024 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:

- 8 Jan: Onsite meeting with Planning Team & CEO
- 10 Jan: Meeting with CEO
- 16 Jan: Monthly Councillors workshop – online
- 19 Jan: Offsite meeting with CEO
- 23 Jan: Tour through Water Filtration Plant - Moama
- 23 Jan: Council prebriefing and Council meeting – Moama
- 24 Jan: Citizenship Ceremony – Rich River Golf Club
- 25 Jan: Evening meal with MRC Ambassador for Australia Day
- 26 Jan: Australia Day Celebrations – Mathoura
- 29 Jan: Meeting with CEO

The **Deputy Mayor, Councillor Neil Gorey** reported on his attendance at the following meetings and functions:

- 16 Jan: Monthly Councillors workshop – online
- 23 Jan: Tour through Water Filtration Plant - Moama
- 23 Jan: Council prebriefing and Council meeting - Moama
- 26 Jan: Australia Day Celebrations – Barham Riverside Park

Councillor Nikki Cohen did not supply a report on her attendance to meetings and functions for this time period.

Councillor Ann Crowe reported on his attendance at the following meetings and functions:

- 8 Jan: Windlab meeting – online with Lisa Mango
- 15 Jan: Meeting with Council staff at Murray Downs Club re: drainage issues

- 15 Jan: Meeting with residents & Council staff re: drainage issues at Goldfinch Drive
- 16 Jan: Monthly Councillor workshop – online
- 23 Jan: Tour through Water Filtration Plant – Moama
- 23 Jan: Council prebriefing and Council meeting – Moama
- 24 Jan: Koraleigh Rec Reserve Hall committee meeting
- 26 Jan: Australia Day Celebrations – Koraleigh
- 26 Jan: Tooleybuc opening of bridge

Councillor Kron Nicholas did not supply a report on his attendance to meetings and functions for this time period.

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 did not supply a report on his attendance to meetings and functions for this time period.

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 3 MRC-owned lots - Council Street, Moama

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 Recommendation for the sale of 44 Nyang 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.

11.3 Meninya Street Precinct Project - Horseshoe Lagoon Project Costs

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.

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