



**murray river  
council**

# **AGENDA**

## **Ordinary Council Meeting Tuesday, 26 September 2023**

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

**Date: Tuesday, 26 September 2023**

**Time: 1pm**

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

**Terry Dodds  
Chief Executive Officer**



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**1 OPENING MEETING**

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

**3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE**

Questions without notice arising from minutes of previous meeting:

## 4 CONFIRMATION OF MINUTES

### 4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 22 AUGUST 2023 OF MURRAY RIVER COUNCIL

**File Number:** -  
**Author:** Lindy Leyonhjelm, Executive Assistant  
**Authoriser:** Jack Bond, Acting Chief Executive Officer

#### RECOMMENDATION

That the minutes of the Extra Ordinary Meeting of Murray River Council held on 22 August 2023 be confirmed as a true and correct record.

#### DISCUSSION

Murray River Council held its Ordinary Meeting of the Council on Tuesday 22 August 2023, 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 is attached for ratification by the Council at this meeting.

#### ATTACHMENTS

1. Unconfirmed minutes OCM 22 August 2023 [↓](#) 

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**MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes****22 August 2023**

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**MINUTES OF MURRAY RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA  
ROAD, MOAMA  
ON TUESDAY, 22 AUGUST 2023 AT 1PM**

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

**IN ATTENDANCE:** Terry Dodds (Chief Executive Officer), Lindy Leyonhjelm (Executive Assistant), Jessica McFarlane (Acting Director Planning & Environment), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Karen Buckley (Acting 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****3 LEAVE OF ABSENCE/APOLOGIES****RESOLUTION 010823**

Moved: Cr Dennis Gleeson  
Seconded: Cr Nikki Cohen

That the apologies tendered on behalf of Crs Chris Bilkey and Geoff Wise be received and accepted; and that leave of absence from the meeting be granted.

**CARRIED****4 CONFIRMATION OF MINUTES****4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 25 JULY 2023 OF MURRAY RIVER COUNCIL****RESOLUTION 020823**

Moved: Cr Neil Gorey  
Seconded: Cr Kron Nicholas

That the minutes of the Extra Ordinary Meeting of Murray River Council held on 25 July 2023 be confirmed as a true and correct record.

**CARRIED**

Questions without notice arising from minutes of previous meeting/s

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**MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes****22 August 2023****5 DISCLOSURES OF INTERESTS**

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

**6 DEPUTATIONS****7 MAYORAL MINUTE(S)****7.1 MAYORAL MINUTE - VICTORIAN GOVERNMENT GAS BAN****RESOLUTION 030823**

Moved: Cr Frank Crawley

That:

1. Council notes the information outlined in this report in relation to the Victorian Government moving to ban gas connections in homes and government building as of 1 January 2024.
2. Council authorises the CEO and/or his delegate to seek clarity and reassurance for the relevant Victorian Minister on the continued gas supply to Murray River Council townships from Victoria.

**CARRIED****8 REPORTS OF COMMITTEES**

Nil

**9 REPORTS TO COUNCIL****9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 MOTIONS TO BE SUBMITTED FOR LGNSW ANNUAL CONFERENCE****RESOLUTION 040823**

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Council:

1. Review the recommended motions to be submitted to the Local Government NSW (LGNSW) Annual Conference, and;
2. Agree on the motions that are to be submitted to be included in the papers for the LGNSW Annual Conference that assists and advocates for Murray River Council and the state of NSW.

**CARRIED**

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**9.1.2 COUNCIL OPERATIONS SHUTDOWN - CHRISTMAS 2023 / NEW YEAR 2024 PERIOD****RESOLUTION 050823**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That the Council notes the action of the Chief Executive Officer in making appropriate arrangements for Council's operational shutdown over the Christmas 2023/New Year 2024 period, to the public, from close of business on Wednesday 20 December 2023 to business open on Tuesday 2 January 2024 inclusive. Staff will be attending a Council wide Christmas function on Thursday 21 December and shutdown will commence as of close of business that day.

**CARRIED****9.1.3 SETTING THE DATES, TIMES AND PLACES FOR THE ORDINARY COUNCIL MEETINGS INCLUDING OCTOBER 2023 THROUGH TO AND INCLUDING SEPTEMBER 2024****RESOLUTION 060823**

Moved: Cr Neil Gorey

Seconded: Cr Thomas Weyrich

That Council:

- a. set the Ordinary Meetings of the Murray River Council dates for the months of October 2023 through to and including September 2024, with the date of 26 September 2023 having been set the August 2022 meeting.
- b. make allowances for a minimum of two (2) Ordinary Meetings of Council to be held at other sites within Murray River Council LGA.
- c. consider public holidays that may affect the schedule of meetings when setting the dates for each meeting.

**CARRIED****9.1.4 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 070823**

Moved: Cr Dennis Gleeson

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**

Resolution 240422 status update request taken on notice for feedback to Cr Crowe

Resolution 150623 draft strategy Economic development was to go to Council in July – taken on notice and will feedback to Cr Cohen on status of resolution.

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## 9.1.5 MONTHLY OPERATIONAL REPORT

**RESOLUTION 080823**

Moved: Cr Ann Crowe

Seconded: Cr Neil Gorey

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

**CARRIED**

## 9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

## 9.2.1 SALE OF LOT 3 DP 813704 - MATHOURA LINE ROAD, MOAMA

**RESOLUTION 090823**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That Murray River Council (Council) resolve to:

1. sell the land identified as Lot 3, DP813704 (the Land) in its current condition through competitive Expression of Interest process with no special conditions attached, and
2. authorise the appointment of Elders Rural Service (bearing Australian Company registration Number 72004045121) as the licensed real estate agent to undertake the sale of the said Land.

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

Against: Nil

**CARRIED 7/0****CARRIED**

## 9.2.2 CASH AND INVESTMENTS (INCLUDING RESERVES) REPORT AS AT 31 JULY 2023

**RESOLUTION 100823**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That Council resolve to receive the Liquidity Report, incorporating Investments as of 31 July 2023, consisting of a Liquid Asset Position of \$52,635,814 which includes total investments of \$46,842,466.

**CARRIED**

## 9.2.3 MEDIA POLICY V#2 - FINAL ADOPTION

**RESOLUTION 110823**

Moved: Cr Neil Gorey

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Seconded: Cr Ann Crowe

That Murray River Council resolve to:

1. adopt the Media Policy V#2 and place it in the Policy Register, and
2. any previous version of the Policy be rescinded.

**CARRIED****9.2.4 BUDGET POLICY****RESOLUTION 120823**

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Murray River Council resolve to provisionally adopt the Budget Policy and place it on public display for 28 days for feedback ad comments.

**CARRIED****9.2.5 REVOCATION OF LEGACY LANDFILL LEVY****RESOLUTION 130823**

Moved: Cr Ann Crowe

Seconded: Cr Nikki Cohen

That Murray River Council (Council) resolve to rescind:

1. resolution number 2 of agenda item number 5.2.5 provisionally adopted at the extraordinary general meeting of 9 May 2023, and
2. resolution number 11 of agenda item 9.2.2 of the general meeting held on 27 June 2023, which was for the ratification of the provisional resolution identified in item 1 herein.

**CARRIED****9.2.6 BORROWING POLICY****RESOLUTION 140823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That Murray River Council resolve to provisionally adopt the Borrowing Policy and place it on public display for 28 days for feedback and comments.

**CARRIED****9.2.7 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 31 JULY 2023****RESOLUTION 150823**

Moved: Cr Kron Nicholas

Seconded: Cr Neil Gorey

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That Council receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 31 July 2023.

**CARRIED**

Cr Crawley suggested a heading excluding the 'unaudited FY 2023/24' portion of the heading of the report

**9.3 DIRECTOR IINFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS****9.3.1 ALGA NATIONAL LOCAL ROADS, TRANSPORT & INFRASTRUCTURE CONGRESS****RESOLUTION 160823**

Moved: Cr Nikki Cohen

Seconded: Cr Thomas Weyrich

That Council:

1. Notes that the ALGA 2023 National Local Roads, Transport & Infrastructure Congress is being held in Canberra on 6 & 7 September 2023.
2. Seeks interest from MRC Councillors to attend the 2023 National Local Roads, Transport & Infrastructure Congress.
3. Approves attendance of Councillors who wish to attend.

**CARRIED**

Cr Gleeson is a maybe, to confirm once he checks his calendar.

**9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS****9.4.1 MATHOURA COMMON REQUIRED MAINTENANCE OR RECOMMENDED CHANGE OF USE.****MOTION**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That

1. Council writes to the owner of stock currently under agistment on the Mathoura Common to inform them that all stock must be removed from site with reasonable notice.

**RESOLUTION 170823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That

1. Council writes to the owner of stock currently under agistment on the Mathoura Common to inform them that all stock must be removed from site as soon as possible due to



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associated risks, unless temporary repairs can be undertaken at a cost no greater than \$1000.

2. Council receive a further report on the legalities, logistics and social considerations of agisting stock on Mathoura Common.

**CARRIED****THE AMENDED MOTION NOW BECOMES RESOLUTION OF COUNCIL****FORESHADOWED MOTION**

Cr Weyrich would like to move a motion to delay the decision on this resolution until further information is made available.

**The foreshadowed motion was not required.****9.4.2 HORSESHOE LAGOON - FINAL LANDSCAPE DESIGN FOR AWARENESS****RESOLUTION 180823**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That Council notes the final landscape design for Horseshoe Lagoon.

**CARRIED****9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS****9.5.1 GRANTS AND AWARDS - JULY 2023****RESOLUTION 190823**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

That Council receive and note the Grant and Awards Report for July 2023.

**CARRIED****9.5.2 SECTION 355 COMMITTEE REPORT - MEETING MINUTES AS AT JULY 2023****RESOLUTION 200823**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

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

**CARRIED**

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**9.5.3 CALDWELL HALL COMMITTEE - AGM****RESOLUTION 210823**

Moved: Cr Dennis Gleeson

Seconded: Cr Ann Crowe

That Council:

1. Revoke existing members of the Caldwell Hall Committee of management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

**CARRIED****9.5.4 MOULAMEIN HALL COMMITTEE - COMMITTEE DISSOLVED****RESOLUTION 220823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That Council

1. Revoke existing members of the Moulamein Hall Committee of Management;
2. Dissolve the Moulamein Hall Committee of management pursuant to Section 355 of the Local Government Act 1993;
3. Approve the donation of existing hall furniture to Moulamein Heritage Village and Moulamein Men's Shed; and
4. Hold the balance of funds in a reserve pending a further report to Council.

**CARRIED****9.5.5 MOAMA LIONS COMMUNITY VILLAGE COMMITTEE - AGM****RESOLUTION 230823**

Moved: Cr Nikki Cohen

Seconded: Cr Thomas Weyrich

That Council:

1. Revoke existing members of the Moama Lions Community Village Committee of management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the July 2023 AGM.

**CARRIED****9.5.6 MURRAY SHIRE HALL COMMITTEE - AGM****RESOLUTION 240823**

Moved: Cr Nikki Cohen

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Seconded: Cr Ann Crowe

That Council:

1. Revoke existing members of the Murray Shire Hall Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

**CARRIED**

#### 9.5.7 BARHAM MICRO ABATTOIR - VARIATION TO LEASE COMMENCEMENT DATE

##### RESOLUTION 250823

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Council approve a variation to the Agreement to Lease to delay the commencement of the Lease to 1 September 2023.

**CARRIED**

Taken on notice by Mr Dodds – Cr Cohen requested information on why the lease payments are only 6 monthly commencing on 1 March 2024.

#### 9.6 CORRESPONDENCE REPORT

##### 9.6.1 CORRESPONDENCE REPORT

##### RESOLUTION 260823

Moved: Cr Kron Nicholas

Seconded: Cr Neil Gorey

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 270823

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That the Sundry Delegates Report of the Mayor and Councillors for the period 25 July 2023 through to 21 August 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

**CARRIED**

**Cr Frank Crawley** attended the functions and meeting noted below in addition to those listed within this report:

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14 Aug: Mathoura Retirement Village Meeting

17 Aug: Planning for Councillors training workshop

18 Aug: Vietnam Veterans Day Service

19 Aug: Australian Darts Open presentation

21 Aug: Barham Local Health Medical Trust tour

**Cr Nikki Cohen** attended the functions and meeting noted below in addition to those listed within this report:

21 Aug: Cr Cohen did not attend the Flood study meeting as listed in the report

14 Aug: Mathoura Retirement Village Meeting

21 Aug: Barham Local Health Medical Trust tour

**Cr Ann Crowe** attended the functions and meeting noted below in addition to those listed within this report:

8 Aug: Monthly Councillor workshop online

18 Aug: Noorong Community Centre AGM Noorong

21 Aug: Barham Local Health Medical Trust tour

## 10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

### 10.1 NOTICE OF MOTION - THAT MURRAY RIVER COUNCIL WILL PROVIDE ADVOCACY ON BEHALF OF OUR COMMUNITY MEMBERS WHO ARE POTENTIALLY AFFECTED BY THE VNI WEST HIGH VOLTAGE TRANSMISSION, OPTION 5A

#### RESOLUTION 280823

Moved: Cr Neil Gorey  
Seconded: Cr Ann Crowe

That Murray River Council will provide advocacy on behalf of our community members who are potentially affected by the VNI West high voltage transmission, Option 5A. MRC will advocate that Option 5A should only proceed under the circumstance that the transmission line is routed underground, and not as the overhead high voltage transmission line which is currently proposed.

**CARRIED**

## 11 CONFIDENTIAL MATTERS

#### RESOLUTION 290823

Moved: Cr Nikki Cohen  
Seconded: Cr Dennis Gleeson

That Council moves out of Open Council into Closed Council at 2:18pm.

**CARRIED**

**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

**11.1 Request for reduction in loan interest on Echuca Moama Cycling Club Community Loans**

This matter is considered to be confidential under Section 10A(2) - b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with discussion in relation to the personal hardship of a resident or ratepayer.

**11.2 RECOMMENDATION TO AWARD CONTRACT MRC 208 - LEASE OF PLANT FOR WASTE OPERATIONS**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.3 Recommendation to award Contract MRC 2304 - Construction of Automated Depot Shed at the Moama Landfill**

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.

**11.4 Sale of Lot 3 DP 813704 - Mathoura Line Road, Moama**

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.5 Mayoral Minute - Council endorse the appointment of an interim Chief Executive Officer to cover for leave taken by Mr Terry Dodds, CEO Murray River Council**

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

**11.6 Request for Waiver of Community Loan - Barham Medical Health Trust**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.7 CONTRACT MRC 2214 CONSTRUCTION OF MOAMA PRESCHOOL – CONTRACT VARIATION FOR LANDSCAPING WORKS**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.8 Recommendation to award tenders MRC 2314 Purchase of plant items**

This matter is considered to be confidential under Section 10A(2) - d(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on

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balance, be contrary to the public interest as it deals with information that would, if disclosed, reveal a trade secret.

**11.9 Access Waste Reserve to construct a litter fence at Moama Landfill**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.10 Write Off Bad & Doubtful Debts for 2022/23 Financial Year**

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

**RESOLUTION 300823**

Moved: Cr Nikki Cohen  
Seconded: Cr Dennis Gleeson

That Council moves out of Closed Council into Open Council at 3:11pm.

**CARRIED****RESOLUTION 310823**

Moved: Cr Nikki Cohen  
Seconded: Cr Dennis Gleeson

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

**CARRIED****11.1 REQUEST FOR REDUCTION IN LOAN INTEREST ON ECHUCA MOAMA CYCLING CLUB COMMUNITY LOANS****MOTION**

Moved: Cr Nikki Cohen  
Seconded: Cr Neil Gorey

Alternate Resolution 1

That Murray River Council (Council) resolve to not offer any concessions to the Echuca Moama Cycling Club and require the said club to continue to meet its obligations of repaying all outstanding amounts on the loans obtained from Council.

Alternate Resolution 2

That Murray River Council (Council) resolve to:

1. offer a waiver of interest totalling \$961.29 to the Echuca Moama Cycling Club, considering the COVID epidemic and the impact it had on community groups not being able to function due to lockdowns at the time, and

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2. such waiver to be accounted against the budget allocation for Financial Assistance Program in Community Development, Financial Project No. 440120-457, and
3. require that the Echuca Moama Cycling Club continue to meet its obligations of repaying all outstanding amounts, excluding the waived interest identified in item 1 above, on the loans obtained from Council, including any interest that may accumulate in the future in keeping with the original terms of the loans.

**MOTION WAS LOST****RESOLUTION 320823**

Moved: Cr Nikki Cohen  
 Seconded: Cr Ann Crowe

That the CEO or his delegate engage with the Cycling club to assess their financial sustainability and provide a further report to a future Council meeting.

**CARRIED****11.2 RECOMMENDATION TO AWARD CONTRACT MRC 208 - LEASE OF PLANT FOR WASTE OPERATIONS****RESOLUTION 330823**

Moved: Cr Neil Gorey  
 Seconded: Cr Thomas Weyrich

That Council

1. Notes the Tender Evaluation Report attached under Attachment 1 for an overview of the complete tender process.
2. Accepts the tender from Vestone Capital for a five (5) year operating lease for \$406,870.00 (Ex GST) for Tender Number MRC 2308 – Lease of Plant for Waste operations for the lease of a CAT Loader.
3. Authorise the CEO to sign the lease documents.

**CARRIED****11.3 RECOMMENDATION TO AWARD CONTRACT MRC 2304 - CONSTRUCTION OF AUTOMATED DEPOT SHED AT THE MOAMA LANDFILL****RESOLUTION 340823**

Moved: Cr Nikki Cohen  
 Seconded: Cr Dennis Gleeson

That Council

1. Notes the Tender Evaluation Report attached under Attachment 1 for an overview of the completed tender process.
2. Accepts the tender from BLT Fabrication Pty Ltd for \$914,670.70 (Ex GST) for Tender Number MRC 2304
3. Authorise the CEO to sign the contract documents and authorise any contract variations within budget.

**CARRIED**

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**11.4 SALE OF LOT 3 DP 813704 - MATHOURA LINE ROAD, MOAMA****RESOLUTION 350823**

Moved: Cr Thomas Weyrich

Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to authorise the Chief Executive Officer (CEO) to undertake the necessary activities, including the entering into and signing the required contractual arrangements to sell the land identified as Lot 3, DP813704 (the Land) located at Line Road, Moama (also bounded by Centre Road), subject to the conditions identified in the Conclusions section of this report.

**CARRIED****11.5 MAYORAL MINUTE - COUNCIL ENDORSE THE APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE OFFICER TO COVER FOR LEAVE TAKEN BY MR TERRY DODDS, CEO MURRAY RIVER COUNCIL****RESOLUTION 360823**

Moved: Cr Frank Crawley

That Council endorse the appointment of an interim acting personnel in the position of Chief Executive Officer during the period that Mr Terry Dodds is on leave.

That Council:

1. Endorse the appointment of Mr Jack Bond as interim Chief Executive Officer for the period from [REDACTED].

**CARRIED**

Dates have been redacted due to privacy and confidentiality reasons.

**11.6 REQUEST FOR WAIVER OF COMMUNITY LOAN - BARHAM MEDICAL HEALTH TRUST****MOTION**

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to acknowledge the:

- A. presentation by the Barham Medical Health Trust representatives on the 25 July 2023, and
- B. the socially significant work being undertaken by the said Trust for the residents of Barham and surrounds.

That Murray River Council (Council) adopt one of the following alternative resolutions:

Alternate Resolution 1

That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 plus pay back the loan repayment made by the said Trust on 27 June 2023, as requested by the said Trust.

Alternate Resolution 2



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That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 only.

Alternate Resolution 3

That Murray River Council (Council) resolve to offer an extension of time of an additional 2 years, for the repayment of the current outstanding amount of \$44,000, resulting in four annual repayments of \$11,000 each commencing the 30<sup>th</sup> of June 2024 and completing on the 30<sup>th</sup> of June 2027, such revised repayment to continue to not attract any interest charges.

Alternate Resolution 4

That Murray River Council (Council) resolve to not grant any waiver of the outstanding loan amount owed to Council and require the Barham Medical Health Trust to meet its loan repayment obligations in keeping with the current repayment schedule.

Alternate Resolution 1

That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 plus pay back the loan repayment made by the said Trust on 27 June 2023, as requested by the said Trust.

MOTION WAS LOST

**RESOLUTION 370823**

Moved: Cr Neil Gorey  
Seconded: Cr Thomas Weyrich

Cr Neil Gorey foreshadows motion to move alternate resolution 3 including additional time for repayment of the loan.

That Murray River Council (Council) resolve to acknowledge the:

- A. presentation by the Barham Medical Health Trust representatives on the 25 July 2023, and
- B. the socially significant work being undertaken by the said Trust for the residents of Barham and surrounds.

That Murray River Council (Council) resolve to offer an extension of time of an additional 3 years, for the repayment of the current outstanding amount of \$44,000, resulting in five annual repayments of \$8,800 each commencing the 30<sup>th</sup> of June 2024 and completing on the 30<sup>th</sup> of June 2028, such revised repayment to continue to not attract any interest charges.

**CARRIED**

**11.7 CONTRACT MRC 2214 CONSTRUCTION OF MOAMA PRESCHOOL – CONTRACT VARIATION FOR LANDSCAPING WORKS**

**RESOLUTION 380823**

Moved: Cr Neil Gorey  
Seconded: Cr Thomas Weyrich

That Council authorise the CEO to accept a contract variation for Contract MRC 2214 – Construction of Moama Preschool for \$379,379.62 (ex GST) to for the rear yard landscaping works associated with the project.

**CARRIED**

## MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

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**11.8 RECOMMENDATION TO AWARD TENDERS MRC 2314 PURCHASE OF PLANT ITEMS****RESOLUTION 390823**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Murray River Council resolve to award the following plant procurement contracts to the respective suppliers, based on the responses received to tender number MRC 2314 for Purchase of Plant Items with Trade-in, and the evaluation of the said submissions in keeping with the identified evaluation criteria, as follows:

- a) Contract for the procurement of one (1) Caterpillar Grader model 140 JOY3 for a net price of \$331,870 excluding GST, after factoring in a trade in price of \$160,000 for current plant bearing registration number WYE600 to Westrac Pty Ltd, and
- b) Contract for the procurement of one (1) Caterpillar Backhoe model 432 for a price of \$207,990 excluding GST to Westrac Pty Ltd, and
- c) Contract for the procurement of one (1) Caterpillar Roller model CW34NN for a net price of \$192,670 excluding GST, after factoring in a trade in price of \$25,000 for current plant bearing registration number AB77GI to Westrac Pty Ltd, and
- d) Contract for the procurement of one (1) Caterpillar Reclaimer model RM400 for a net price of \$779,920 excluding GST, after factoring in a trade in price of \$200,000 for current plant bearing registration number 24902E to Westrac Pty Ltd, and
- e) Contract for the procurement of one (1) UD Water Truck model UD CG 32 430 QUON fitted with Barry Burrows 18,000L Water Tank for a net price of \$216,981 excluding GST, after factoring in a trade in price of \$105,000 for current plant bearing registration number XN75QN to Metele Pty Ltd,

and,

authorise the Chief Executive Officer to enter into and sign any contracts as required to give effect to the transactions identified in a) through e) inclusive.

**CARRIED****11.9 ACCESS WASTE RESERVE TO CONSTRUCT A LITTER FENCE AT MOAMA LANDFILL****RESOLUTION 400823**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

That Council:

1. Approves the use of \$113,965 from the Unrestricted Waste Reserve to install a litter fence at the Moama Landfill

**CARRIED****11.10 WRITE OFF BAD & DOUBTFUL DEBTS FOR 2022/23 FINANCIAL YEAR****RESOLUTION 410823**

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Moved: Cr Neil Gorey  
 Seconded: Cr Thomas Weyrich

That Murray River Council resolve to write-off unrecoverable debts totalling \$39,805.31 from Council's register of debtors.

That Murray River Council resolve to authorise the Chief Executive Officer to remove unrecoverable debts totalling \$39,805.31 from Council's register of debtors.

**CARRIED**

**12 CONCLUSION OF MEETING**

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:20pm.**

The next Ordinary Meeting of Murray River Council will be held on Tuesday 26 September 2023, commencing at 1pm, in Council Chambers, Moama Administration Office, 52 Perricoota Road, Moama.

**THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 22 AUGUST 2023, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 26 SEPTEMBER 2023.**

.....

**MAYOR** **CEO**

**5 DISCLOSURES OF INTERESTS**

**6 DEPUTATIONS**

**7 MAYORAL MINUTE(S)**

Nil

**8 REPORTS OF COMMITTEES**

Nil

## 9 REPORTS TO COUNCIL

### 9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

#### 9.1.1 UNION PICNIC DAY 6 NOVEMBER 2023

**File Number:** -

**Author:** Lindy Leyonhjelm, Executive Assistant

**Authoriser:** Jack Bond, Acting Chief Executive Officer

#### RECOMMENDATION

That the Council notes the action of the Chief Executive Officer in granting Tuesday 6 November 2023 as Union Picnic Day to Council employees who are financial members of the union(s).

#### BACKGROUND

In accordance with Clause 21(B) of the Local Government (State) Award 2020 (the 'Award'), Union Picnic Day is regarded as a holiday for employees who are financial members of the union(s) (the United Services Union (USU) or the Development & Environmental Professionals' Association (DEPA) or the Local Government Engineers Association (LGEA)).

#### DISCUSSION

Council has received advice from the USU that Council employees who are members of the union(s) have voted to have their Union Picnic Day on Tuesday 6 November 2023.

In response, this date was confirmed with the USU representative as acceptable to Council.

As per the Award, employees who are not financial members of the union(s) and who are required to work on Union Picnic Day, shall be paid ordinary pay for their normal working day. Employees who are not required to work on Union Picnic Day, may apply to the employer to take annual leave, long service leave, time off in lieu of overtime, or such other leave as may be approved by the employer.

All necessary arrangements to ensure that Council's operations are adequately staffed on this day, will be attended to by management.

#### 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

Murray River Council Leave Policy (POL501).

#### POLICY IMPLICATIONS

Local Government Act 1993.

Local Government (State) Award 2020.

#### LEGISLATIVE IMPLICATIONS

**RISK ANALYSIS**

- **What can happen?**  
Nil
- **How can it happen?**  
Nil
- **What are the consequences of the event happening?**  
Nil
- **What is the likelihood of the event happening?**  
Nil
- **Adequacy of existing controls?**  
Nil
- **Treatment options to mitigate the risk?**  
Nil

**CONCLUSION**

In accordance with Clause 21(B) of the Local Government (State) Award 2020 (the 'Award'), Union Picnic Day is regarded as a holiday for employees who are financial members of the union(s). Council has received advice from the USU that Council employees who are members of the union(s) have voted to have their Union Picnic Day on Tuesday 6 November 2023. In response, this date was confirmed with the USU representative as acceptable to Council.

**ATTACHMENTS**

Nil

**9.1.2 ELECTION FOR MAYOR AND DEPUTY MAYOR****File Number:** -**Author:** Lindy Leyonhjelm, Executive Assistant**Authoriser:** Jack Bond, Acting Chief Executive Officer**RECOMMENDATION**

1. That the election by Councillors for Mayor and Deputy Mayor be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2021.
2. That if more than one nomination is received for the position of Mayor and/or Deputy Mayor, the method of voting be conducted by:
  - Preferential Ballot **OR**
  - Ordinary Ballot **OR**
  - Open Voting
3. That the positions of Mayor and Deputy Mayor will be for a term of one (1) year – until the Council elections to be held in September 2024.

**BACKGROUND**

In accordance with Section 290 of the Local Government Act 1993 (the 'Act'), Council is required to elect a Mayor. The Mayoral election normally takes place in September in alignment with NSW Council elections.

The office of Mayor and Deputy Mayor has been vacated at this meeting and a new election or appointment for both positions must be held.

Under Section 230 of the Act, a Mayor elected by the Councillors holds the office of Mayor for two (2) years, subject to the Act, however due to the delay in the 2021 Council elections, the first term was 1 years and 9 months in total. (from December 2021 to September 2023)

The next term of the Mayor and the Deputy Mayor will be for one (1) year until September 2024, when the NSW Local Government elections will be held.

**DISCUSSION**

The election of the Mayor and the Deputy Mayor must be conducted in accordance with Schedule 7 of the Local Government (General) Regulations 2021.

**Part 1 Preliminary****1 Returning officer**

The general manager (or a person appointed by the general manager) is the returning officer.

**2 Nomination**

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

**3 Election**

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section—
  - ballot** has its normal meaning of secret ballot.
  - open voting** means voting by a show of hands or similar means.

Council's Code of Meeting Practice, Clause 13.9 states:

Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.

In the past, the method of voting for the positions of Mayor and Deputy Mayor has been by Ordinary Ballot.

#### **Part 2 - Ordinary ballot or open voting**

##### **4 Application of Part**

This Part applies if the election proceeds by ordinary ballot or by open voting.

##### **5 Marking of ballot-papers**

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

##### **6 Count - 2 candidates**

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

##### **7 Count - 3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

**Nominations Forms** – Nomination forms for the position of Mayor and Deputy Mayor have been circulated to all Councillors. Councillors wishing to nominate for any of these positions are required to complete the nomination form and lodge it (in hard copy or via email) with the Chief Executive Officer prior to 12 noon on Tuesday 26 September 2023.

#### **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**

Murray River Council Code of Meeting Practice (POL101).



**LEGISLATIVE IMPLICATIONS**

Local Government Act 1993.

Local Government (General) Regulations 2021.

**RISK ANALYSIS**

- **What can happen?**  
N/A
- **How can it happen?**  
N/A
- **What are the consequences of the event happening?**  
N/A
- **What is the likelihood of the event happening?**  
N/A
- **Adequacy of existing controls?**  
N/A
- **Treatment options to mitigate the risk?**  
N/A

**CONCLUSION**

Council is required to elect a Mayor and Deputy Mayor at the Ordinary Meeting of Council 26 September 2023.

In the event, that only one (1) nomination is required for either position, the nominee will be elected unopposed and by appointed in the position.

Where the Mayor and Deputy Mayor is to be elected by the Councillors, the election is to be in accordance with Schedule 7 of the Local Government (General) Regulation 2021.

**ATTACHMENTS**

1. **Schedule 7 of the Local Government Regulations 2021** [↓](#) 
2. **OLG Facesheet - Election of Mayor and Deputy Mayor by Councillors** [↓](#) 
3. **Nomination Form - Mayor and Deputy Mayor** [↓](#) 

Local Government (General) Regulation 2021 [NSW]  
Schedule 7 Election of mayor by councillors

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## Schedule 7 Election of mayor by councillors

(Section 394)

### Part 1 Preliminary

#### 1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

#### 2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

#### 3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section—  
*ballot* has its normal meaning of secret ballot.  
*open voting* means voting by a show of hands or similar means.

### Part 2 Ordinary ballot or open voting

#### 4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

#### 5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

#### 6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

Local Government (General) Regulation 2021 [NSW]  
Schedule 7 Election of mayor by councillors

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#### **7 Count—3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### **Part 3 Preferential ballot**

#### **8 Application of Part**

This Part applies if the election proceeds by preferential ballot.

#### **9 Ballot-papers and voting**

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

#### **10 Count**

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this section, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

#### **11 Tied candidates**

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those

Local Government (General) Regulation 2021 [NSW]  
Schedule 7 Election of mayor by councillors

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candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

## **Part 4 General**

### **12 Choosing by lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

### **13 Result**

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is—

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.

## Fact Sheet

ELECTION OF MAYOR AND DEPUTY  
MAYOR BY COUNCILLORS

### Summary

Councillors must elect a mayor from among their number every two years unless they have a popularly elected mayor.

Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

The election of the mayor and the deputy mayor must be conducted in accordance with clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005* (the Regulation).

The purpose of this document is to assist councils to conduct mayoral and deputy mayoral elections in accordance with these requirements. It includes scripts for key activities to help returning officers exercise their functions. These scripts are provided in the text boxes inserted in the relevant parts of this document.

### How can councils use this document?

Electing a mayor is an important activity. It is vital that the process is smooth, open and easy to follow and not rushed or confusing. Where necessary, it may be appropriate to stop and provide clarification for the benefit of councillors, staff or the gallery.

Returning officers can circulate this document prior to the meeting to help councillors understand the election process.

### Election of a mayor after an ordinary election of councillors

An election for mayor must be held within three weeks of the declaration of the ordinary election at a meeting of the council.

The returning officer is to be the general manager or a person appointed by the general manager.

As no mayor or deputy mayor will be present at the start of the meeting, the first business of the meeting should be the election of a chairperson to preside at the meeting. Alternatively, the returning officer may assume the chair for the purpose of conducting the election.

### Mid-term election of a mayor

A mayor elected by councillors holds office for two years. A mid-term mayoral election must be held in the September two years after the ordinary election of councillors or the first election of a new council following its establishment.

### Procedures

#### Prior to the meeting

Before the council meeting at which the election is to be conducted, the returning officer will give notice of the election to the councillors.

The notice is to set out how a person may be nominated as a candidate for election as chairperson.

*As returning officer, I now invite nominations for the position of mayor/deputy mayor for [name of council] for a two year period.*

*In accordance with the Local Government (General) Regulation 2005, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.*

A councillor may be nominated without notice for election as mayor or deputy mayor. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The returning officer checks the nomination forms and writes the nominees' names on a candidates' sheet.

#### At the meeting

At the start of the first meeting after an ordinary election, in the absence of a chairperson, the returning officer assumes the chair and announces that the first item of business is to be the election of a mayor.

If a chairperson is present, they announce that the first item of business is the election of the mayor then vacates the chair for the returning officer who will then conduct the election.

The returning officer reads out the names of the nominees and seeks confirmation that the nominee has accepted the nomination.

If only one councillor has been nominated for the position of mayor/deputy mayor, the nominee is elected.

*As there is only one nominee for the role of mayor/deputy mayor, I declare that [name of successful candidate] is elected as mayor/deputy mayor for the ensuing two years.*

If more than one candidate has been nominated, the council must determine by resolution, the method of voting for the position of mayor/deputy mayor, by way of one of the following methods:

- Open voting – i.e. by show of hands
- Ordinary ballot – i.e. a secret ballot (place an "X" against the candidate of their choice)
- Preferential ballot – i.e. place 1, 2, 3 etc. against each candidate.

The returning officer must ask for a motion to be put to the meeting by one of the councillors on the preferred method of voting for the election of a chairperson. This must then be seconded and voted on by the councillors.

**Note:** In the event of a tie, if there is a chairperson, they may use their casting vote. If there is a tie and no chairperson, an election for the role of chairperson should be conducted. Then the election for mayor resumes.

### Open voting (show of hands)

Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods.

The returning officer will advise the meeting of the method of voting and explains the process.

*It has been resolved that the method of voting for the position of mayor/deputy mayor will be by show of hands.*

*Each councillor is entitled to vote for only one candidate in each round of voting.*

*I will now write each candidate's name on a slip of paper and deposit it in a barrel. The first name out of the barrel will be written first on the tally sheet, with second name out being written second on the tally sheet, etc.*

When all candidates' names have been written on the tally sheet, the returning officer announces the names of the candidates and, commencing with the first candidate, states the following:

*Would those councillors voting for [name of candidate] please raise your hand.*

The returning officer records the number of votes for each successive candidate on the tally sheet and announces the number of votes received for each candidate.

The minute taker records the vote of each councillor.

The returning officer should check with the minute taker that each councillor has voted. If a councillor has not voted it should be confirmed that they are abstaining (an informal vote).

#### Two candidates

If there are only two candidates for the position of mayor/deputy mayor and the voting is higher for one candidate than another (number of formal votes recorded on the tally sheet), the returning officer then announces the result.

*[Name of candidate] has the higher number of formal votes and as a result I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote**, the returning officer will advise the meeting of the following process.

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the*

*names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

#### Three or more candidates

If there are three or more candidates, the candidate with the lowest number of votes for the position of mayor/deputy mayor is excluded.

*[Name of candidate], having the lowest number of votes, is excluded.*

The voting continues as above until there are only two candidates remaining (see voting for **two candidates** above).

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

### Ordinary ballot – (secret ballot)

The returning officer advises the meeting of the method of voting and explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by ordinary ballot, in other words by placing an "X" against the candidate of the councillor's choice.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

It will be necessary to have a number of blank papers as this process may require more than one round of voting.

The returning officer writes the names on one set of the ballot papers and initials the front of each ballot paper.

A staff member distributes the ballot papers and collects them into the ballot box when completed and gives it to the returning officer who counts the votes and records them on the tally sheet.

The returning officer announces the results.

*[Name of candidate], having the lowest number of votes, is excluded.*

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

The returning officer writes the names of the remaining candidates on a further set of the ballot papers and initials the front of each ballot paper.

The staff member distributes ballot papers listing the remaining candidates and collects them into the ballot box when completed and gives it to the returning officer who again counts the votes and records them on the tally sheet and announces the results.

The process continues until two candidates remain, where a final vote takes place.

*[Name of candidate] has the higher number of votes and I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** between the two remaining candidates, the returning officer makes the following statement and announces the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel.*

*Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

## Preferential ballot

The returning officer explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by preferential ballot, i.e. placing 1, 2 and so on against the candidate of the councillor's choice in order of preference for all candidates.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each candidate's name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

The returning officer writes the names on the ballot papers and initials the front of each ballot paper. This method of voting requires only one set of ballot papers.

A staff member distributes the ballot papers and collects them when completed and gives them to the returning officer who counts the first preference votes and records them on the tally sheet.

If a candidate has an absolute majority of first preference votes (more than half), the returning officer declares the outcome.

*[Name of candidate], having an absolute majority of first preference votes, is elected as mayor/deputy mayor for the ensuing two years.*

If no candidate has the absolute majority of first preference votes, the returning officer excludes the candidate with the lowest number of first preference votes.

*[Name of candidate], having the lowest number of first preference votes, is excluded.*

The preferences from the excluded candidate are distributed. This process continues until one candidate has received an absolute majority of votes, at which time the returning officer announces the result.

*[Name of candidate], having an absolute majority of votes, is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** where there are only two candidates remaining in the election, the returning officer explains the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel. The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

In the event that the **lowest number of votes are tied** and where there are three or more candidates remaining in the election, the returning officer advises the meeting of the process.

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded and their preferences distributed.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is excluded and any votes cast for them will be distributed by preference.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.



## Schedule 7 - Election of Mayor by Councillors

### Part 1 Preliminary

#### 1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

#### 2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

#### 3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:  
*ballot* has its normal meaning of secret ballot.  
*open voting* means voting by a show of hands or similar means.

### Part 2 Ordinary ballot or open voting

#### 4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

#### 5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

#### 6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

#### 7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### Part 3 Preferential ballot

#### 8 Application of Part

This Part applies if the election proceeds by preferential ballot.

#### 9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

#### 10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. That candidate is elected.
- (4) In this clause, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

#### 11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

### Part 4 General

#### 12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

#### 13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Departmental Chief Executive and to the Chief Executive of Local Government New South Wales.

# Nomination Form



I hereby nominate

Councillor

for position of

Mayor

Deputy Mayor

of Murray River Council for the ensuing term.

Proposer:

\_\_\_\_\_ Full Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

Secunder:

\_\_\_\_\_ Full Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

I, the **nominee**, consent to being nominated to this position:

Nominee:

\_\_\_\_\_ Full Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Date

**NOTE:**

- (1) The nomination form **must be signed by two (2) councillors** (one of whom may be the nominee)
- (2) The nomination is to be **delivered or sent to the Returning Officer** (CEO or a person appointed by the CEO) no later than 12.00pm of the day of the election.
- (3) The **nominee must also sign** the nomination form.

Prepared: For the Election of the Mayor and Deputy Mayor – 26 September 2023

**9.1.3 DRAFT MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) FOR THE MEETING HELD ON 7 AUGUST 2023**

**File Number:** -

**Author:** Sandra Gordon, Manager Governance & Risk

**Authoriser:** Stephen Fernando, Director Corporate Services

**RECOMMENDATION**

That the DRAFT Minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on Monday 7 August 2023 be noted by Council.

**DISCUSSION**

The Audit, Risk and Improvement Committee met for their scheduled quarterly meeting on Monday 7 August 2023.

The minutes of this meeting are attached. They will be confirmed by the Committee at their Extraordinary Meeting (for review of the 2022-2023 Draft Financial Statements) which is expected to be held in September 2023.

**ATTACHMENTS**

1. Draft ARIC Minutes for meeting held on 7 August 2023 [↓](#) 

**MURRAY RIVER COUNCIL Audit Committee Meeting Minutes**

7 August 2023

**MINUTES OF MURRAY RIVER COUNCIL  
AUDIT COMMITTEE MEETING  
HELD AT THE ADMINISTRATION OFFICES, 52 PERRICOOTA ROAD MOAMA  
ON MONDAY, 7 AUGUST 2023 AT 4:07PM**

**1 PRESENT**

Chairperson Richard Ham, Committee Member Suzanna Barry, Committee Member Jean Sutherland, Cr Frank Crawley, Cr Kron Nicholas

**IN ATTENDANCE:** Stephen Fernando (Director), Sandra Gordon (Manager Governance & Risk), Kris Kershaw (Manager Finance), Penny Corkill (Internal Auditor), Brad Bohun (External Auditor)

**2 APOLOGIES**

Nil

**3 CONFIRMATION OF MINUTES****3.1 ARIC MINUTES - 24 APRIL 2023****COMMITTEE RESOLUTION**

That the Minutes of the Murray River Council Audit, Risk and Improvement Committee meeting held on the 24 April 2023 be confirmed as a true and accurate record of the meeting.

**MOVED:** Cr Frank Crawley

**SECONDED:** Cr Kron Nicholas

**All in favour**

**3.2 ARIC MINUTES - 28 APRIL 2023****RECOMMENDATION**

That the Minutes of the Murray River Council Audit, Risk and Improvement Committee meeting held on the 28 April 2023 be confirmed as a true and accurate record of the meeting.

**MOVED:** Cr Frank Crawley

**SECONDED:** Jean Sutherland

**All in favour**

**4 BUSINESS ARISING FROM PREVIOUS MINUTES**

NIL

**5 GENERAL BUSINESS****5.1 REVIEW OF OUTSTANDING AUDIT ACTION ITEMS****RECOMMENDATION**

That the outstanding audit action items report be noted by the Murray River Council Audit, Risk and Improvement Committee.

**Noted by the Committee – All in favour**

**Points raised:**

- Report presented to ELT once a month.
- Financial actions/Management letter actions need to be finalised prior to the start of the new financial year.

**ACTION:** Stephen Fernando to check status of items and update if required.

## MURRAY RIVER COUNCIL Audit Committee Meeting Minutes

7 August 2023

**5.2 SHELL SET OF 2022/23 FINANCIAL STATEMENTS - GENERAL PURPOSE****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and review the shell set of financial statements for the 2022/23 financial year.
2. Note the prior period adjustment for the 2021/22 financial year.
3. Provide recommendation(s) for any improvements or amendments on current shell financial statements.

**Noted by the Committee – All in favour**

No change to the Accounting Standards for the 2022-2023 Financial Statements

**ACTION:** Shell set of financials to be forwarded to the External Auditor

Kris Kershaw will email the ARIC with the proposed changes to the Notes in the Statements

**Points raised:**

- Council is expecting some impairment of assets as at the 30<sup>th</sup> June 2023

Council's position on the RFS assets has not changed

4.21 pm - Brad Bohun left the meeting

**5.3 3RD QUARTER (QTR) 2022-23 BUDGET REVIEW****RECOMMENDATION**

That the Audit Committee:

1. Receive and note the 3<sup>rd</sup> quarter budget review report.

**Noted by the Committee – All in favour****5.4 ACCOUNTS RECEIVABLE BAD DEBTORS REPORT****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and note the report.

**Noted by the Committee – All in favour****5.5 QUARTERLY CREDIT CARD EXPENDITURE REPORT FOR THE MAYOR AND CEO****RECOMMENDATION**

That the Audit Risk Committee:

1. Receive and note the credit card expenditure report for Mayor and CEO for the period April to June 2023.

**Noted by the Committee – All in favour**

**ACTION:** Council needs to provide details of the purchases or copies of the statements.

## MURRAY RIVER COUNCIL Audit Committee Meeting Minutes

7 August 2023

**5.6 RURAL FIRE SERVICE RECOGNITION OF 'RED FLEET' PLANT AND EQUIPMENT****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and note the report regarding Council's status on recognition of Rural Fire Service assets in Council's asset registers.

**Noted by the Committee – All in favour**

**5.7 2022-23 INTERIM AUDIT MANAGEMENT LETTER****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and note the report.

**Noted by the Committee – All in favour**

**5.8 DEVELOPER CONTRIBUTIONS****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and note the report.

**Noted by the Committee – All in favour**

**Points raised:**

- Still need to complete the requirements of Section 7.1.2 of the Environmental Planning and Assessment Act 1979 (NSW).
- Actions in the Audit Action Plan held up pending further decision on how to proceed.

Systems will be aligned by 30<sup>th</sup> June 2024.

**5.9 DRAFT BUDGET POLICY****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and review the draft Budget Policy.
2. Make recommendation(s) on the Policy for inclusion in the report to the August 2023 Council Ordinary Meeting.

**Noted by the Committee – All in favour**

**Points raised:**

Recommendations made for changes to the draft Budget Policy prior to being presented to Council.

## MURRAY RIVER COUNCIL Audit Committee Meeting Minutes

7 August 2023

**5.10 DRAFT BORROWING POLICY****RECOMMENDATION**

That the Audit and Risk Committee:

1. Receive and review the draft Borrowing Policy.
2. Make recommendation(s) on the Policy for inclusion in the report to the August 2023 Council Ordinary Meeting.

**Noted by the Committee – All in favour**

**Points raised:**

Recommendations made for changes to the draft Borrowing Policy prior to being presented to Council.

**5.11 REVIEW OF FRAUD & CORRUPTION POLICY****RECOMMENDATION**

That the current Fraud and Corruption Policy has been reviewed by the ARIC and the suggested changes will be considered for inclusion in the Policy.

**Noted by the Committee – All in favour**

**Points raised:**

- Consider utilising emerging technology to verify creditor details
- Cooperate with both the internal and external auditors to identify potential fraud and address weakness.
- Conflict of Interest/ Pecuniary Interest training and awareness.

Recommendations made for changes to the Fraud & Corruption Policy prior to being updated.

**5.12 RISK REGISTER REVIEW****RECOMMENDATION**

That the Strategic and Operational Risk Registers be noted

**Noted by the Committee – All in favour**

**Points raised:**

- Suggestions made by the ARIC members will be considered and changes made to the draft budget prior to being presented to Council.

Strategic risk on the decline/failure of the Murray River be added

**5.13 UPCOMING CHANGES TO THE ARIC COMMITTEE @ 1 JULY 2024.****RECOMMENDATION**

That the ARIC will receive the new ARIC Internal Charter, the Annual Attestation Template and other required documents, as outlined in the Guidelines, at their first meeting in 2024, for review.

**Noted by the Committee – All in favour**



**MURRAY RIVER COUNCIL Audit Committee Meeting Minutes**

**7 August 2023**

**Points raised:**

- Remuneration to the ARIC members be reviewed
- Superannuation for ARIC members is a recommendation of the Guidelines

**ADDITIONAL ITEMS:**

**SPONSORSHIP POLICY**

**ACTION:** That a policy be developed outlining the conditions in which Council will accept sponsorship from outside entities.

**MOVED:** Chair Richard Ham      **SECONDED:** Cr Kron Nicholas      **All in favour**

**Points raised:**

- To eliminate potential Conflicts of Interests
- If not a policy an amendment to the Code of Conduct Policy may be sufficient.

**UPDATE ON CURRENT COUNCIL PROJECTS**

Discussion was held on the following projects:

1. Moama Lights – financial position in light of the cancellation of part of the event
2. New developments – Moama and Murray Downs – not financial commitment from Council
3. Barham Abattoir – close out timelines

**6 NEXT MEETING – MONDAY 11 SEPTEMBER**

**7 CLOSE**

**The Meeting closed at 6.45**

**The minutes of this meeting were confirmed at the Audit Committee Meeting held on .**

.....  
**CHAIRPERSON**

**9.1.4 MONTHLY OPERATIONAL REPORT****File Number:** -**Author:** Courtney Dean, Coordinator Communications**Authoriser:** Jack Bond, Acting Chief Executive Officer**RECOMMENDATION**

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

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

**Water**

- 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.
- Congratulations to Jamie Betts who is the acting Assistant Supervisor for September.
- Machinery shed complete for minor plant at Moama Water Treatment Plant.
- Design and construction of Raw Water network in Koraleigh: Project ongoing. Tender process has been completed, with a construction date TBC.
- The Water Industry Operators Association of Australia (WIOA) in partnership with the Water Services Association of Australia (WSAA), are collaborating to offer the new initiative called Australian Water Industry Operator Placement Program. The aim of the Program is to provide selected operators with an opportunity for development outside of their direct employment. Council hosted Gary Cootes from Tweed Shire Council as part of the program and is looking at placement for a staff member to participate in the program.

**Works**

- Great work has been underway to review and cleanup the 'Reflect' defect database. Scheduled inspections for all roads to be formalised in Reflect to allow for an improved routine and reporting purposes.
- Initial version of works program released to depots for upcoming capital works.
- Various maintenance works have been underway including maintenance grading, footpath and kerb replacements, table drain and culvert cleaning and clearing.
- Upcoming works include Perricoota Road resheeting, Bunnaloo Road, Speewa Road, Chester Street and Wakool Steet intersection, Deniliquin-Barham Road (pending external funding), Barmah Road (pending external funding), Kyalite Road (pending external funding), Thyra Road railway removal and various kerb, gutter and footpath renewals.
- Thank you to staff who have been taking extra responsibilities and putting their hand up to fill a higher role. It's always great to see people taking on extra responsibilities and challenging themselves. Valuable experience is gained by employees taking on higher duties for the first time.
- Final phase of flood recovery works scheduled to commence in September, along with new capital works funded by Roads to Recovery and Fixing Local Roads programs. Maintenance grading continuing.

### Economic Development

- During August, significant efforts were dedicated to the Spring River Country Marketing Campaign initiative. This involved coordinating the preparation and organisation of content for the website update, as well as orchestrating the "Discover Food and Wine in River Country" marketing campaign under the Spring River Country Marketing Campaign umbrella. This campaign aims to spotlight the finest culinary and wine experiences available within River Country, highlighting the exceptional offerings at our acclaimed dining establishments.
- NSW Small Business Month is a month-long program created for small businesses across New South Wales to attend events aligned to their individual business interests. MRC was successful in receiving grant funding to run a Small Business Seminar on Oct 13<sup>th</sup> at Rich River Golf Club, with keynote speaker Michael Licenblat who is a resilience expert and teaches people how to achieve more in high-pressure environments by bouncing back from pressures, setbacks, and rejections.
- Murray River Council has taken home a win at this year's National Economic Development Awards for Excellence for the 2022 Australian Darts Open event. Winning the 'Economic Development Initiatives - Regions Under 15,000 Residents' award category, Council was recognised for stimulating economic development activity through coordination of the event. The category winners were announced at the awards gala evening on Wednesday 23 August in Karratha WA.

### Major Projects

- Murray Downs Foreshore Boat ramp project is still in progress. Delayed by very high river levels on the Murray at this location. Scheduled to resume mid-October 2023.
- Echuca-Moama Floodplain Risk Management Study and Plan is progressing. Draft Flood Study Report scheduled to be referred to October 2023 Council meeting for approval then public exhibition. Flood Study report is expected to be ready by the end of June 2024.
- Design for Barham Sewage Treatment Upgrade: Request for Tender for Design Consultants is currently out, closing in October.
- Moulamein Water Treatment Ring Levee, riverine/stormwater backflow prevention and upgrade of points of weakness in the levee: Preparation for procurement of survey, REF, and design is in progress.
- Moama Boat Pump Out Station upgrade design: Updating of concept design and preparation for procurement is in progress.

### Waste and Compliance

- Council received a visit from the Tomra Cleanaway CEO and other representatives to visit the proposed site for the construction of the new Automated Depot based at the Moama landfill.
- Council's waste team visited the Wollert Hansons Landfill and Cleanaway's Melbourne Regional Landfill to learn how some of Australia's large-scale landfills are operated with learnings to be implemented at Moama landfill.
- The waste team had a site visit to the Moama landfill from Run Energy to investigate the site for potential methane gas capture and flaring to satisfy the 2025 NSW EPA mandatory gas capture policy.
- A food handler training session was held in Barham specifically for CluBarham staff.
- Above average rainfalls during winter have spurred vegetation growth throughout the LGA. Social media advice to landowners has commenced during August reminding residents to reduce vegetation and maintain during spring and summer to mitigate the risk of fire. Council inspections of residential properties to commence in September.
- Council received a dry dog food donation from an organisation called Australian Rescue for Pounds. 38 x 11kg bags were received which were distributed to both the Barham and Moama pound facilities.
- Cattle are currently being grazed on the Travelling Stock Route at Stoney Crossing. Owner/drovers are permitted to graze stock by Local Land Services. Council Rangers monitor for appropriate warning signage and attendance.

## Development Services

- **Quick Stats:** During the 2022/2023 Financial Year, Development Services received a combined total of 1004 applications, worth \$202,774,623.
- August has been a huge month for development Services, showing the results of a successful recruitment drive. During August, Council welcomed new starters being John Guilfoyle and Kellie Richmond as Paraplanners, Daniel Tayles as Local Government Approvals Officer and Nancy Johns and Sharon Steele as Administration Officers. We also welcomed Holly McLaren as Administration Officer into a Full-time, temporary role to backfill Amy Jackson who will be predominantly working on Tech One for the best part of 23/24.
- Development Services has also developed new industry checklists and guides that are designed to be easy to read, user friendly and informative, no matter what development is to be carried out. These will go live before Christmas 23.
- Given the abundance of new staff, the team is undergoing significant change and much of our time is dedicated to training and supporting the onboarding of new staff. This will take time however the results of this is expected to be visible early 2024 when staff have their feet under them along with confidence in their roles.
- Housing Strategy is being finalised. There have been delays due to some critical data for Murray Downs and Moama. All going well we should see the Housing Strategy formally adopted at the September Council meeting. The adoption does not impact the planning proposals for rezoning currently in the system. DPE relationships are strained, and goal posts are continually shifting in relation to streamlining planning proposals for logical residential rezonings. We will continue to work on this.

## Buildings and Facilities

### Moama Preschool Development

- Works are progressing well. All underground services have been installed, building slab has been completed, steel / timber framing has been erected, roofing in place and carpark completed. Building colour schemes have been finalised. Works to re-align the internal Recreation Reserve access track have commenced and due to be completed mid-September. Designs and delivery of the rear landscaping / play space have been finalised and are currently being assessed for compliance.

### Moama Admin Building

- Water leak rectification works nearing completion. Painting of the external cladding and internal wall linings completed. Works on the east side balcony completed.
- Maintenance and renewal plans being finalised and split into separate documents. Currently, capital works for FY24 are planned for the following:
  - Refurbishment of Goodnight Hall / Recreation Reserve Toilet block
  - Refurbishment of Mathoura Memorial Park Toilet
  - Refurbishment of Noorong Hall
  - Refurbishment of Wakool Hall

### Parks, Gardens, Open Space and Biosecurity

- Replacement of Moama Soundshell Playground with all abilities play space 'Stage One' was completed in late August. Playground was audited and signed off for compliance and contractor removed temp fencing from the site. Parks staff completed landscaping at Skatepark to compliment new works.
- Biosecurity staff attended the NSW weeds conference in Dubbo, learning new ideas, technologies and collaborating with other like-minded people.
- Currently developing a joint NSW/VIC weeds working group to discuss current weed issues and risk locations to increase our communication between borders.
- New Weed ID signs placed on strategic roadside to educate and inform road users.
- Parks staff inspected TNSW Echuca Moama bridge Landscape project, mainly irrigation installations. Handover from TNSW expected late September 2023. This may have some impact on the workload of Parks' operations staff in Moama.
- New plant and equipment purchased for Parks teams to reduce mowing times and improve efficiencies in parks service delivery. Upgrades include one mower (delivered), three on order expecting delivery early 2024. Replacement side by side delivered.

### Customer Service

- We have seen an increase in numbers of people calling into the Information Centre in Mathoura. The majority of customers are people looking for local information or maps to assist them to reach their destinations. There have also been a couple of bus groups call in. We have received very positive comments about how nice the Centre is and how great the services are that we provide for the Community and for people passing through.
- **Voice of Customer Program:** We contacted a total of 60 customers who submitted service requests during August. Our overall score for 'Helpful and Clear Advice' was 90.1% while our score for 'Satisfaction' was 88.4%. We received 1 staff compliment across the organisation for their helpful and clear advice. As with last month, other comments centred around length of time for a return call, no contact or still waiting for response and/or never received an outcome.

### People, WHS and Wellbeing

- Skills analysis for depot staff is close to being finalised.
- Performance Reviews have commenced for all Staff.
- HR has commenced ongoing review of all HR policies and procedures.
- Online Incident Reporting is now live in MaRCO
- Electronic Plant pre-starts have now commenced on phones and iPads.

### Community Services

- During August, the Community Services Aged Care team delivered the following supports:
  - Social Support - 1386 hours (Social support consists of group activities, Respite services, as well as 1:1 supports including wellness checks/phone calls and supported shopping etc)
  - Meals: 401 meals
  - Home Maintenance: 21 hours
  - Home Modifications: \$930
  - Transport: 1027 trips
- YHub (Youth Hub) continues in Moulamein with young people provided the opportunity for social participation – various activities and a light meal is provided.

### Strategic Assets

- After 4 years of hard work the Building, Land, Facility & Plant Assessment Project undertaken with CT Management (stage one of Sustainable MRC) has been completed. The project has looked at all areas of Buildings, Land, Facilities & Plant across MRC and identified how we currently use these assets, how we need to use and manage them into the future and the actions we need to take to make our service provision sustainable. Detail engagement with community, staff and Councillors has been undertaken and we now have a plan for how we should move forward with these Council assets. The final Council report detailing project outcomes and planning proposal requirements approved 28 March 2023 enabling the project to move into the next phase of public consultation. Sustainable MRC and the new Strategic Property Specialist will now take over the reins and all of the outstanding components including the township masterplans, various strategies, public consultation & planning proposal for land reclassification outlined in the March Council report will be completed as part of the new Sustainable MRC project. A big thankyou and well done to all involved in getting stage one of this enormous and very important piece of work completed.

### Information Technology

- August was a very constructive month. Both the Manager and Coordinator attended the "Tech in Gov" Conference in Canberra where the focus was on Cyber Security.
- All Staff training days were a success and Audio Visual delivered by IT worked as planned.
- The team's 'business as usual' workload is still extremely high, but the team are managing.
- Christian has gone above and beyond delivering 'point of sale' solutions for customer service before and after hours.

### Finance

- **2022/23 Financial Statements** – Work progresses on the year-end financial statements. Draft statements are expected to go to the Internal Audit Committee meeting on the 18 September and external audit is scheduled to commence 25 September.
- **Internal reporting** – Finance staff continue to improve reporting options available from the Technology One system, with focus being placed on giving the Managers the ability to generate the reports themselves. An example of a current report under development is a Statement of Cashflow report that can be run anytime in Tech 1 as part of the end of month processing and reporting.
- **Monthly reporting** – Monthly report to council has commenced in July 2023. This report will provide Council with a monthly progress on the Income Statement and Statement of Financial Performance. It is expected that Cashflow reporting will be added to the monthly report in the near future.

## Business Intelligence

- **TechOne progress to date**
  - HR manual created for review
  - PO vs Invoice date scheduled to run monthly
  - Data sync between TechOne and Civica resolved
  - Australia Post barcode tested and verified
  
- **TechOne coming soon**
  - Australia Post Biller Code due Aug/Sept
  - Managers Dashboard
  - Pool car booking system to move from Outlook to TechOne – in test phase.
  
- **TechOne currently underway**
  - Dashboard works continuing with HR dashboard expected soon
  - Payment Gateway to be configured to allow online payment.
  - Recruitment Requisition form in testing phase
  - Reports being developed for P&R modules- expected completion August
  - Compliance design workshops underway
  - Planning underway for first TechOne Water Billing run.
  
- Works underway for a full revamp of the 'Learning Hub' to ensure all training materials are current, easy to find and relevant – starting with CM9 and TechOne.
- Concerns raised about adequate resourcing in Development Services Team to manage the implementation of TechOne over the next 12 months.
- With the new TechOne modules going live, and quite a few new starters, support tickets for both TechOne and CM9 have spiked – well done to Kishore and the Records Team for managing these and keeping us running.

## ATTACHMENTS

1. **Monthly Operational Report August 2023 (under separate cover)** 

**9.1.5 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**

**File Number:** -

**Author:** Lindy Leyonhjelm, Executive Assistant

**Authoriser:** Jack Bond, 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**

**9.1.6 RECONSIDERATION OF OPPOSING EMERGENCY SERVICES LEVY AS A SINGLE ENTITY****File Number:** -**Author:** Lindy Leyonhjelm, Executive Assistant**Authoriser:** Jack Bond, Acting Chief Executive Officer**RECOMMENDATION**

That the Officer's report on Reconsideration of Opposing Emergency Services Levy as a single entity be received by the Council and assess if the best steps include engaging as a joint voice for the opposition to the Levy with LGNSW or Country Mayors Association

**DISCUSSION**

At the May 2023 Council meeting, it was resolved that Council write to the Minister for Local Government, the Hon. Ron Hoenig MP and the Hon. Jihad Dib MP expressing its strong opposition to the proposed removal of the Emergency Services Levy (ESL) subsidy.

Mr Terry Dodds has been in discussion with a senior consultant for the OLG who strongly suggested we reconsider the below motion.

**RESOLUTION 010523**

Moved: Cr Frank Crawley

Seconded: Cr Geoff Wise

That Murray River Council (Council) resolve to write to the Minister for Local Government, the Hon. Ron Hoenig, MP, and the Minister for Emergency Services, The Hon. Jihad Dib, MP, expressing its strong opposition to the proposed removal of the Emergency Services Levy (ESL) subsidy, using the preferred template issued by Local Government NSW (LGNSW) to all NSW Councils for this purpose.

**CARRIED**

The advice suggests that Murray River Council not express opposition to the removal of the Levy as a single entity but to join with the Office of Local Government and/or Country Mayors Association to have a stronger voice.

Minister for Local Government, the Hon. Ron Hoenig, MP, while in State Parliament has been quoted with the following on ABC news:

Mr Hoenig said a new report on financial spending painted a "frightening picture of local government" in New South Wales, with financial errors worth \$1.3 billion made by councils.

He also criticised councils for complaining about having to pay the emergency services levy, saying local governments needed to fix their own financial issues before asking for more money from the state government.

"I am going to ask them [local councils] about their financial accountability and their expenditure before they start asking the state to pay for the fire trucks going down their street, which they are responsible for paying for."

**ATTACHMENTS**

**Nil**

## 9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

### 9.2.1 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 31 AUGUST 2023

**File Number:** -

**Author:** Kris Kershaw, Manager Finance

**Authoriser:** Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

That Council:

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

#### BACKGROUND

The purpose of this report is to inform Council of the unaudited financial performance and position of Council as of 31 August 2023. The report is provided in addition to the Monthly Operational Report and reports on Council consolidated performance.

#### DISCUSSION

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

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

Council adopted the 2023/24 Annual Budget, as part of the Operational Plan, on the 27 June 2023 which is reflected in the Income Statement attachment.

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

The following highlights are some of the key results for the period ending 31 August 2023:

- The end of month cash and investments balance is \$53.30 million, of which \$2.82 million is unrestricted for the General Fund. This is above the current minimum limit of \$2 million threshold defined by Council in the Operational Plan. Cash and investments are reported to Council each month under a separate report.
- Working capital balance as of 31 August 2023 is \$9.43 million.
- Council has delivered 9.94% of the year-to-date capital budget excluding commitments for 2022/23, totalling \$3.38 million. Council has a budget allocation of \$33.99 million for the 2023/24 year.

#### Income Statement

### Income and Expenditure

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

For the period under review, Council's operating deficit sits at (\$3.65) million. This is under the overall projected 2024 budgeted net operating result of (\$8.67 million) for the period ending August 2023, however, Materials and Contracts budget spread needs to be reviewed as allocation of \$9.33 million appears to be high for the two (2) months ending 31 August 2023.

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

Income Statement for 31 August 2023 is provided as an attachment.

Note that **Actual 2023** figures in the attached Income Statement are still being finalised as part of closing out the 2022/23 financial year and are subject to change and final external audit in October 2023.

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

### Income

- User charges and fees is tracking higher than budget due to Council receiving RMCC works revenue of \$1.75 million.
- Other revenue is greater than budget due to Moama Lights ticket sales of \$0.2 million. Budget for this event has been spread over the 12 months for 2023/24 year rather than for the month of July 2023. Need to correct budget spread.
- Grants for operating purposes is tracking lower than budget expectation due to timing of grant funding being received in relation to the Financial Assurances Grant. Need to review how budget spread is recorded in Tech 1 system.

### Expenditure

- Materials and contracts expenditure is tracking lower than budget expectation due to timing of expense payments. Also, need to review how budget spread is assigned in Tech 1.
- Depreciation actual will equal depreciation budget until all asset registers are placed into OneCouncil (Tech 1) asset registers. Assets team is currently working through this process with the aim of having all asset registers in the system during this financial year.
- Other expenses are tracking greater than budget expectation due to budget spread of expense rural fire service contributions – need to reassign budget spread on a quarterly basis rather than a monthly basis.

### **Statement of Financial Performance**

The value of resources Council has to service our community. Net Equity at the end of the August 2023 period stood at \$1.02 billion.

Statement of Financial Performance for 31 August 2023 is provided as an attachment.

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

### Assets

- Cash and cash equivalents have increased from \$7.30 to \$8.57 million due to investments maturing and being returned to Council for expected future expenditure during the month of September.
- Investments has decreased to \$45.5 million on account of Council recalling funds on maturity of term deposits to pay for accounts payable invoices.
- Receivables actual of \$8.43 million is lower when compared to the 2022/23 year balance of \$12.16 million as a result of Council raising accounts receivable invoices on 30 June 2023 as part of the 2022/23 financial year preparation, which have been received by Council during July and August. It is also due to the levying of the 2023/24 rates been spread across the twelve (12) months for 2023/24 financial year instead of showing in full in July 2023. A total of \$21.40 million was levied for rates and annual charges for the 2023/24 financial year.

### Liabilities

- Current payables overall balance has decreased from the 2022/23 year closing balance of \$6.58 million to \$2.96 million to August 2023 as a result of Council paying down its accounts payable balance. This balance is subject to timing variances as accounts payable is run weekly every Thursday and 31 August fell on a Thursday, thus most invoices had been paid.

### **Working Capital**

Working capital is calculated by taking a company's current assets and deducting current liabilities. Working capital is important because it is necessary for Council to remain solvent.

In the case of Council, there is a need to remove certain external restrictions, as these cannot be used by Council for day-to-day operational matters. The table below provides a summary of working capital:

<b>Working Capital Calculation - General Fund Only</b>	
Month	Aug-23
	(' \$000)
Current Assets Total	64,057
Less:	
External Restrictions	
- Water Fund	-11,178
- Sewer Fund	-16,605
- Waste Fund	-5,094
- Unspent Grants	-4,865
- Section 94 Funding	-3,937
- Other External Funding	-704
Revised Current Assets Total	21,674
Current Liabilities Total	-12,580
Add Back:	
External Restrictions	
- Water Fund	256
- Sewer Fund	53
- Waste Fund	25
Revised Current Liabilities Total	-12,246
<b>Working Capital - General Fund</b>	<b>9,428</b>

### Capital Expenditure

Expenditure on capital up to 31 August 2023 is \$3.38 million. This represents an overall expenditure of 9.94% of the original budget of \$33.99 million.

### STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

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

### BUDGETARY IMPLICATIONS

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

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

### POLICY IMPLICATIONS

Nil.

### LEGISLATIVE IMPLICATIONS

### RISK ANALYSIS

- **What can happen?**

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

- **How can it happen?**  
By failure of
- **What are the consequences of the event happening?**  
Council ends up with an operating deficit greater than the budget adopted, resulting in financial risks
- **What is the likelihood of the event happening?**  
Possible.
- **Adequacy of existing controls?**  
Adequate.
- **Treatment options to mitigate the risk?**  
Financial risks can be managed on a project basis or through savings identified in the operational expenditure budgets. Council finance staff to maintain a budget risk register which will flag budgetary issues that require addressing in the quarterly budget review process.

## CONCLUSION

The unaudited Financial Report is presented to Council to provide an overview of Council's overall financial performance as of 31 August 2023.

## ATTACHMENTS

1. **Income Statement Report 31 August 2023** [↓](#) 
2. **Statement of Financial Performance Report 31 August 2023** [↓](#) 







## Murray River Council

### Income Statement

for the year ended 30 June 2024

from period 01 July to 31 August

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

Actual 2023	\$'000	Notes	Original unaudited budget 2024	Actual 2024	% Var Current Bud v Act
<b>Income from continuing operations</b>					
19,304	Rates and annual charges	B2-1	3,507	3,371	96%
8,125	User charges and fees	B2-2	1,295	2,901	224%
1,561	Other revenue	B2-3	100	268	268%
21,105	Grants and contributions provided for operating purposes	B2-4	2,536	153	6%
35,463	Grants and contributions provided for capital purposes	B2-4	332	240	72%
1,599	Interest and investment income	B2-5	300	360	120%
287	Other income	B2-6	43	43	101%
667	Gain on Sale of Assets	D2-1			
<b>88,111</b>	<b>Total income from continuing operations</b>		<b>8,112</b>	<b>7,336</b>	<b>90%</b>
<b>Expenses from continuing operations</b>					
19,275	Employee benefits and on-costs	B3-1	3,248	3,002	92%
21,419	Materials and services	B3-2	9,333	3,699	40%
382	Borrowing costs	B3-3			0%
22,573	Depreciation, amortisation and impairment for non-financial assets	B3-4	4,075	4,074	100%
1,061	Other expenses	B3-5	121	215	178%
	Net losses from the disposal of assets	B4-1			
<b>64,710</b>	<b>Total expenses from continuing operations</b>		<b>16,777</b>	<b>10,990</b>	<b>66%</b>
<b>23,401</b>	<b>Operating result from continuing operations</b>		<b>(8,664)</b>	<b>(3,654)</b>	<b>42%</b>
<b>23,401</b>	<b>Net operating result for the year attributable to Council</b>		<b>(8,664)</b>	<b>(3,654)</b>	<b>42%</b>
<b>(12,062)</b>	<b>Net operating result for the year before grants and contributions provided for capital purposes</b>		<b>(8,996)</b>	<b>(3,894)</b>	<b>43%</b>



## Murray River Council

## Statement of Financial Position

for the year ended 30 June 2024

from period 01 July to 31 August

\$'000	Notes	Actual 2024	Actual 2023
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	C1-1	8,569	7,266
Investments	C1-2	45,523	50,034
Receivables	C1-4	8,426	12,156
Inventories	C1-5	516	520
Other	C1-11	1,023	438
<b>Total current assets</b>		<u>64,057</u>	<u>70,414</u>
<b>Non-current assets</b>			
Investments	C1-2	2	2
Receivables	C1-4	483	483
Inventories	C1-5	315	315
Infrastructure, property, plant and equipment	C1-8	971,822	968,442
Intangible Assets	C1-10	8,046	8,046
Investments accounted for using the equity method	D2-2		
<b>Total non-current assets</b>		<u>980,668</u>	<u>977,288</u>
<b>Total assets</b>		<u>1,044,725</u>	<u>1,047,702</u>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	C3-1	2,964	6,584
Contract liabilities	C3-2	5,356	5,356
Lease liabilities	C2-1	168	184
Borrowings	C3-3	476	476
Employee benefit provisions	C3-4	3,514	3,686
Provisions	C3-5	102	102
<b>Total current liabilities</b>		<u>12,580</u>	<u>16,388</u>
<b>Non-current liabilities</b>			
Lease liabilities	C2-1	354	354
Borrowings	C3-3	2,173	2,173
Employee benefit provisions	C3-4	512	512
Provisions	C3-5	6,612	6,612
<b>Total non-current liabilities</b>		<u>9,651</u>	<u>9,651</u>
<b>Total liabilities</b>		<u>22,231</u>	<u>26,039</u>
<b>Net assets</b>		<u>1,022,494</u>	<u>1,021,663</u>
<b>EQUITY</b>			
Current years surplus		831	
Accumulated surplus		754,115	754,115
IPPE revaluation reserve		267,548	267,548
<b>Council equity interest</b>		<u>1,022,494</u>	<u>1,021,663</u>
<b>Total equity</b>		<u>1,022,494</u>	<u>1,021,663</u>

**9.2.2 DRAFT COUNCILLOR AND EMPLOYEE INTERACTION POLICY V#2**

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

**RECOMMENDATION**

That the DRAFT Councillor and Employee Interaction Policy V#2 be adopted and placed on public display.

**BACKGROUND**

The Access to Information and Staff by Councillors Policy V#1 was adopted by Council on the 8 August 2017.

**DISCUSSION**

The Office of Local Government (OLG) recently published the Model Councillors and Staff Interaction Policy.

An extract of the OLG Circular 22-08 states:

**What this will mean for your council**

The model policies are not mandatory, and councils are free to choose whether to use them or to adapt them for their own purposes. If adopted, the policies will operate to supplement the provisions of councils' adopted codes of conduct.

The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and Council employees, who are employed to administer the operations of Council.

The objectives of the Policy are:

- ▶ establish positive, effective and professional working relationships between Councillors and Council employees defined by mutual respect and courtesy;
- ▶ enable Councillors and Council employees to work together appropriately and effectively to support each other in their respective roles;
- ▶ ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties;
- ▶ ensure Councillors have adequate access to information to exercise their statutory roles;
- ▶ provide direction on, and guide Councillor interactions with, Council employees for both obtaining information and in general situations;
- ▶ maintain transparent decision making and good governance arrangements;
- ▶ ensure the reputation of Council is enhanced by Councillors and Council employees interacting consistently, professionally and positively in their day-to-day duties; and
  - ▶ provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct (Councillors) Policy and Code of Conduct (Employees) Policy.

**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**

### **RISK ANALYSIS**

- **What can happen?**

Without clear guidelines on how and when Councillors and Council employees should interact, it is difficult to determine what is an appropriate or an inappropriate interaction.

- **How can it happen?**

Councillors and Council employees act in an inappropriate manner.

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

Minor

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

Unlikely

- **Adequacy of existing controls?**

Policy sets out adequate guidelines and controls.

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

The Policy is the mitigation.

### **CONCLUSION**

This Policy assists Councillors and Council employees to understand how and when they can interact.

### **ATTACHMENTS**

1. **Councillor and Employees Interaction Policy V#2** [↓](#) 
2. **OLG Circular - 22-08** [↓](#) 
3. **OLG - Model Councillors and Staff Interaction Policy** [↓](#) 

MURRAY RIVER COUNCIL  
COUNCIL POLICY

**DRAFT**  
**COUNCILLOR  
AND  
EMPLOYEE  
INTERACTION  
POLICY**

POL-105.V#2

This policy is based on the Model Councillor and Staff Interaction Policy 2022 developed by the Department of Planning and Environment





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## 1. INTRODUCTION

The Councillor and Employee Interaction Policy (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with and receive advice from authorised Council employees.

This Policy provides direction on interactions between Councillors and employees to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

This policy was previously known as the Access to Council Information and Staff by Councillors Policy.

## 2. OBJECTIVES

The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and Council employees, who are employed to administer the operations of Council.

The objectives of the Policy are:

- › establish positive, effective and professional working relationships between Councillors and Council employees defined by mutual respect and courtesy;
- › enable Councillors and Council employees to work together appropriately and effectively to support each other in their respective roles;
- › ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties;
- › ensure Councillors have adequate access to information to exercise their statutory roles;
- › provide direction on, and guide Councillor interactions with, Council employees for both obtaining information and in general situations;
- › maintain transparent decision making and good governance arrangements;
- › ensure the reputation of Council is enhanced by Councillors and Council employees interacting consistently, professionally and positively in their day-to-day duties; and
- › provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct (Councillors) Policy and Code of Conduct (Employees) Policy.

## 3. SCOPE

This Policy applies:

- › to all Councillors and Council employees;
- › to all interactions between Councillors and Council employees, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing; and
- › whenever interactions between Councillors and Council employees occur, including inside or outside of work hours, and at both Council and non-Council venues and events.

This Policy does not confer any delegated authority upon any person. All delegations to employees are made by the Chief Executive Officer (CEO).

## 4. LEGISLATION

- › Local Government Act 1993 (NSW)
- › Local Government (General) Regulations 2021 (NSW)

- › Government Information (Public Access) Act 2009 (NSW)
- › State Records Act 1998 (NSW)
- › Work Health and Safety Act 2011 (NSW)

## POLICY STATEMENT

This Policy complements, and should be read in conjunction with, Murray River Council's Code of Conduct (Councillors) Policy and the Code of Conduct Procedure.

## 5. RESPONSIBILITIES

- 5.1 Several factors contribute to a good relationship between Councillors and Council employees. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 5.2 Council's governing body and its management team (being employees within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The management team is accountable to the CEO, who in turn, is accountable to the Council's governing body.
- 5.3 Section 232 of the Local Government Act 1993 (the Act) states that:

232 The role of a councillor

(1) The role of a councillor is as follows—

- (a) to be an active and contributing member of the governing body,
- (b) to make considered and well informed decisions as a member of the governing body,
- (c) to participate in the development of the integrated planning and reporting framework,
- (d) to represent the collective interests of residents, ratepayers and the local community,
- (e) to facilitate communication between the local community and the governing body,
- (f) to uphold and represent accurately the policies and decisions of the governing body,
- (g) to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

(2) A councillor is accountable to the local community for the performance of the council.

- 5.4 The management team's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 5.5 It is beneficial if the management team recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 5.6 Council commits to the following principles to guide interactions between Councillors and Council employees.

Principle	Achieved by
<b>Equitable and consistent</b>	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels.
<b>Considerate and respectful</b>	Councillors and Council employees working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions.
<b>Ethical, open and transparent</b>	Ensuring that interactions between Councillors and employees are ethical, open, transparent, honest and display the highest standards of professional conduct.

<b>Fit for purpose</b>	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of nine (9) people.
<b>Accountable and measurable</b>	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data.

- 5.7 Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the Act.

Councillors need to accept that:

- ▶ responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding;
- ▶ Council employees are not accountable to them individually;
- ▶ they must not direct employees except by giving appropriate direction to the CEO by way of a Council or committee resolution, or by the mayor exercising their functions under Section 226 of the Act;
- ▶ they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a Council employee in the exercise of their functions;
- ▶ they must not contact a Council employee on Council-related business unless in accordance with this Policy; and
- ▶ they must not use their position to attempt to receive favourable treatment for themselves or others.

- 5.8 The CEO is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay.

Council employees need to understand:

- ▶ they are not accountable to individual Councillors and do not take direction from them. They are accountable to the CEO, who is in turn accountable to the Council's governing body
- ▶ they should not provide advice to Councillors unless it has been approved by the CEO or a Council employee with a delegation to approve advice to Councillors
- ▶ they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- ▶ they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- ▶ they must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

## 6. THE COUNCILLOR REQUESTS SYSTEM

- 6.1 Councillors have a right to request information, provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 6.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 6.3 The CEO may identify a Council employee (the Councillor Support Officer/s) under this Policy for the management of requests from Councillors.

- 6.4 Councillors can use the Councillor Requests System to:
- request information or ask questions that relate to the strategic position, performance or operation of the Council;
  - bring concerns that have been raised by members of the public to the attention of Council employees;
  - request ICT or other support from the Council management team;
  - request that a Council employee be present at a meeting (other than a meeting of the Council) for the purpose of providing advice to the meeting.
- 6.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting and make their requests respectfully. Where a Councillor's request lacks specificity, the CEO or Council employee authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 6.6 Council employees must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 6.7 Subject to the nature of the request, the CEO or the Council employee authorised to manage a Councillor request will endeavour to provide a response within ten (10) working days. Where due to the nature of the request, a response cannot be provided within that timeframe, the Councillor will be advised of that fact and an estimated response time and the information will be provided as soon as practicable.
- 6.8 Requests under clause 6.4 (d) must be made five (5) working days before the meeting. The CEO or Council employees authorised to manage a Councillor request are responsible for determining:
- whether a Council employee can attend the meeting; and
  - which employee will attend the meeting.
- Council employees who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.
- 6.9 Councillors are required to treat all information provided by Council employees appropriately and to observe any confidentiality requirements.
- 6.10 Employees will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 6.11 Where a Councillor is unsure of confidentiality requirements, they should contact the CEO or the Council employee authorised to manage their request.
- 6.12 The CEO may refuse access to information requested by a Councillor if:
- the information is not necessary for the performance of the Councillor's civic functions; and/or
  - if responding to the request would, in the CEO's opinion, result in an unreasonable diversion of Council employees time and resources; and/or
  - the Councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it; and/or
  - the CEO is prevented by law from disclosing the information.
- 6.13 Where the CEO refuses to provide information requested by a Councillor they must act reasonably. The CEO must advise the Councillor in writing of their reasons for refusing access to the information requested.
- 6.14 Where a Councillor's request for information is refused by the CEO on the grounds referred to under Clause 6.12 (a) or (b), the Councillor may instead request the information through a resolution of the

Council by way of a notice of motion. This clause does not apply where the CEO refuses a Councillor's request for information under clause 6.12 (c) or (d).

- 6.15 Nothing in Clauses 6.12, 6.13, and 6.14 prevents a Councillor from requesting the information in accordance with the Government Information (Public Access) Act 2009.
- 6.16 Where a Councillor persistently makes requests for information which, in the CEO's opinion, result in a significant and unreasonable diversion of Council employee time and resources the Council may, on the advice of the CEO, resolve to limit the number of requests the Councillor may make.
- 6.17 Councillor requests are state records and must be managed in accordance with the State Records Act 1998.
- 6.18 If requested, a report will be provided to Council regarding the performance and efficiency of the Councillor Requests System against established key performance indicators.

## **7. ACCESS TO COUNCIL EMPLOYEES**

- 7.1 Councillors may directly contact Council employees that are authorised to manage a Councillor request.
- 7.2 Councillors should as far as practicable, only contact employees during normal business hours.
- 7.3 If Councillors would like to contact a Council employee, other than those authorised to manage a Councillor request, they must receive permission from the CEO.
- 7.4 If a Councillor is unsure which authorised employee can help with their enquiry, they can contact the CEO or the Director Corporate Services who will provide advice about which authorised employee to contact.
- 7.5 The CEO or a member of Council's Executive Leadership Team (ELT) may direct any employee to contact Councillors to provide specific information or clarification relating to a specific matter.
- 7.6 A Councillor or employee must not take advantage of their official position to improperly influence other Councillors or Council employees in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the CEO or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

## **8. COUNCILLOR ACCESS TO COUNCIL BUILDINGS**

- 8.1 Councillors are entitled to have access to the Council Chamber, the Mayor's office (subject to availability) and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the CEO.
- 8.2 If the rooms outlined in Clause 8.1 are unavailable or unsuitable, Councillors may make a request to the CEO to utilise other meeting rooms. Granting of such a request is solely at the discretion of the CEO.
- 8.3 Councillors must not enter employee-only areas of Council buildings without the approval of the CEO.

## **9. APPROPRIATE AND INAPPROPRIATE INTERACTIONS**

- 9.1 Examples of appropriate interactions between Councillors and Council employees include, but are not limited to, the following:
  - Councillors and Council employees are courteous and display a positive and professional attitude towards one another;



- ▶ Council employees ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies;
- ▶ Council employees record the advice they give to Councillors in the same way they would if it was provided to members of the public;
- ▶ Council employees, including Council's executive team members, document Councillor requests via the Councillor requests system;
- ▶ Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties;
- ▶ Councillors and Council employees feel supported when seeking and providing clarification about Council related business; and
- ▶ Councillors forward requests through the Councillor Requests System and employees respond in accordance with the timeframes stipulated in this Policy.

9.2 Examples of inappropriate interactions between Councillors and Council employees include, but are not limited to, the following:

- a) Councillors and Council employees conducting themselves in a manner which:
  - i) is contrary to their duties under the Work Health and Safety Act 2011 (NSW) and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety; and
  - ii) constitutes harassment and/or bullying within the meaning of the Code of Conduct or is unlawfully discriminatory.
- b) Councillors approaching Council employees and employee organisations to discuss individual or operational employee matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters;
- c) Council employees approaching Councillors to discuss individual or operational employee matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters;
- d) Subject to clause 6.12, Council employees refusing to give information that is available to other Councillors to a particular Councillor;
- e) Councillors who have lodged an application with Council, discussing the matter with Council employees in employee-only areas of the Council;
- f) Councillors being overbearing or threatening to employees;
- g) Council employees being overbearing or threatening to Councillors;
- h) Councillors making personal attacks on Council employees or engaging in conduct towards employees that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media;
- i) Councillors directing or pressuring Council employees in the performance of their work or recommendations they should make; and
- j) Council employees providing ad-hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.

9.3 Where a Councillor engages in conduct that, in the opinion of the CEO, puts the health, safety or welfare of Council employees at risk, the CEO may restrict the Councillor's access to employees.

9.4 Any concerns relating to the conduct of a Council employee under this Policy should be raised with the CEO.

## 10. NON-COMPLIANCE / COMPLAINTS

- 10.1 The Code of Conduct provides that Council Officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.
- 10.2 Complaints about a breach of this Policy should be made to the CEO (if the complaint is about a Councillor or a Council employee), or the Mayor (if the complaint is about the CEO).
- 10.3 Clause 10.2 does not operate to prevent matters being reported to the Office of Local Government (OLG), the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.

## 11. EVALUATION AND REVIEW

It is the responsibility of the Director Corporate Services 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.

## 12. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

### External

- ▶ OLG – Model Councillor & Staff Interaction Policy – 2022

### Internal

- ▶ MRC Policy - Code of Conduct (Councillors) Policy (POL-100.1)
- ▶ MRC Policy - Code of Conduct (Employees) Policy (POL-100.2)
- ▶ MRC Policy – Code of Meeting Practice Policy (POL-101)
- ▶ MRC Procedure – Code of Conduct Procedure

### Definitions and Acronyms:

Term	Definition
Advice	Refers to advice or information that is business related and that may influence a Councillor when making a decision
Authorised Council employees	CEO, Directors and Managers
Chief Executive Officer (CEO)	The CEO of Council and includes their delegate or authorised representative
Councillor	A person elected or appointed to civic office as a member of the governing body of the Council who is not suspended, including the Mayor
Council Officer	An employee is defined as being one of the following: <ul style="list-style-type: none"> <li>▶ An employee, or</li> <li>▶ A contractor or subcontractor, or</li> <li>▶ An employee of a contractor or subcontractor, or</li> <li>▶ An employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> <li>▶ An outworker, or</li> <li>▶ An apprentice or trainee, or</li> <li>▶ A student gaining work experience, or</li> <li>▶ A volunteer</li> </ul>



Council Official	Includes Councillors, employees of the Council, the management team of the Council, Council committee members, conduct reviewers and delegates of the Council
Information	May refer to: <ul style="list-style-type: none"> <li>▶ Files / correspondence;</li> <li>▶ Public registers;</li> <li>▶ Development and other applications; and / or</li> <li>▶ Any other record of Council business in whatever form</li> </ul>
OLG	Office of Local Government

### 13. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Version #1 was known as the Access to Council Information and Employees by Councillors Policy.	8 August 2017 to DRAFT	VF/17/102641	080817
2	Revised and updated to align with the Model Policy released by OLG in 2022.	DRAFT	VF/17/102641	TBA

Council reserves the right to review, vary or revoke this policy at any time  
This Policy is scheduled for review before 2027

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Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	22-08 / 7 April 2022 / A806228
<b>Previous Circular</b>	21-08: Consultation on draft Model Social Media and Councillor and Staff Interaction Policies and on the development of a Model Media Policy
<b>Who should read this</b>	Councillors / General Managers / Council governance and communications staff
<b>Contact</b>	Council Governance/ (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Council to Implement

### Model Social Media and Councillor and Staff Interaction Policies

#### What's new or changing

- The Office of Local Government (OLG) has finalised the *Model Social Media Policy* and *Model Councillor and Staff Interaction Policy*.
- The model policies have been developed following two rounds of consultation with the local government sector and represent a 'best practice' approach.
- The model policies are also informed by advice provided by key NSW Government agencies, including:
  - the Independent Commission Against Corruption
  - the Information and Privacy Commission
  - the State Archives and Records Authority, and
  - Resilience NSW.

#### What this will mean for your council

- The model policies are not mandatory, and councils are free to choose whether to use them or to adapt them for their own purposes. If adopted, the policies will operate to supplement the provisions of councils' adopted codes of conduct.

#### Key points

- OLG has previously issued a *Model Councillor Expenses and Facilities Policy* for use by councils.
- The *Model Social Media Policy*, *Councillor and Staff Interaction Policy* and *Councillor Expenses and Facilities Policy* are available on OLG's website [here](#).

#### Where to go for further information

- For further information, contact OLG's Council Governance Team on (02) 4428 4100.

**Melanie Hawyes**

**Deputy Secretary, Crown Lands and Local Government**

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# MODEL COUNCILLOR AND STAFF INTERACTION POLICY

2022



**MODEL COUNCILLOR AND STAFF INTERACTION POLICY**

2022

**ACCESS TO SERVICES**

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**OFFICE HOURS**

Monday to Friday

9.00am to 5.00pm

(Special arrangements may be made if these hours are unsuitable)

All offices are wheelchair accessible.

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## Preface

### Positive working relationships between councillors and staff: a council's key asset

Positive, professional working relationships between councillors and staff are a key element of any council's success. If relationships between councillors and staff are functioning effectively, the council is more likely to perform effectively. If these relationships break down, it can lead to dysfunction, create a potential corruption risk<sup>1</sup>, and ultimately the council's performance will suffer.

A good relationship between councillors and staff is based, in large part, on both having a mutual understanding and respect for each other's roles and responsibilities. These are defined in the *Local Government Act 1993* (the LGA) and the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

In broad terms, a councillor's role is a strategic one. As members of the governing body, councillors are responsible not only for representing the community, but also for setting the strategic direction of the council and keeping its performance under review. A comprehensive outline of the role of a councillor is provided in Part 4 of this Policy.

The role of council staff, under the leadership of the general manager, is to carry out the day-to-day operations of the council and to implement the decisions, plans, programs and policies adopted by the governing body.

### Access to information: the key to the relationship

Councillors need access to information about the council's strategic position and performance to perform their civic functions effectively. The general manager and staff are responsible for providing councillors with this information to facilitate the decision-making process.

<sup>1</sup> As highlighted by the NSW Independent Commission Against Corruption's Operation Dasha <https://www.icac.nsw.gov.au>

Given councillors' role in setting the council's strategic direction and keeping its performance under review, councillors are entitled to request information about a range of issues.

However, in requesting information, councillors should not be seeking to interrogate the minutiae of the council's operations or to direct or influence staff in the performance of their duties. Councillors should also recognise that a council's resources are finite, and they need to be mindful of the impact of their requests.

Above all, interactions between councillors and staff should be positive, respectful and professional.

### Official capacity versus private capacity

It is also inevitable that councillors and council staff will engage with their council in their private capacity. This can be for something as simple as borrowing a book from a council library, to more complex matters, such as submitting a development application.

In these circumstances, it is vital that councillors and council staff do not seek to use, or appear to use, their position within council to obtain a private benefit. To do so could be seen as an attempt to exert pressure on councillors and/or council staff with a view to obtaining preferential treatment. Such conduct has the potential to undermine both the integrity of a council's decision-making processes, as well as the community's confidence in council, and so must be avoided.

### The development and intent of this policy

This Model Councillor and Staff Interaction Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

It provides an exemplar approach, incorporating examples of best practice from a

diverse range of NSW councils. At its core, the policy has three main goals:

- to establish a framework by which councillors can access the information they need to perform their civic functions,
- to promote positive and respectful interactions between councillors and staff, and
- to advise where concerns can be directed if there is a breakdown in the relationship between councillors and staff.

The Model Councillor and Staff Interaction Policy is structured as follows:

<b>Part 1</b>	Introduction
<b>Part 2</b>	Sets out the scope of the policy
<b>Part 3</b>	Describes the policy's objectives
<b>Part 4</b>	Sets out the respective roles and responsibilities of councillors and staff and the principles that should guide their interactions
<b>Part 5</b>	Sets out the administrative framework for a councillor requests system
<b>Part 6</b>	Identifies which staff councillors can contact directly
<b>Part 7</b>	Addresses councillors' entitlement to access council buildings
<b>Part 8</b>	Describes appropriate and inappropriate interactions between councillors and staff
<b>Part 9</b>	Provides advice about who complaints can be made to
<b>Schedule 1</b>	Contains a template for a list of staff councillors can contact directly under Part 6 of the policy

### Adoption

While not mandatory, the Model Councillor and Staff Interaction Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Provisions which can be adjusted are marked in red.

**Note:** In adopting the policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

**Note:** In adopting the policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

### Enforcement

Clause 3.1(b) of the Model Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy may also constitute a breach of council's code of conduct.

Concerns or complaints about the administration of a council's councillor request system should be raised with the general manager (or the mayor in the case of a complaint about the general manager). If the matter cannot be resolved locally, councillors may raise their concerns with OLG.

### Acknowledgements

OLG wishes to thank Local Government NSW, the NSW Independent Commission Against Corruption, Local Government Professionals, United Services Union, and the councils involved for their invaluable assistance in developing the Model Councillor and Staff Interaction Policy.

# Model Councillor and Staff Interaction Policy

## Part 1 – Introduction

- 1.1 *The Councillor and Staff Interaction Policy* (the Policy) provides a framework for councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with **(Insert name of Council's)** *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.
- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

## Part 2 – Application

- 2.1 This Policy applies to all councillors and council staff.
- 2.2 This Policy applies to all interactions between councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between councillors and staff occur, including inside or outside of work hours, and at both council and non-council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the General Manager.
- 2.5 The Code of Conduct provides that council officials must not conduct themselves in a manner that is contrary to the Council's policies. A breach of this Policy will be a breach of the Code of Conduct.



## Part 3 – Policy objectives

3.1 The objectives of the Policy are to:

- a) establish positive, effective and professional working relationships between councillors and staff defined by mutual respect and courtesy
- b) enable councillors and staff to work together appropriately and effectively to support each other in their respective roles
- c) ensure that councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties
- d) ensure councillors have adequate access to information to exercise their statutory roles
- e) provide direction on, and guide councillor interactions with, staff for both obtaining information and in general situations
- f) maintain transparent decision making and good governance arrangements
- g) ensure the reputation of Council is enhanced by councillors and staff interacting consistently, professionally and positively in their day-to-day duties
- h) provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

## Part 4 – Principles, roles and responsibilities

- 4.1 Several factors contribute to a good relationship between councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2 The Council's governing body and its administration (being staff within the organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the General Manager, who in turn, is accountable to the Council's governing body.
- 4.3 Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a councillor is as follows:
  - a) to be an active and contributing member of the governing body
  - b) to make considered and well-informed decisions as a member of the governing body
  - c) to participate in the development of the integrated planning and reporting framework
  - d) to represent the collective interests of residents, ratepayers and the local community
  - e) to facilitate communication between the local community and the governing body
  - f) to uphold and represent accurately the policies and decisions of the governing body
  - g) to make all reasonable efforts to acquire and maintain the skills

necessary to perform the role of a councillor.

- 4.4 The administration’s role is to advise the governing body, implement Council’s decisions and to oversee service delivery.
- 4.5 It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based on democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6 Council commits to the following principles to guide interactions between councillors and staff:

<b>Principle</b>	<b>Achieved by</b>
<b>Equitable and consistent</b>	Ensuring appropriate, consistent and equitable access to information for all councillors within established service levels
<b>Considerate and respectful</b>	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions
<b>Ethical, open and transparent</b>	Ensuring that interactions between councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct
<b>Fit for purpose</b>	Ensuring that the provision of equipment and information to councillors is

done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of (Council to insert the number of councillors) people.

**Accountable and measurable** Providing support to councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data

- 4.7 Councillors are members of the Council’s governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:
  - a) responses to requests for information from councillors may take time and consultation to prepare and be approved prior to responding
  - b) staff are not accountable to them individually
  - c) they must not direct staff except by giving appropriate direction to the General Manager by way of a council or committee resolution, or by the mayor exercising their functions under section 226 of the LGA
  - d) they must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions
  - e) they must not contact a member of staff on council-related business unless in accordance with this Policy

- f) they must not use their position to attempt to receive favourable treatment for themselves or others.

4.8 The General Manager is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand:

- a) they are not accountable to individual councillors and do not take direction from them. They are accountable to the General Manager, who is in turn accountable to the Council's governing body
- b) they should not provide advice to councillors unless it has been approved by the General Manager or a staff member with a delegation to approve advice to councillors
- c) they must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner
- d) they must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties
- e) they must provide full and timely information to councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

## Part 5 – The councillor requests system

5.1 Councillors have a right to request information provided it is relevant to councillor's exercise of their civic functions. This right does not extend to matters about which a councillor is merely curious.

5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.

5.3 The General Manager may identify Council support staff (**the Councillor Support Officer**) under this Policy for the management of requests from councillors.

5.4 Councillors can use the councillor requests system to:

- a) request information or ask questions that relate to the strategic position, performance or operation of the Council
- b) bring concerns that have been raised by members of the public to the attention of staff
- c) request ICT or other support from the Council administration
- d) **request that a staff member be present at a meeting (other than a meeting of the council) for the purpose of providing advice to the meeting.**

5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a councillor's request lacks specificity, the General Manager or staff member authorised to manage the matter is

entitled to ask the councillor to clarify their request and the reason(s) why they are seeking the information.

- 5.6 Staff must make every reasonable effort to assist councillors with their requests and do so in a respectful manner.
- 5.7 The General Manager or the staff member authorised to manage a councillor request will provide a response within (Council to insert timeframes for responding to councillor requests). Where a response cannot be provided within that timeframe, the councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Requests under clause 5.4 (d) must be made (Council to specify time period) before the meeting. The General Manager, or members of staff that are listed at Schedule 1 of this Policy, are responsible for determining:
- whether a staff member can attend the meeting; and
  - which staff member will attend the meeting.

Staff members who attend such meetings must be appropriately senior and be subject matter experts on the issues to be discussed at the meeting.

- 5.9 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.10 Staff will inform councillors of any confidentiality requirements for information they provide so councillors can handle the information appropriately.
- 5.11 Where a councillor is unsure of confidentiality requirements, they should contact the General Manager, or the staff member authorised to manage their request.

- 5.12 The General Manager may refuse access to information requested by a councillor if:
- the information is not necessary for the performance of the councillor's civic functions, or
  - if responding to the request would, in the General Manager's opinion, result in an unreasonable diversion of staff time and resources, or
  - the councillor has previously declared a conflict of interest in the matter and removed themselves from decision-making on it, or
  - the General Manager is prevented by law from disclosing the information.

5.13 Where the General Manager refuses to provide information requested by a councillor, they must act reasonably. The General Manager must advise a councillor in writing of their reasons for refusing access to the information requested.

5.14 Where a councillor's request for information is refused by the General Manager on the grounds referred to under clause 5.12 (a) or (b), the councillor may instead request the information through a resolution of the council by way of a notice of motion. This clause does not apply where the General Manager refuses a councillor's request for information under clause 5.12 (c) or (d).

5.15 Nothing in clauses 5.12, 5.13, and 5.14 prevents a councillor from requesting the information in accordance with the *Government Information (Public Access) Act 2009*.

5.16 Where a councillor persistently makes requests for information which, in the General Manager's opinion, result in a significant and unreasonable diversion of staff time and resources the council may,

on the advice of the General Manager, resolve to limit the number of requests the councillor may make.

- 5.17 Councillor requests are state records and must be managed in accordance with the *State Records Act 1998*.
- 5.18 A report will be provided to Council (Council to specify frequency) regarding the performance and efficiency of the councillor requests system against established key performance indicators.

## Part 6 – Access to Council staff

- 6.1 Councillors may directly contact members of staff that are listed in Schedule 1 of this Policy. The General Manager may amend this list at any time and will advise councillors promptly of any changes.
- 6.2 Councillors can contact staff listed in Schedule 1 about matters that relate to the staff member's area of responsibility.
- 6.3 Councillors should as far as practicable, only contact staff during normal business hours.
- 6.4 If councillors would like to contact a member of staff not listed in Schedule 1, they must receive permission from the General Manager.
- 6.5 If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
- 6.6 The General Manager or a member of the Council's executive leadership team may direct any staff member to contact councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A councillor or member of staff must not take advantage of their official position to improperly influence other councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person. Such conduct should be immediately reported to the General Manager or Mayor in the first instance, or alternatively to the Office of Local Government, NSW Ombudsman, or the NSW Independent Commission Against Corruption.

## Part 7 – Councillor access to council buildings

- 7.1 Councillors are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the General Manager.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

## Part 8 – Appropriate and inappropriate interactions

- 8.1 Examples of appropriate interactions between councillors and staff include, but are not limited to, the following:
- a) councillors and council staff are courteous and display a positive and professional attitude towards one another
  - b) council staff ensure that information necessary for councillors to exercise their civic functions is made equally available to all councillors, in accordance with this Policy and any other relevant Council policies
  - c) council staff record the advice they give to councillors in the same way they would if it was provided to members of the public
  - d) council staff, including Council's executive team members, document councillor requests via the councillor requests system
  - e) council meetings and councillor briefings are used to establish positive working relationships and help councillors to gain an understanding of the complex issues related to their civic duties
  - f) councillors and council staff feel supported when seeking and providing clarification about council related business
  - g) councillors forward requests through the councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy
- 8.2 Examples of inappropriate interactions between councillors and staff include, but are not limited to, the following:

- a) councillors and council staff conducting themselves in a manner which:
    - i) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
    - ii) constitutes harassment and/or bullying within the meaning of the Code of Conduct, or is unlawfully discriminatory
  - b) councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
  - c) staff approaching councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters
  - d) subject to clause 5.12, staff refusing to give information that is available to other councillors to a particular councillor
  - e) councillors who have lodged an application with the council, discussing the matter with staff in staff-only areas of the council
  - f) councillors being overbearing or threatening to staff
  - g) staff being overbearing or threatening to councillors
  - h) councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media
  - i) councillors directing or pressuring staff in the performance of their work, or recommendations they should make
  - j) staff providing ad hoc advice to councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community
- 8.3 Where a councillor engages in conduct that, in the opinion of the General Manager, puts the health, safety or welfare of staff at risk, the General Manager may restrict the councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the General Manager.

## Part 9 – Complaints

- 9.1 Complaints about a breach of this policy should be made to the General Manager (if the complaint is about a councillor or member of council staff), or the Mayor (if the complaint is about the General Manager).
- 9.2 Clause 9.1 does not operate to prevent matters being reported to OLG, the NSW Ombudsman, the NSW Independent Commission Against Corruption or any other external agency.



## Schedule 1 – Authorised staff contacts for councillors (template table)

1. Clause 6.1 of this Policy provides that councillors may directly contact members of staff that are listed below. The General Manager may amend this list at any time.
2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
3. Councillors should as far as practicable, only contact staff during normal business hours.
4. If councillors would like to contact a member of staff not listed below, they must receive permission from the General Manager or their delegate.
5. If a councillor is unsure which authorised staff member can help with their enquiry, they can contact the General Manager or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
6. In some instances, the General Manager or a member of the Council's executive leadership team may direct a council staff member to contact councillors to provide specific information or clarification relating to a specific matter.

<b>Authorised staff members name</b>	<b>Position</b>
<i>[Insert staff member's name]</i>	<i>[Insert position title]</i>



**9.2.3 CONTAMINATED LAND POLICY V#2 - FINAL ADOPTION**

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

**RECOMMENDATION**

That Council resolve to:

1. adopt the Contaminated Land Policy V#2 and place it in the Policy Register, and
2. any previous version of the Policy be rescinded.

**DISCUSSION**

The Murray River Council Contaminated Land Management Policy was first adopted by Council at its Ordinary Meeting held on 27 June 2017.

As a result of legislative amendments, the Riverina & Murray Joint Organisation (RAMJO) has developed an amended Model Contaminated Land Policy.

The updated Model Contaminated Land Policy contains a number of important changes, including the following:

- ▶ Incorporating changes in the regulatory landscape related to the management of contaminated land,
- ▶ Addressing feedback received from member councils on their experiences and learnings in implementing the current RAMROC-REROC Model Contaminated Land Policy, and
- ▶ Council's request for additional 'best practice resources'.

Council received no submissions from the community in relation to the Policy whilst on public display.

Since the draft document was presented to Council in July the Policy has been reformatted into Council's adopted policy template and the word "Model" removed. The content of the Contaminated Land Policy, as it is now known, is basically unchanged.

**ATTACHMENTS**

1. Contaminated Land Policy V#2 (under separate cover) 

**9.2.4 PROPOSED PUBLIC ROAD NAMES - 36 LOT SUBDIVISION - LOT 24 DP 1186290, MURRAY DOWNS DRIVE, MURRAY DOWNS NSW**

**File Number:** -  
**Author:** Rebecca Ward, Assets Officer  
**Authoriser:** Stephen Fernando, Director Corporate Services

**RECOMMENDATION**

That Murray River Council resolve to adopt the public road names Kingfisher Boulevard & Boobook Crescent, within the 36 Lot subdivision of Lot 24 DP 1186290, Murray Downs Drive, Murray Downs NSW.

**BACKGROUND**

Council has received a request from Murray Downs Pastoral Co Pty Ltd to name the public roads within the 36 Lot Subdivision of Lot 24 DP 1186290, Murray Downs Drive, Murray Downs NSW.

**DISCUSSION**

For the purposes of the Geographical Names Board NSW Address Policy Council are responsible for endorsing the authoritative road name of public roads and ensuring they are approved by the Geographical Names Board and gazetted.

The suggested names are based around birds of the Murray Region and comply with the requirements of the Geographical Names Board. The suggested names are as follows. Their location is shown in Attachment 1.

- Kingfisher Boulevard
- Boobook Crescent – species of Owl

**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**

Nil

**POLICY IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

Roads Act 1993.

**RISK ANALYSIS**

- **What can happen?**  
The roads remain unnamed.
- **How can it happen?**  
Roads not approved and gazetted.

- **What are the consequences of the event happening?**  
Difficulty identifying property, no spatial reference.
- **What is the likelihood of the event happening?**  
Medium to high
- **Adequacy of existing controls?**  
Good in that Council staff are available to carry out the formality of naming and gazetting the private roads.
- **Treatment options to mitigate the risk?**  
Council to pass a resolution to name the private roads.

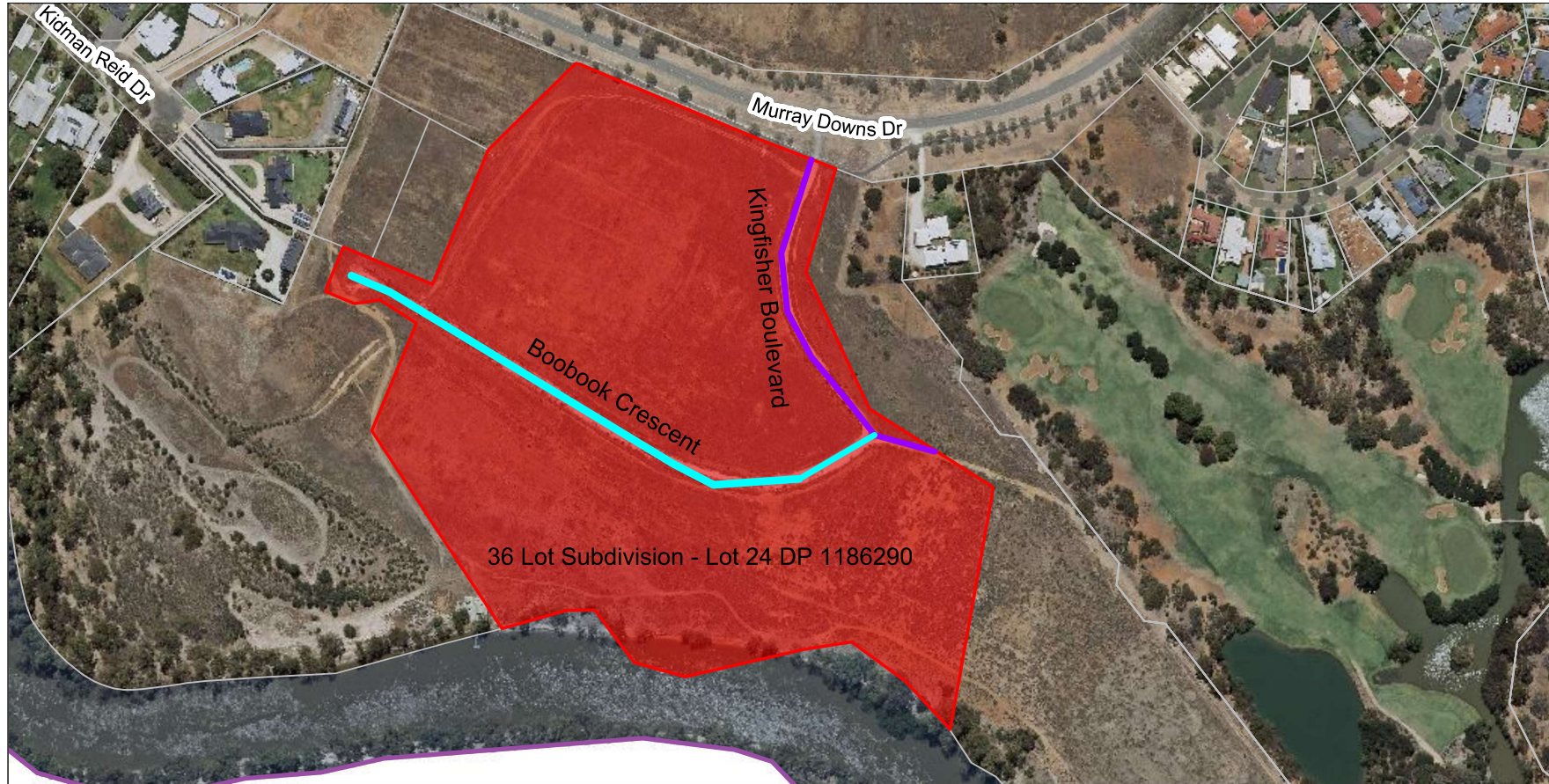
## CONCLUSION

The proposed public road names comply with the Geographical Names Board guidelines for the naming of roads and are therefore supported.

## ATTACHMENTS

1. **Proposed Public Road Names - 36 Lot Subdivision - Murray Downs Drive, Murray Downs**





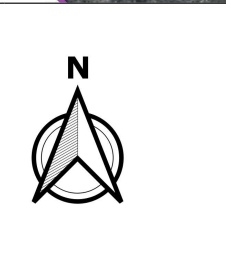

**murray river council**

1300 087 004  
<https://www.murrayriver.nsw.gov.au>

**Murray River Council Mapping**  
 Proposed Public Road Names - 36 Lot Subdivision - Murray Downs Drive, Murray Downs

Printed  
 22/08/2023

Scale  
 1:4514



**IMPORTANT NOTICE**  
*This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.*  
*This information has been provided for Council's external purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for us for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Murray Shire Council nor the Department of Lands makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and liability (including without limitations, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason © The State of New South Wales (Department of Lands) 2009, © Murray Shire Council 2009.*



**9.2.5 RESCINDING OF THE PLANT POLICY**

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

**RECOMMENDATION**

That Murray River Council resolve to rescind Plant Policy (POL-306) V#1 adopted on 27 November 2018 and remove it from the policy register.

**DISCUSSION**

The Plant Policy (POL-306) V#1 was first adopted 27<sup>th</sup> November 2018.

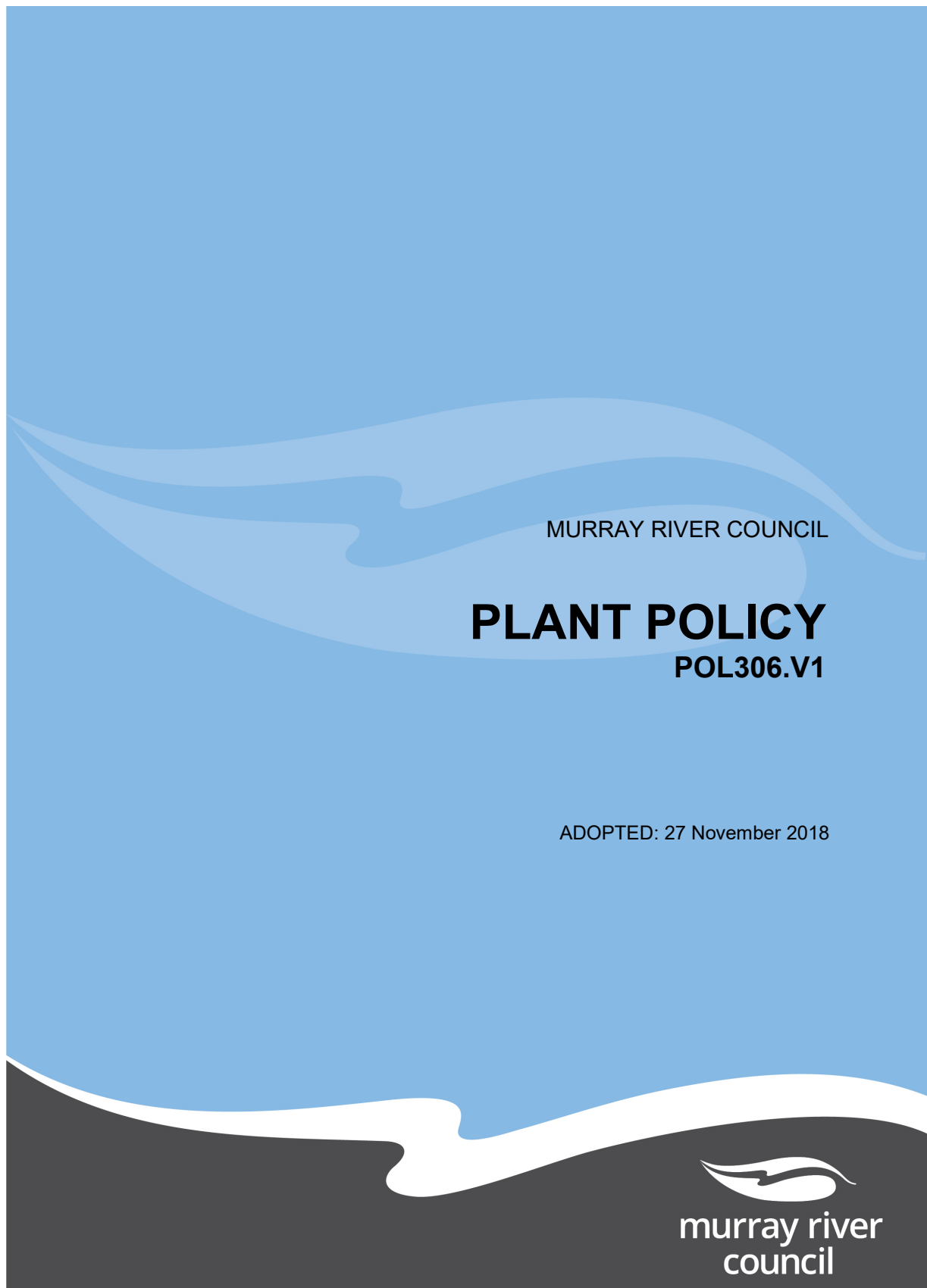
Upon reviewing the content of this Policy, it was considered to provide no real value as a stand-alone Policy. The intent of this Policy is covered elsewhere – by legislation, other MRC policies and in the individual asset management plan for plant and equipment.

The Executive Management Team (ELT) at their meeting held on the 21<sup>st</sup> of August 2023 recommended the rescission this Policy.

As the original policy was adopted by Council in 2018, it is a requirement that the Policy is also formally rescinded by a Council resolution.

**ATTACHMENTS**

1. Plant Policy V#1 [↓](#) 



MURRAY RIVER COUNCIL

**PLANT POLICY**  
**POL306.V1**

ADOPTED: 27 November 2018

  
murray river  
council



## 1. POLICY SUMMARY

- 1.1 This Plant Policy (the 'Policy') will ensure that Murray River Council (the 'Council') maintains a modern, efficient, safe and cost-effective plant fleet to meet the Council's budgeted construction and maintenance programs for all assets.

## 2. POLICY OBJECTIVES

- 2.1 The objectives of this Policy are to:
- ▶ Maintain a modern, efficient and safe plant fleet.
  - ▶ Ensure that Council's plant fleet are replaced at timely intervals that deliver the lowest whole of life cost.
  - ▶ Ensure that Council's plant fleet is operated and maintained in the best possible condition.

## 3. BACKGROUND

- 3.1 This Policy applies to Council's heavy vehicles, plant and equipment.

## 4. POLICY STATEMENT

- 4.1 That the Council shall be presented each year with an updated 10 Year Plant Replacement Program consideration and adoption.
- 4.2 The annual consideration of plant replacement shall ensure that the Council's plant are kept fully applicable to meet Council's budgeted construction and maintenance programs for all assets. This shall involve consideration of new technology, processes and materials, as well as the ongoing balance of the Council's ownership versus external hire of its plant needs.
- 4.3 Council officers shall make all efforts to rationalise and minimise the funding requirements for plant replacement while still aiming to provide the best quality, most effective fleet at the lowest whole of life cost.
- 4.4 Council officers shall maximise utilisation of its plant fleet through relocation, reallocation or consider disposal of underutilised fleet and vehicles.
- 4.5 Sufficient safeguards must be provided for the protection/good maintenance of the plant and such safeguards shall be acceptable to Council's Director Engineering.

- 4.6 Council employees who have right of usage of Council's plant shall ensure that plant are operated and maintained in a manner to optimise the life of the plant, as well as presenting as good public image.
- 4.7 Council's plant are to be located in a safe manner, ie within a Council Depot or as near as possible to the residence of landowners over the weekend period, and that all cabins, where possible, are locked.

## 5. LEGISLATION, TERMINOLOGY AND REFERENCES

- 5.1 This Policy is based on:
- ▶ Work Health & Safety Act 2011 No. 10 – Part 2, Division 3, Section 21
  - ▶ Work Health & Safety Regulation 2017 – Chapter 5, Part 5.1, Division 7
  - ▶ NSW Work Cover “Managing the Risks of Plant in the Workplace – Code of Practice” July 2017
- 5.2 The definition of **Plant**, as referred to in this Policy is: *assets acquired for the purpose of maintaining or construction of Council-owned assets.*

## 6. IMPLEMENTATION AND DELEGATION

- 6.1 The responsibility for the implementation of this Policy rests with the Director Engineering.

## 7. EVALUATION AND REVIEW

- 7.1 It is the responsibility of the Director Engineering to monitor the adequacy of this Policy and recommend appropriate changes.
- 7.2 This Policy will be formally reviewed every three (3) years or as needed, whichever comes first.

## 8. ASSOCIATED DOCUMENTS

- ▶ Murray River Council Risk Management Policy (POL200)
- ▶ Murray River Council Transport Assets Management Policy (POL300)
- ▶ Murray River Council Light Motor Vehicle Policy (POL302)

## DOCUMENT CONTROL

Version No.	Details	Date	Resolution No.
1	Initial Issue – <i>On 12 May 2016, the Premier of NSW, The Hon Mike Baird MP, made the Local Government (Council Amalgamations) Proclamation 2016 under the Local Government Act 1993, whereby Murray Shire Council and Wakool Shire Council were amalgamated to constitute the new area to be known as Murray River Council, effective immediately.</i>	27 Nov 2018	311118

*Council reserves the right to review, vary or revoke this policy at any time  
This Policy is scheduled for review in November 2021*

**9.2.6 WARD BOUNDARIES REALIGNMENT****File Number:** -**Author:** Sandra Gordon, Manager Governance & Risk**Authoriser:** Stephen Fernando, Director Corporate Services**RECOMMENDATION**

That the proposed ward boundary realignment be adopted by Council and the NSW Electoral Commission be notified.

**DISCUSSION**

The Office of Local Government (OLG) published Circular 23-05 on the 5 June this year.

The Circular advised that all NSW Councils must review their ward boundaries and notify the NSW Electoral Commission (NSWEC) of any changes to ward boundaries and/or names by 5 October 2023. Under Section 211 of the Local Government Act 1993, Councils that are divided into wards must keep ward boundaries under review to ensure the difference in elector numbers between wards does not exceed 10%.

Also, under Section 277A of the Local Government (General) Regulation 2021 ward boundary and name changes must be made by 5 October 2023 to be in effect for the 14 September 2024 ordinary elections.

The proposed changes will result in the following revised number of electors in each of the Murray River Council wards, resulting in a more balanced ward structure. The proposed changes will result in the difference in elector numbers between Murray River Council's three (3) wards of 4.6% - within the allowable tolerances.

<b>Ward</b>	<b>Electors</b>
Greater Murray Ward	3,006
Greater Wakool Ward	3,010
Moama Ward	3,152
<b>TOTAL ELECTORS</b>	<b>9,168</b>

Following the period of public display, there have been no submissions or objections received by Council.

**ATTACHMENTS**

- 1. Proposed Ward Boundary Realignment** [↓](#) 



# **Proposed Ward Boundary Realignment**

June 2023

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# 1. Background

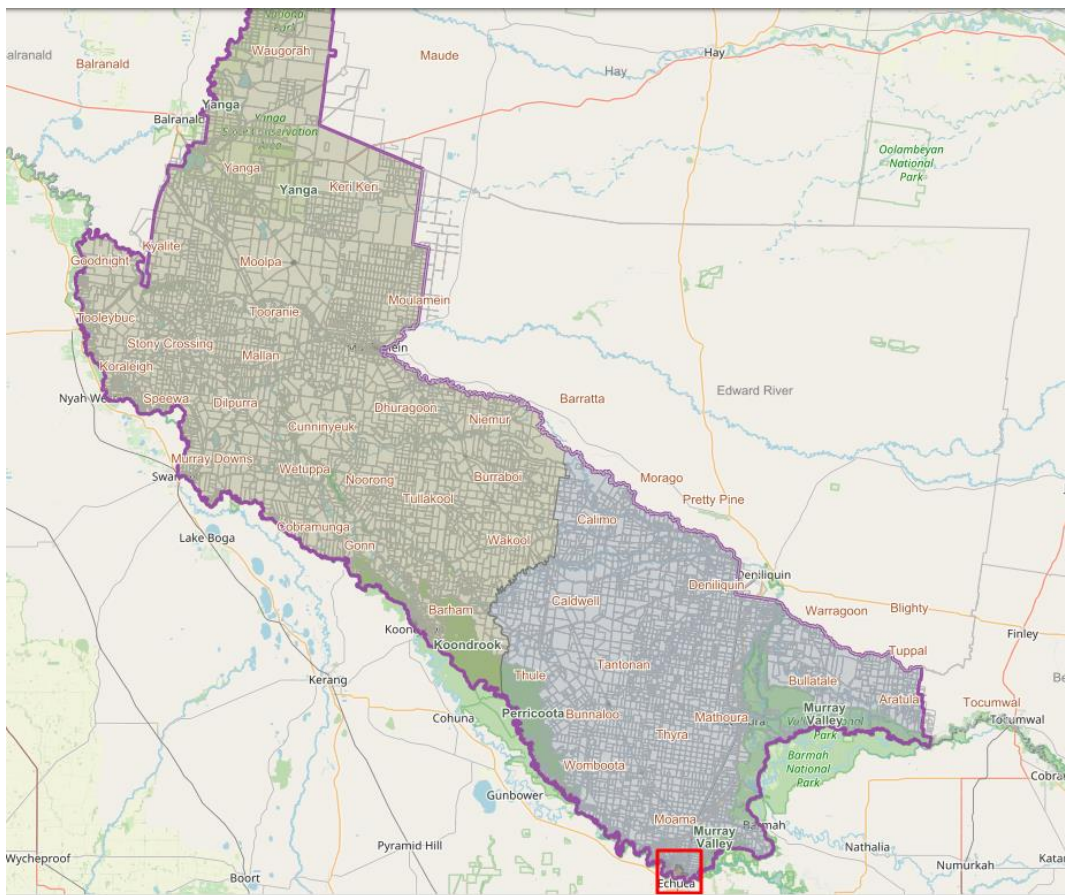
Murray river Council (Council) consists of three Wards (Greater Murray, Greater Wakool Moama,) with each ward electing three councillors. The current electors (number of people eligible to vote) of each Ward are as per Table 1.

As can be seen from the said table, the balance of the electors in each Ward is misaligned, with Greater Murray above the average of around 3,000 per Ward and the other two being below the average. The primary reason is that the population growth has primarily occurred in the western area of the town of Moama (on either side of Perricoota Road, immediately west of the Cobb Highway). This area falls into the Greater Murray Ward. The current Ward Boundaries are as per Figure 1. The Moama Ward, which is not very visible due to its size, is within the area marked with a red box.

Table 1: Current Electors by Ward

Ward	Electors
Greater Murray	3,651
Greater Wakool	2,753
Moama	2,764
<b>TOTAL</b>	<b>9,168</b>

Figure 1: Current Ward Boundaries



## 2. Proposed Realignment

The most granular population statistics available from the Australian Bureau of Statistics (ABS) is at a level defined as Statistical Area 1 (SA1). SA1s within each of the existing Wards and their respective populations (as at end May 2023) are given in Table 2.

Based on the populations within the SA1s, and the geographical location of the SA1s (each Ward must be a contiguous area), the proposed realignment is to make the following SA1 movements. The objective is to move approximately 300 electors from Greater Murray to Moama and another 300 from Greater Murray to Greater Wakool.

- Move SA 1-0903-1183-16 consisting of 257 electors, from Greater Murray to Greater Wakool.
- Move SA 1-0903-1184-01 consisting of 388 electors, from Greater Murray to Moama.

The proposed moves will result in a redistributed number of electors for each revised Ward as detailed in Table 3.

Table 3: Revised Ward Constitution

Ward	Electors	*Dev.
Greater Murray	3,006	0
Greater Wakool	3,010	+4
Moama	3,152	+146
<b>TOTAL</b>	<b>9,168</b>	

\* Deviation from minimum.

The revised boundaries are depicted in Figure 2, with the Moama Ward boundaries detailed in Figure 3.

It should be noted that even after the realignment, the growth areas will still be in the Greater Murray Ward. That ward being slightly under the average will mean a somewhat longer period before Council requires the next realignment.

Table 2: Ward Electors by SA1

Sub Area Name	SA1	Electors
Greater Murray	1-0903-1183-02	406
Greater Murray	1-0903-1183-03	160
Greater Murray	1-0903-1183-14	136
Greater Murray	1-0903-1183-16	257
Greater Murray	1-0903-1183-23	394
Greater Murray	1-0903-1183-26	11
Greater Murray	1-0903-1184-01	388
Greater Murray	1-0903-1184-03	403
Greater Murray	1-0903-1184-13	450
Greater Murray	1-0903-1184-16	706
Greater Murray	1-0903-1184-18	190
Greater Murray	1-0903-1184-19	150
<b>Greater Murray Total</b>		<b>3,651</b>
Greater Wakool	1-0902-1179-05	123
Greater Wakool	1-0902-1179-07	46
Greater Wakool	1-0902-1179-11	98
Greater Wakool	1-0903-1183-06	233
Greater Wakool	1-0903-1183-07	112
Greater Wakool	1-0903-1183-08	225
Greater Wakool	1-0903-1183-09	172
Greater Wakool	1-0903-1183-10	157
Greater Wakool	1-0903-1183-12	274
Greater Wakool	1-0903-1183-13	278
Greater Wakool	1-0903-1183-21	88
Greater Wakool	1-0903-1183-25	305
Greater Wakool	1-0903-1183-27	387
Greater Wakool	1-0903-1183-28	255
<b>Greater Wakool Total</b>		<b>2,753</b>
Moama	1-0903-1184-02	162
Moama	1-0903-1184-04	293
Moama	1-0903-1184-05	67
Moama	1-0903-1184-06	121
Moama	1-0903-1184-07	338
Moama	1-0903-1184-08	252
Moama	1-0903-1184-09	291
Moama	1-0903-1184-10	362
Moama	1-0903-1184-11	356
Moama	1-0903-1184-14	234
Moama	1-0903-1184-15	288
<b>Moama Total</b>		<b>2,764</b>
<b>GRAND TOTAL</b>		<b>9,168</b>



Figure 2: Proposed Revised Ward Boundaries

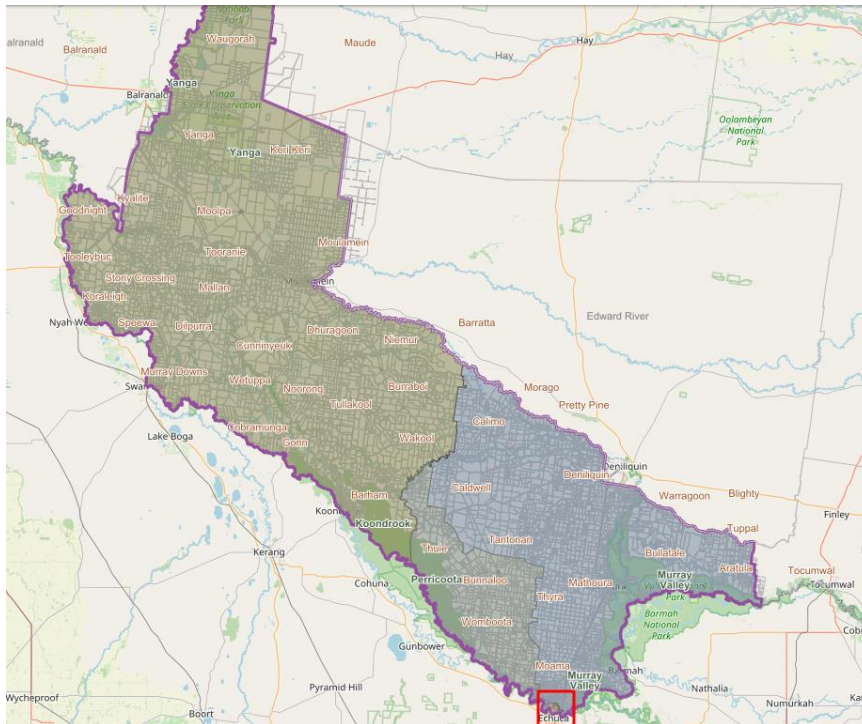
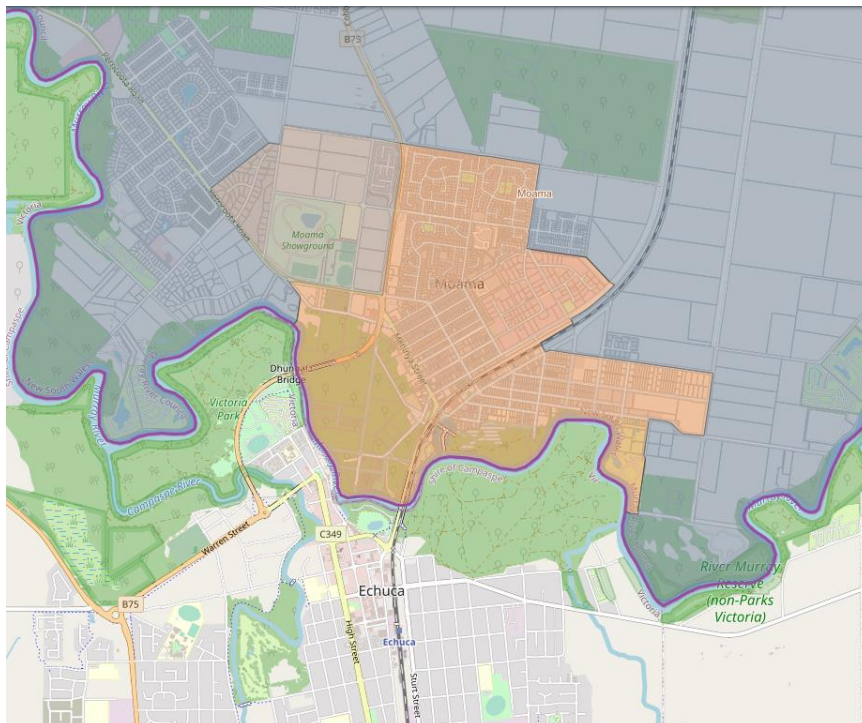


Figure 3: Proposed Revised Moama Ward Boundaries



<b>9.2.7</b>	<b>DRAFT</b>	<b>ROAD</b>	<b>&amp;</b>	<b>PLACE</b>	<b>NAME</b>	<b>POLICY</b>
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**File Number:** -

**Author:** Brodie Goodsell, Manager Strategic Assets

**Authoriser:** Stephen Fernando, Director Corporate Services

#### **RECOMMENDATION**

That Murray River Council resolve to adopt the DRAFT Road and Place Name Policy V#1 and place it on public exhibition for 28 days.

#### **BACKGROUND**

Murray River Council is the naming authority for roads and places within our LGA under both the Roads Act 1993 and the NSW Address Policy & User Manual. The Draft Road & Place Name Policy (hereafter referred to as the Policy) demonstrates that Murray River Council (Council) has a systematic and documented approach for reducing risks associated with the naming of roads & places.

#### **DISCUSSION**

Road names and addresses connect people to a place and enable safe and effective navigation. Road names and addresses must adhere to the specific principles under legislation, that they are simple, singular (i.e. not-duplicated), intuitively understood and relevant to place. These addressing principles are important for both government and the community.

This Policy applies to all roads & places within Council regardless of custodianship and maintenance agreements. Under this policy, all roads in the Council area shall be authoritatively named and the names gazetted, where possible.

The Policy addresses naming of roads (private & public), assignment of address numbers, development & subdivision address processes, complex site addressing and creation of new or amended address locality boundaries.

This policy will provide guidance for developers, the community and Council when allocating new road & place names or re-naming existing roads. The policy ensures that appropriate naming and renaming of roads and places for which Council is the Roads Authority is undertaken in compliance with the Geographical Names Board and all associated legislation.

#### **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**

Nil

#### **POLICY IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

Local Government Act 1993.

Roads Act 1993.

**RISK ANALYSIS**

- **What can happen?**  
The roads and places remain unnamed or are incorrectly named.
- **How can it happen?**  
Roads and place names not approved and gazetted.
- **What are the consequences of the event happening?**  
Difficulty identifying roads, locations, and property, with no spatial reference available.
- **What is the likelihood of the event happening?**  
Medium to high
- **Adequacy of existing controls?**  
This Policy will improve existing procedural controls.
- **Treatment options to mitigate the risk?**  
The Policy outlines the requirements under the legislation and guidelines.

**CONCLUSION**

The Draft Road & Place Name Policy provides clear guidelines and processes around the naming of roads and places within the Murray River Council LGA. The Policy also provide guidance for developers, the community and Council when allocating new road & place names or re-naming existing roads.

**ATTACHMENTS**

1. **Draft Road and Place Name Policy V#1** [!\[\]\(d27edc55493507da2f9b8c7a52b3b96f\_img.jpg\) !\[\]\(9bf7a72a60a57323fa980b9b0338593f\_img.jpg\)](#)

MURRAY RIVER COUNCIL  
COUNCIL POLICY

**DRAFT**  
**ROAD  
&  
PLACE  
NAME  
POLICY**

POL-314.V#1



## 1. INTRODUCTION

The Road & Place Name Policy (Policy) demonstrates that Murray River Council (Council) has a systematic and documented approach for reducing risks associated with the naming of roads & places.

Under the Roads Act 1993 the Council of a local government area is the road naming authority.

Addresses connect people to a place and place names constitute the most commonly used spatial reference. Addresses must adhere to the basic principles that they are simple, singular (i.e. not-duplicated), intuitively understood and relevant to place. These addressing principles are important for both government and the community.

Murray River Council is empowered to name public roads under Section 162 of the Roads Act 1993. Under the provisions of the NSW Address Policy & User Manual, Murray River Council has the responsibility for also endorsing the authoritative road name for private & crown roads, ensuring they are approved by the Geographical Names Board of NSW (GNB) and in relation to crown roads, gazetted.

In exercising its power to name roads, Council is also required to follow procedures set out in the Roads Regulation 2018. Council is also required to maintain a register that identifies roads by a given name and number.

This policy will provide guidance for developers, the community and Council when allocating new road & place names or re-naming existing roads. The policy ensures that appropriate naming and renaming of roads and places for which Council is the Roads Authority is undertaken in compliance with the GNB.

Under the Local Governance Act Section 124 (Order 8) Council may order an owner or occupier of land to 'identify premises with such numbers or other identification in such manner as is specified in the order'. Failure to comply with this order is an offence, as described under Section 628, for which the maximum penalty is 50 penalty units for an individual and 100 penalty units for a corporation.

## 2. OBJECTIVES

The objectives of the Policy are to:

- ▶ Ensure compliance with legislative requirements under the Roads Act 1993 and other legislation.
- ▶ Ensure road names are officially and correctly recorded in accordance with Part 2, Division 1 of the Road Regulation 2018 & the NSW Address Policy & User Manual.
- ▶ Ensure place names are officially and correctly recorded in accordance with the Geographical Names Board of NSW Policy – Place Naming.
- ▶ Ensure a consistent approach to road & place naming which benefits emergency services, transport and goods and service delivery and provide opportunities for community consultation when determining road & place names.

Aligning this Policy with the NSW Address Policy ensure this Policy is also aligned with the AS/NZS 4819:2011 Rural and Urban Addressing.

## 3. SCOPE

This Policy applies to all roads (public) & places within Council regardless of custodianship and maintenance agreements. Under this policy, all roads in the Council area shall be authoritatively named and the names gazetted, where possible.

The Policy addresses naming of roads (private & public), assignment of address numbers, development & subdivision address processes, complex site addressing and creation of new or amended address locality boundaries.

#### 4. LEGISLATION

- › Anti Discrimination Act 1977 (NSW)
- › Geographical Names Act 1966 (NSW)
- › Local Government Act 1993 (NSW)
- › Road Act 1993 (NSW)
- › Road Regulation 2018 (NSW)

#### 5. POLICY STATEMENT

As the roads authority, Council will adhere to the procedures outlined in the Road Regulation 2018 (NSW) and policy outlined in the NSW Address Policy & User Manual when naming roads.

When naming places Council will adhere to the procedure outlined in the Geographical Names Board of NSW Policy – Place Naming.

##### 5.1. UNIQUENESS

Uniqueness is the most essential quality to be sought in proposing a new road name.

Road names should not be duplicated, even if the road type is different. A road name will be regarded as a duplicate if it is the same or similar in spelling or sound to an existing name, regardless of the road type (eg: there should be no other road named Edward, even if called Edward Court or Edward Place).

Road names shall not be duplicated within:

- › The same address locality;
- › An adjoining address locality; or
- › A local government area

##### 5.2. SOURCE

Preferred sources for road names include names related to or associated with:

- › Aboriginal names (in a local language chosen in consultation with the Local Aboriginal Land Council and/or relevant Aboriginal community).
- › Local history, including early explorers, settlers, and other eminent persons (proposed use of historical names should demonstrate consultation with the Local Historical Society).
- › War servicemen & women
- › Thematic names such as flora and fauna,
- › Landmarks (names should be appropriate to the physical, historical or cultural character of the area).
- › Commemoration of an event, person, or place. Commemorative names of a person only be for deceased persons and reasonable efforts will be made to gain consent from an appropriate family member(s).

Large subdivisions with multiple roads should use an overall theme for naming of roads. The origin of each name should be clearly stated and subsequently recorded.

##### 5.3. COMMUNICATION AND PROPRIETY

- › Names should not be offensive, racist, derogatory, or demeaning as clarified in the Anti-Discrimination Act 1977 (NSW).
- › Names should be easily pronounceable.
- › Road names shall not be misspelt nor contain abbreviations. In particular, the spelling of personal names shall be able to be validated by reference to primary sources.



- ▶ Commercial and business names shall not be used, particularly where the name can be construed to be promoting a business. However, business names no longer in use and which promote the heritage of an area are acceptable.
- ▶ Road types shall not be used in the formation of a road name, for example Promenade Road, Court Street etc. even if the road type is also a surname.
- ▶ The use of given or first names in conjunction with a surname is not normally acceptable but may be considered if required to provide uniqueness for a significant name e.g., Scott Rodgers Road might be acceptable if there is already a Rodgers Road.
- ▶ Names should be as short and simple as possible and preferably consisting of only one word plus the road type. It is recognised that some roads will require two words due to geographic relationship e.g., Colligan Creek Road.
- ▶ Road names will not contain hyphens.

#### 5.4. ROAD EXTENTS

The extent of a named road shall be defined by the formed road and shall include only a single section accessible by vehicles or pedestrians. Unconnected sections, such as where separated by an unbridged stream or physical barrier, shall be assigned separate names.

When a road extent is broken into separate sections by acquisition, redevelopment or redesign, the name shall only be retained on one section and the other section(s) renamed as part of the development process.

#### 5.5. RENAMING

Renaming of existing roads or places shall only occur where a case can be made that service delivery has been or has potential to be substantially negatively impacted by maintaining existing name.

#### 5.6. RESPONSIBILITIES

The responsibilities of Council in relation to naming of different road classes are as follows:

Road Class	Naming Authority	Council Responsibility
State Roads, including national routes and highways	RMS	Responsible for endorsing the official road name and ensuring it is approved by the GNB and gazetted
Regional and Local Roads	Local Government (Roads Act 1993, Roads Regulation 2018)	Naming Authority
Roads over rail bridges	Rail Access Corporation, RMS or Local Government (Roads Act 1993, Roads Regulation 2018)	Responsible for endorsing the official road name and ensuring it is approved by the GNB and gazetted.
Private Roads, right of ways, and easements (intended as Roads)	Local Government (with jurisdiction over the area in which the road is located) as advised by GNB	Naming Authority. (Ensuring name is endorsed by the GNB).
Crown Roads	Local Government (with jurisdiction over the area in which the road is located) As advised by GNB	Naming Authority. (Ensuring name is approved by the GNB and gazetted)
Other Roads	Bodies such as State Forests, Federal Airports Corporation,	Ensure the road names are endorsed, addresses applied, and

Road Class	Naming Authority	Council Responsibility
	Sydney Ports, National Parks and Wildlife Service or Private Sector Tollway Operators.	the name is approved by the GNB and gazetted.

As per the Geographical Names Act 1966 (NSW), authority for address locality names and boundaries rests with the GNB.

For roads where Council is the naming authority, Council will, in general, adopt the following approach to identifying a name for a given road.

Road/Place Type	General Procedure
<ul style="list-style-type: none"> <li>▸ Currently unnamed roads</li> <li>▸ New Roads Created by Council</li> </ul>	<ul style="list-style-type: none"> <li>▸ Proposed by an Applicant or by the Responsible Officer.</li> <li>▸ Reviewed by Responsible Officer and endorsed by the CEO.</li> <li>▸ Council approval through a resolution.</li> <li>▸ Public display of proposed names for 14 days for comment and feedback.</li> <li>▸ Lodge proposed names through NSW Place &amp; Road Name Proposal System.</li> <li>▸ On approval, gazetted through the NSW Government Gazette online Portal (not applicable for private roads).</li> <li>▸ Notify SS Road Updates &amp; GNB</li> </ul>
New Roads (Created by a Developer (within a specific development))	<ul style="list-style-type: none"> <li>▸ Proposed by Developer.</li> <li>▸ Reviewed by Responsible Officer and endorsed by the CEO.</li> <li>▸ Council approval through a resolution.</li> <li>▸ Public display of proposed names for 14 days for comment and feedback.</li> <li>▸ Lodge proposed names through NSW Place &amp; Road Name Proposal System.</li> <li>▸ On approval, gazetted through the NSW Government Gazette online Portal (not applicable for private roads).</li> <li>▸ Notify SS Road Updates &amp; GNB</li> </ul>

## 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.



## 7. EVALUATION AND REVIEW

It is the responsibility of the Manager Strategic Assets, 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 could result in a breach of the Code of Conduct Policy and/or disciplinary action.

## 9. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

### External Policies:

- ▶ NSW Address Policy and User Manual/Geographical Names Board of New South Wales. Provides policy & process for all road naming proposals in NSW. <https://www.gnb.nsw.gov.au/publications/policies>
- ▶ Geographical Names Board of NSW Policy – Place Naming. Provides policy & process for all place naming proposals in NSW. <https://www.gnb.nsw.gov.au/publications/policies>
- ▶ Glossary of status values in the Geographic Names Register (GNB)

### Standards

- ▶ AS/NZS 4819:2011 Rural and Urban Addressing

### Definitions:

Term	Definition
AS/NZS	Australia NZ Standards
CEO	Chief Executive Officer (General Manager)
Council or MRC	Murray River Council
GNB	Geographical Names Board
Policy	This Road and Place Name Policy
Place	Defined by the <u>Geographical Names Act 1966</u> No 13 as ‘any geographical or topographical feature or any area, district, division, locality, region, city, town, village, settlement or railway station or any other place within the territories and waters of the State of New South Wales but does not include any road, any area (within the meaning of the <u>Local Government Act 1993</u> ) or area of operations of a county council (within the meaning of that Act), any electoral district under the <u>Parliamentary Electorates and Elections Act 1912</u> , any school or any place or place within a class of places to which the provisions of this Act do not apply by virtue of the regulations.’
Responsible Officer	Manager responsible for the asset management function of Council
RMS	Roads and Maritime Services
Road	an area that is open to and/or used by the public and is navigable by vehicle or foot and can be used for assigning addresses or allowing access between points or to a feature.

**10. DOCUMENT CONTROL**

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	DRAFT	VF/23/666	TBC

Council reserves the right to review, vary or revoke this policy at any time.  
This Policy is scheduled for review in before 2027.

**NOTE:**

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**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.

**9.2.8 INVESTMENTS AND RESERVES REPORT AS AT 31 AUGUST 2023**

File Number: -

Author: Kris Kershaw, Manager Finance

Authoriser: Stephen Fernando, Director Corporate Services

**RECOMMENDATION**

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

**BACKGROUND**

Monthly report on cash and investments balances as of 31 August 2023, incorporating allocation by Fund and by Reserve classification.

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

**DISCUSSION**

Shown below are the Liquid Asset Balances and Investments for the period ending 31 August 2023.

DETAILS	JUNE 2023	JULY 2023	AUGUST 2023
Cash Book Balance B/Fwd	\$ 5,471,240	\$ 6,672,615	\$ 4,283,371
Add income for month	\$ 15,323,179	\$ 6,305,820	\$ 6,697,361
Deduct expenditure for month	\$ 9,881,144	\$ 10,705,841	\$ 6,035,963
<b>CASH AVAILABLE</b>	<b>\$ 10,913,275</b>	<b>\$ 2,272,594</b>	<b>\$ 4,944,769</b>
Redeem/(Purchase) Investments	-\$ 4,240,660	\$ 2,010,777	\$ 43,092
<b>CASH BOOK BALANCE</b>	<b>\$ 6,672,615</b>	<b>\$ 4,283,371</b>	<b>\$ 4,987,861</b>
Add on-call account	\$ 1,504,737	\$ 1,509,977	\$ 1,515,235
Add investments - Deposits	\$ 48,863,224	\$ 46,840,456	\$ 46,797,364
Add investments - Shares	\$ 2,010	\$ 2,010	\$ 2,010
<b>CASH POSITION</b>	<b>\$ 57,042,586</b>	<b>\$ 52,635,814</b>	<b>\$ 53,302,470</b>
As per Bank Statements	\$ 5,660,515	\$ 10,162,946	\$ 6,851,704

**Reserves by Fund**

Fund	General	Water	Sewer	Waste	Total
June 2023	\$27,737,372	\$9,287,425	\$15,812,714	\$4,205,075	\$57,042,586
July 2023	\$23,027,149	\$9,558,576	\$15,671,386	\$4,378,703	\$52,635,814
August 2023	\$24,420,285	\$9,283,545	\$15,416,649	\$4,181,991	\$53,302,470

**Status of Reserves**

Funds	General	Water	Sewer	Waste	Total
Unrestricted	\$ 2,817,718	\$ 4,285,003	\$ 7,476,719	\$ 155,752	\$ 14,735,192
Internally Restricted	\$ 12,096,750	\$ 2,077,309	\$ 4,630,291	\$ 1,880,656	\$ 20,685,006
Externally Restricted	\$ 9,505,817	\$ 2,921,233	\$ 3,309,639	\$ 2,145,583	\$ 17,882,272
<b>Total</b>	<b>\$ 24,420,285</b>	<b>\$ 9,283,545</b>	<b>\$ 15,416,649</b>	<b>\$ 4,181,991</b>	<b>\$ 53,302,470</b>

**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	\$ 427,606	\$ -	\$ -	\$ -	\$ 427,606
Bushfire Services	\$ 45,278	\$ -	\$ -	\$ -	\$ 45,278
Caravan Parks	\$ 486,373	\$ -	\$ -	\$ -	\$ 486,373
Cemeteries	\$ 38,120	\$ -	\$ -	\$ -	\$ 38,120
Community Services	\$ 517,184	\$ -	\$ -	\$ -	\$ 517,184
Council Contribution - Co Funding	\$ 407,527	\$ -	\$ -	\$ -	\$ 407,527
Economic Development	\$ 42,780	\$ -	\$ -	\$ -	\$ 42,780
Employee Leave Entitlements	\$ 1,309,562	\$ -	\$ -	\$ -	\$ 1,309,562
Financial Assistance Grants	\$ 3,602,621	\$ -	\$ -	\$ -	\$ 3,602,621
Heritage Buildings	\$ 18,495	\$ -	\$ -	\$ -	\$ 18,495
Infrastructure Works	\$ 110,650	\$ 2,077,309	\$ 4,630,291	\$ -	\$ 6,818,250
Land Management	\$ 227,526	\$ -	\$ -	\$ -	\$ 227,526
Levee Bank	\$ 521,264	\$ -	\$ -	\$ -	\$ 521,264
Office Equipment/ IT	\$ 185,000	\$ -	\$ -	\$ -	\$ 185,000
Parks & Recreation	\$ 365,768	\$ -	\$ -	\$ -	\$ 365,768
Plant Fund	\$ 2,907,088	\$ -	\$ -	\$ -	\$ 2,907,088
Public Halls	\$ 52,021	\$ -	\$ -	\$ -	\$ 52,021
Quarries	\$ 289,500	\$ -	\$ -	\$ -	\$ 289,500
Risk Management	\$ 50,000	\$ -	\$ -	\$ -	\$ 50,000
S355 Committees	\$ 208,972	\$ -	\$ -	\$ -	\$ 208,972
Software	\$ 182,270	\$ -	\$ -	\$ -	\$ 182,270
Stormwater	\$ 101,145	\$ -	\$ -	\$ -	\$ 101,145
Waste Management Int	\$ -	\$ -	\$ -	\$ 1,880,656	\$ 1,880,656
	<b>\$ 12,096,750</b>	<b>\$ 2,077,309</b>	<b>\$ 4,630,291</b>	<b>\$ 1,880,656</b>	<b>\$ 20,685,006</b>

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

External Reserves	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Unspent Grants	\$ 4,864,953.00	\$ -	\$ -	\$ -	\$ 4,864,953.00
Unspent Loan Funds	\$ 639,394.00	\$ -	\$ -	\$ -	\$ 639,394.00
Section 64/94	\$ 3,937,183.00	\$ 2,719,165.00	\$ 3,309,639.00	\$ -	\$ 9,965,987.00
Water Purchase	\$ -	\$ 202,068.00	\$ -	\$ -	\$ 202,068.00
Waste Management Ext	\$ -	\$ -	\$ -	\$ 2,145,583.00	\$ 2,145,583.00
Other	\$ 64,287.00	\$ -	\$ -	\$ -	\$ 64,287.00
	<b>\$ 9,505,817</b>	<b>\$ 2,921,233</b>	<b>\$ 3,309,639</b>	<b>\$ 2,145,583</b>	<b>\$ 17,882,272</b>

**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 August 2023. As per the *Local Government (General) Regulation 2021 – Reg212(1)(b)*, all investments have been made in accordance with the Act, applicable Regulations, and council's investment policy.


**Kris Kershaw**

Manager Finance

**INVESTMENT REPORT AS ON 31 AUGUST 2023**

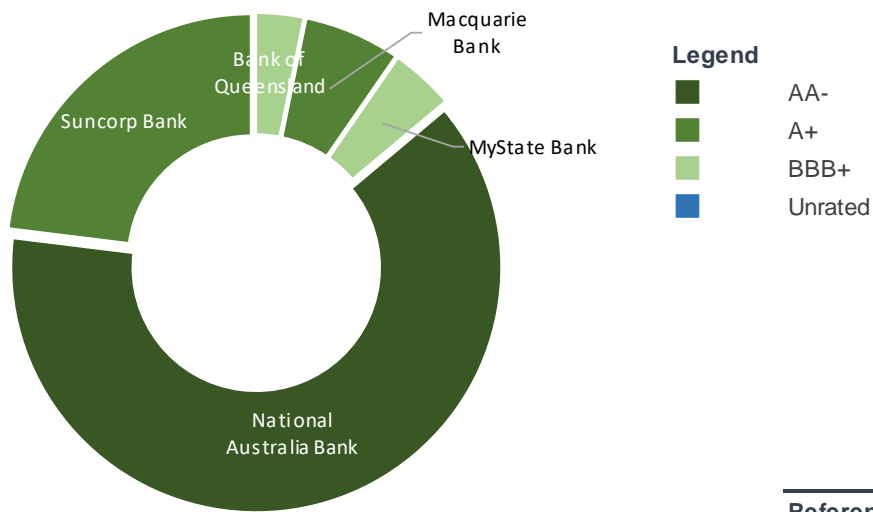
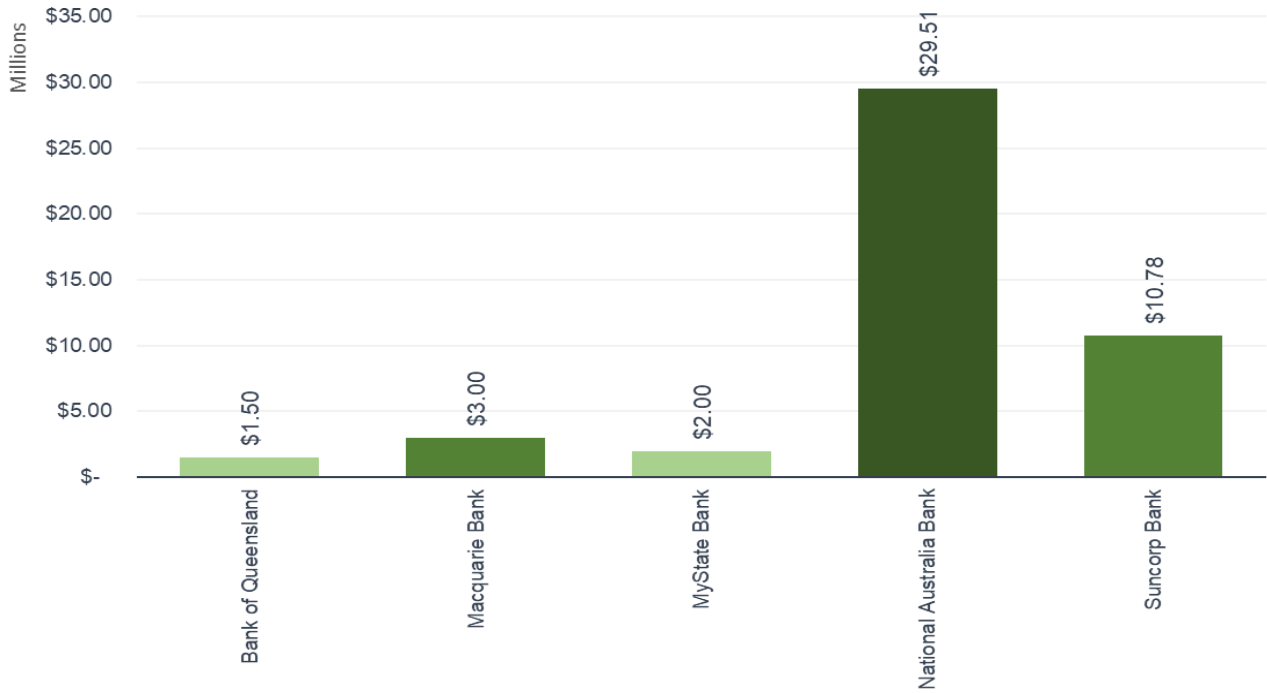
As required by Section 212 of the Local Government (General) Regulations 2021 (the Regulation) and Section 625 of the Act, a summary of Council's surplus funds invested, totalling \$46,799,374, together with an analysis thereof are detailed below, including \$46,797,364 in Term Deposits and \$2,010 in other Investments (shares). The detailed list of the investments appears in Annex A.

It needs to be noted that Council currently has 63.06%, or \$29,512,449, invested with National Australia Bank. This is above the 60% allowed under the investment policy for a single AA- or higher institution. This will be rectified over the coming months as National Australia Bank term deposits mature.

**Investments by Bank / ADI**

<b>Bank / ADI</b>	<b>Amount</b>	<b>%</b>
Bank of Queensland	\$ 1,500,000.00	3.21%
Macquarie Bank	\$3,000,000	6.41%
MyState Bank	\$2,000,000	4.27%
National Australia Bank	\$29,512,449	63.06%
Suncorp Bank	\$10,784,915	23.05%
	<b>\$46,797,364</b>	<b>100.00%</b>

Investments by Bank ADI



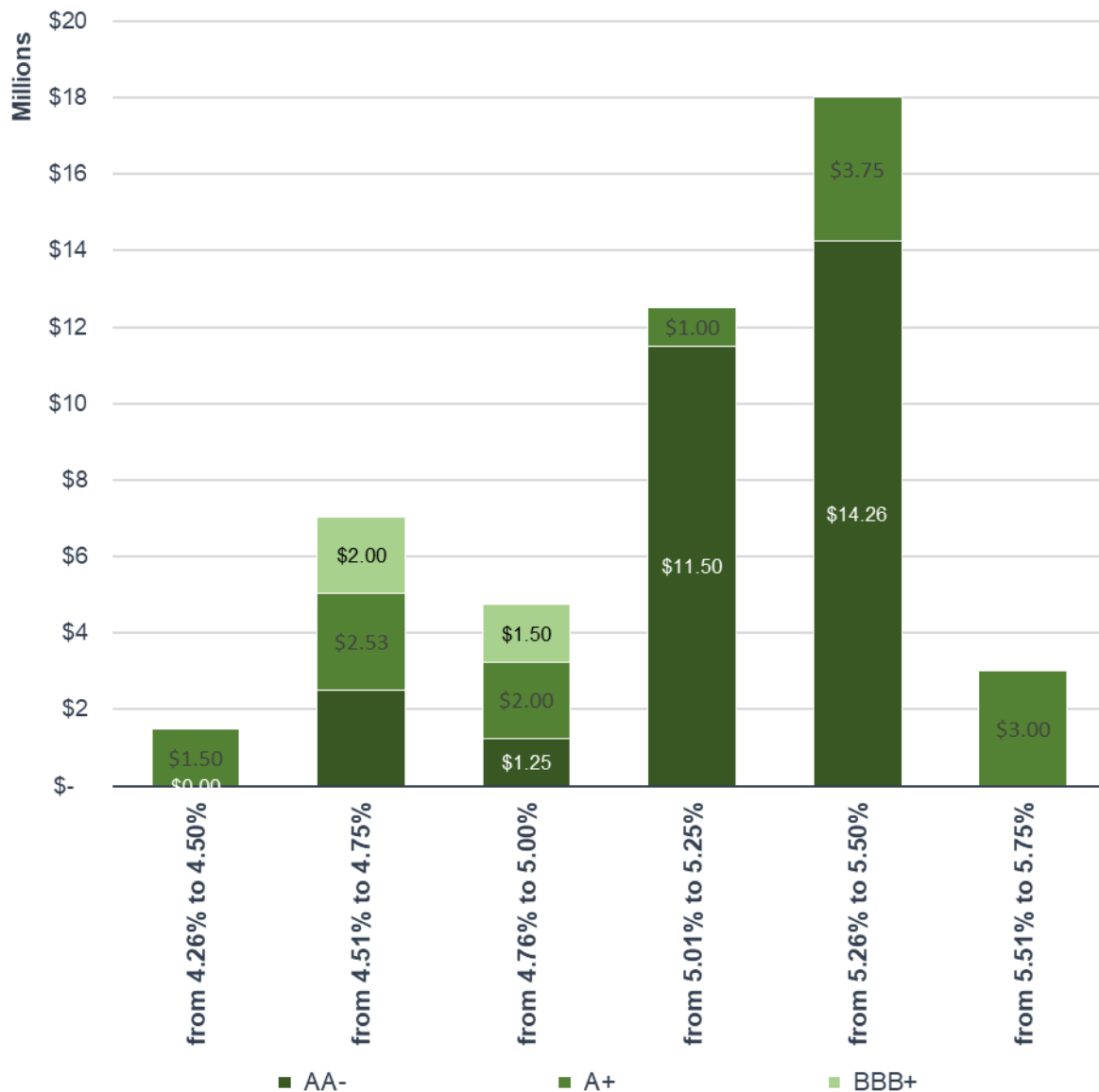
- Bank of Queensland
- Macquarie Bank
- MyState Bank
- National Australia Bank
- Suncorp Bank

**Reference MRC Policy**

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

### Investments by Interest Rates / Credit Rating

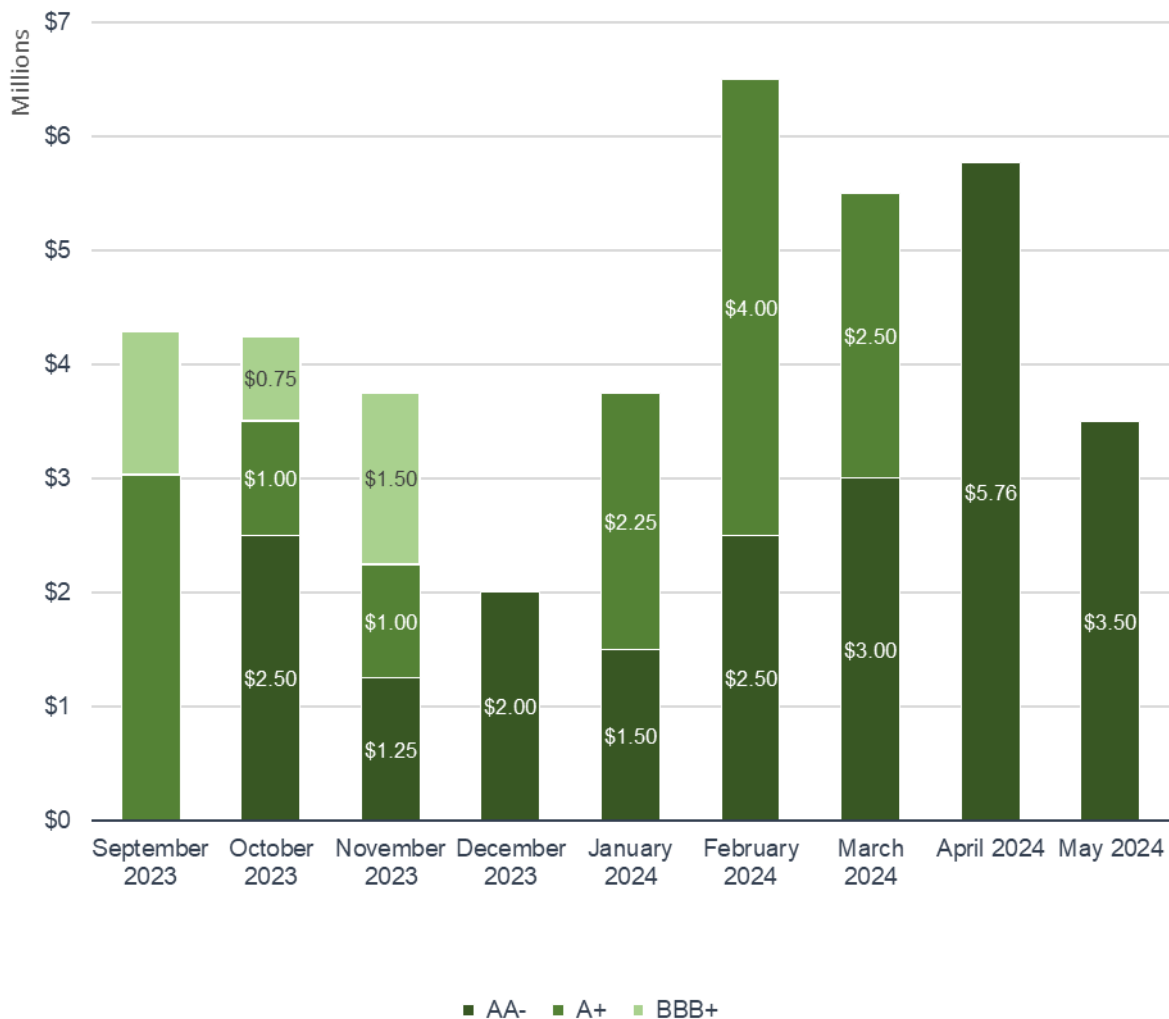
Interest Rates	AA-	A+	BBB+	Total
from 4.26% to 4.50%	\$0	\$1,500,000		\$1,500,000
from 4.51% to 4.75%	\$2,500,000	\$2,534,915	\$2,000,000	\$7,034,915
from 4.76% to 5.00%	\$1,250,000	\$2,000,000	\$1,500,000	\$4,750,000
from 5.01% to 5.25%	\$11,500,000	\$1,000,000		\$12,500,000
from 5.26% to 5.50%	\$14,262,449	\$3,750,000		\$18,012,449
from 5.51% to 5.75%		\$3,000,000		\$3,000,000
	<b>\$29,512,449</b>	<b>\$13,784,915</b>	<b>\$3,500,000</b>	<b>\$46,797,364</b>



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

### Investments by Maturity / Credit Rating

Interest Rates	AA-	A+	BBB+	Total
September 2023		\$3,034,915	\$1,250,000	\$4,284,915
October 2023	\$2,500,000	\$1,000,000	\$750,000	\$4,250,000
November 2023	\$1,250,000	\$1,000,000	\$1,500,000	\$3,750,000
December 2023	\$2,000,000			\$2,000,000
January 2024	\$1,500,000	\$2,250,000		\$3,750,000
February 2024	\$2,500,000	\$4,000,000		\$6,500,000
March 2024	\$3,000,000	\$2,500,000		\$5,500,000
April 2024	\$5,762,449			\$5,762,449
May 2024	\$3,500,000			\$3,500,000
June 2024	\$5,000,000			\$5,000,000
July 2024	\$2,500,000			\$2,500,000
	<b>\$29,512,449</b>	<b>\$13,784,915</b>	<b>\$3,500,000</b>	<b>\$46,797,364</b>





**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%	63%	\$29,512,449	60%	63%
A+	Macquarie Bank	90%	29%	\$3,000,000	23%	6%
	Suncorp Bank			\$10,784,915	23%	23%
BBB+	Bank of Queensland	50%	7%	\$1,500,000	18%	3%
	MyState Bank			\$2,000,000	18%	4%
				<b>\$46,797,364</b>	<b>100%</b>	



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 05 September 2023, is 4.10%. This has resulted in Council being able to achieve at least 5.00% or above interest rate when placing term deposits during August. Interest revenue will

be reviewed as part of the quarterly budget review process to ensure that original budget set for interest revenue is in line with expected returns. Investments are placed with cash flow requirements as the main priority.

### **POLICY IMPLICATIONS**

Murray River Council Investment Policy (POL203).

### **LEGISLATIVE IMPLICATIONS**

Section 625 of the Local Government Act 1993

Regulation 212 of the Local Government (General) Regulations 2021

Section 14 of the Trustee Act 1925

### **RISK ANALYSIS**

- **What can happen?**

Imprudent use of Council's Financial Assets

- **How can it happen?**

Non-Compliance of Investment Rules, Policies, and mandates

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

Potential loss of financial assets

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

Very Low

- **Adequacy of existing controls?**

Very Good

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

Responsible management of financial resources invested in accordance with the Council's Investment Policy and mandates.

### **CONCLUSION**

Murray River Council's liquidity position is satisfactory as on 31 August 2023.

### **ATTACHMENTS**

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

## Murray River Council

Annex 'A'

Investment Details - August 2023

Start Date	Maturity Date	Bank / ADI	Type	Investment	Interest Rate	Term (Days)	Interest Due upon Maturity	S&P Long Term Rating
4/04/2023	4/09/2023	SCORP	TD	\$ 767,458	4.510%	153	\$ 14,509	AA-
4/04/2023	4/09/2023	SCORP	TD	\$ 767,458	4.510%	153	\$ 14,509	AA-
10/05/2023	12/09/2023	MyState	TD	\$ 750,000	4.550%	125	\$ 11,687	AA-
10/05/2023	12/09/2023	MyState	TD	\$ 500,000	4.550%	125	\$ 7,791	AA-
12/04/2023	19/09/2023	SCORP	TD	\$ 500,000	4.420%	160	\$ 9,688	AA-
13/04/2023	26/09/2023	SCORP	TD	\$ 1,000,000	4.450%	166	\$ 20,238	AA-
17/05/2023	3/10/2023	NAB	TD	\$ 750,000	4.700%	139	\$ 13,424	AA-
3/05/2023	10/10/2023	MyState	TD	\$ 750,000	4.700%	160	\$ 15,452	AA-
19/04/2023	17/10/2023	NAB	TD	\$ 750,000	4.550%	181	\$ 16,937	AA-
24/05/2023	24/10/2023	Macquarie	TD	\$ 1,000,000	4.600%	153	\$ 19,282	AA-
21/06/2023	31/10/2023	NAB	TD	\$ 1,000,000	5.140%	132	\$ 18,589	A+
9/06/2023	7/11/2023	SCORP	TD	\$ 1,000,000	5.150%	151	\$ 21,305	A+
18/05/2023	14/11/2023	Bank Qld	TD	\$ 750,000	4.900%	180	\$ 18,123	BBB+
24/05/2023	21/11/2023	Bank Qld	TD	\$ 750,000	4.950%	181	\$ 18,410	BBB+
2/06/2023	28/11/2023	NAB	TD	\$ 1,250,000	4.900%	179	\$ 30,038	A+
9/06/2023	5/12/2023	NAB	TD	\$ 1,000,000	5.150%	179	\$ 25,256	A+
9/06/2023	12/12/2023	NAB	TD	\$ 1,000,000	5.150%	186	\$ 26,244	AA-
29/06/2023	16/01/2024	NAB	TD	\$ 1,500,000	5.400%	201	\$ 44,605	BBB+
11/07/2023	23/01/2024	SCORP	TD	\$ 750,000	5.440%	196	\$ 21,909	AA-
29/06/2023	30/01/2024	SCORP	TD	\$ 1,500,000	5.470%	215	\$ 48,331	A+
3/05/2023	2/02/2024	NAB	TD	\$ 1,000,000	4.750%	275	\$ 35,788	AA-
11/07/2023	6/02/2024	SCORP	TD	\$ 750,000	5.560%	210	\$ 23,992	A+
29/06/2023	13/02/2024	NAB	TD	\$ 1,500,000	5.400%	229	\$ 50,819	BBB+
11/07/2023	20/02/2024	SCORP	TD	\$ 750,000	5.560%	224	\$ 25,591	BBB+
31/07/2023	20/02/2024	Macquarie	TD	\$ 1,000,000	5.000%	204	\$ 27,945	AA-
29/06/2023	27/02/2024	SCORP	TD	\$ 1,500,000	5.470%	243	\$ 54,625	AA-
11/07/2023	5/03/2024	SCORP	TD	\$ 750,000	5.560%	238	\$ 27,191	AA-
31/07/2023	5/03/2024	Macquarie	TD	\$ 1,000,000	5.000%	218	\$ 29,863	AA-
30/06/2023	12/03/2024	NAB	TD	\$ 1,500,000	5.450%	256	\$ 57,337	A+
11/07/2023	19/03/2024	SCORP	TD	\$ 750,000	5.560%	252	\$ 28,790	A+
30/06/2023	26/03/2024	NAB	TD	\$ 1,500,000	5.450%	270	\$ 60,473	AA-
11/07/2023	2/04/2024	NAB	TD	\$ 1,000,000	5.410%	266	\$ 39,426	A+
30/06/2023	9/04/2024	NAB	TD	\$ 1,500,000	5.470%	284	\$ 63,842	AA-
17/07/2023	16/04/2024	NAB	TD	\$ 1,012,449	5.350%	274	\$ 40,662	A+
30/06/2023	23/04/2024	NAB	TD	\$ 1,500,000	5.490%	298	\$ 67,234	A+
18/07/2023	30/04/2024	NAB	TD	\$ 750,000	5.350%	287	\$ 31,550	A+
31/07/2023	7/05/2024	NAB	TD	\$ 1,250,000	5.300%	281	\$ 51,003	A+
31/07/2023	21/05/2024	NAB	TD	\$ 1,250,000	5.310%	295	\$ 53,646	A+
3/08/2023	28/05/2024	NAB	TD	\$ 1,000,000	5.200%	299	\$ 42,597	AA-
3/08/2023	4/06/2024	NAB	TD	\$ 750,000	5.200%	306	\$ 32,696	A+
9/08/2023	11/06/2024	NAB	TD	\$ 1,000,000	5.200%	307	\$ 43,740	AA-
9/08/2023	18/06/2024	NAB	TD	\$ 1,500,000	5.200%	314	\$ 67,101	AA-
10/08/2023	25/06/2024	NAB	TD	\$ 750,000	5.200%	320	\$ 34,192	AA-
16/08/2023	25/06/2024	NAB	TD	\$ 1,000,000	5.150%	314	\$ 44,304	AA-
23/08/2023	2/07/2024	NAB	TD	\$ 750,000	5.150%	314	\$ 33,232	AA-
23/08/2023	2/07/2024	NAB	TD	\$ 750,000	5.150%	314	\$ 33,232	AA-
30/08/2023	9/07/2024	NAB	TD	\$ 1,000,000	5.150%	314	\$ 44,304	AA-
		SP	Shares	\$ 2,000				AA-
		WAWCU	Shares	\$ 10				
<b>Total</b>				<b>\$ 46,799,374</b>			<b>\$ 1,561,501</b>	



**9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS****9.3.1 ALGA LOCAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS**

**File Number:** -  
**Author:** Jack Bond, Acting Chief Executive Officer  
**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

That the Officer's report on ALGA Local Roads, Transport and Infrastructure Congress be received and the information noted by the Council.

**DISCUSSION**

Cr Dennis Gleeson and Director Infrastructure Jack Bond attended the 2023 ALGA Local Roads, Transport and Infrastructure Congress in Canberra on 6-7 September.

The attached communique gives a summary of the congress.

Highlights include:

- Gratten Institute update on the November released report regarding road funding to Local Councils. It is anticipated that there will be many recommendations for more funding and a change in structure of how the funding is spread across the Country.
- Automated Heavy Vehicle Access. This will see an increase in approval process for Heavy Vehicles across NSW and Queensland (yet to be expanded to Victoria). This has been implemented in Tasmania for a few years now with huge success.

**ATTACHMENTS**

1. **Communiue 2023 National Local Roads, Transport and Infrastructure Congress** [↓](#) 



## Communique

### 2023 National Local Roads, Transport and Infrastructure Congress

250 local government leaders and engineering and works staff from across Australia gathered in Canberra from 6-7 September for the 2023 National Local Roads, Transport and Infrastructure Congress.

We acknowledged the Ngunnawal and Ngambri people as traditional custodians of the ACT and recognised any other people or families with connection to the lands of the ACT and region. The Congress paid its respects to their elders past, present and emerging, and acknowledged the vital and ongoing contributions First Nations peoples continue to make to our nation.

The congress provided participants from across the nation with a forum to learn from each other and address urgent issues fundamental to Australia's economic and social growth.

Natasha Bradshaw from the Grattan Institute provided an opening keynote address, outlining preliminary research findings which indicate federal funding to local government is not keeping up with soaring construction costs. Delegates look forward to the final release of this research later this year.

ALGA estimates the cost of repairing flood damaged roads across Queensland, NSW, Victoria and South Australia is \$3.8 billion, and for many regional, rural and remote councils this will not be possible without increased support from other levels of government.



ALGA will continue to advocate for the \$500 million federal Roads to Recovery fund to be increased to \$800 million per year, and Financial Assistance Grants to be restored to at least one percent of Commonwealth taxation revenue.

We welcomed and thanked the many federal members of parliament who attended and spoke at the Congress or associated events, including the Hon Chris Bowen, the Hon Kristy McBain, Senator the Hon Carol Brown, and the Hon Darren Chester.

We also heard about the opportunities that a new National Automated Access System (based on the Tasmanian Heavy Vehicle Access Management System) that will be rolled-out nationally in the coming months will provide, and ALGA will continue to advocate for \$300 million per year that will support local councils to support this roll-out.

This year's Congress included a broader focus on community infrastructure, with sessions on emissions reduction, housing, active transport, disaster response and recovery, waste and recycling, telecommunications infrastructure, and affordable housing.

Councils need more funding to build, maintain and revitalise the local infrastructure vital for liveable and productive communities, and extending the Local Roads and Community Infrastructure Program – or replacing it with an untied funding stream – will deliver long lasting benefits for all Australian communities.

Delegates affirmed their commitment to working with state, territory and federal governments towards building better, more resilient infrastructure that will serve all Australians, and help build communities that are safer, stronger and smarter.

## 9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

### 9.4.1 WASTE, RECYCLING & FOOD AND GARDEN WASTE GUIDELINES

**File Number:** -

**Author:** Brian Holmes, Manager Waste & Compliance

**Authoriser:** Rod Croft, Director Planning & Environment

#### RECOMMENDATION

That Council adopt the use of the Waste, Recycling & Food and Garden Waste Guidelines.

#### BACKGROUND

Council Officers manage the delivery of a range of Waste and Resource Recovery services for the community, these include kerbside waste, recycling, food and garden bins, transfer stations, landfills, public place street litter and recycling bins and event bins.

These are complex services and result in significant enquiry from residents to understand these complexities further. There are a number of legislated requirements associated with these services, along with Council specific rules that govern how these services are implemented. To assist Council officers and the organisation to deliver these services and ensure the community understand why specific rules are in place the attached Waste, Recycling & Food and Garden Waste Guidelines (the "Guidelines") document was developed (attachment 1).

#### DISCUSSION

The purpose of the Guidelines is to document the principles and rules by which waste, recycling and food and garden waste services provided by Council are administered. The document also captures, where possible, the general reasoning as to why a particular principle or rule has been developed to address an issue.

The Guidelines also complements and guides the implementation of Council's Waste Management Strategy — Towards a Sustainable Waste Management System (2019-2029).

The Guidelines can be used by anyone in the organisation including Customer Service to help deal with customer enquiries and to educate themselves about why a particular rule is in place.

#### STRATEGIC IMPLICATIONS

1. Strategic Theme 1: A Place of Environmental Sensitivity

1.2 - Facilitate Circular Economy - Enhance waste and recycling programs to increase resource recycling across LGA.

#### BUDGETARY IMPLICATIONS

There are no budgetary implications.



**POLICY IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS****RISK ANALYSIS**

- **What can happen?**  
There are no risks.
- **How can it happen?**  
There are no risks.
- **What are the consequences of the event happening?**  
There are no risks.
- **What is the likelihood of the event happening?**  
There are no risks.
- **Adequacy of existing controls?**  
There are no risks.
- **Treatment options to mitigate the risk?**  
There are no risks.

**CONCLUSION**

Council adopts the use of the Waste, Recycling & Food and Garden Waste Guidelines for immediate use.

**ATTACHMENTS**

1. **Waste, Recycling & Food and Garden Waste Guidelines** [↓](#) 



# WASTE, RECYCLING & FOOD AND GARDEN WASTE GUIDELINES



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### **Purpose**

The purpose of the Waste, Recycling & Food and Garden Waste Guidelines (the 'Guidelines') is to document the principles and rules by which waste, recycling and food and garden waste services provided by Council are administered. The document also captures, where possible, the general reasoning as to why a particular principle or rule has been developed to address an issue.

The Guidelines complement and guide implementation of Council's Waste Management Strategy — Towards a Sustainable Waste Management System (2019-2029).

The Guidelines were adopted by Council on XX XXXXXX 2022. The Guidelines will be reviewed and updated periodically to account for changes to services that may arise.

### **Customer Complaints Policy**

Individuals or groups that wish to dispute particular principles or rules captured in the Guidelines and administered by Council must do so by contacting Council customer service team or via Council's website as per the Customer Feedback – Complaints Management Policy v1 – Pol 211. The Guidelines have been adopted by Council and as such are considered Council policy. For activities outside those documented in the Guideline to be considered a request would need to be submitted via Council's customer service team or via Council's website and would be considered as per the Customer Feedback – Complaints Management Policy v1 – Pol 211.

### **Related documents**

Waste Management Strategy — Towards a Sustainable Waste Management System (July 2019)

Customer Feedback – Complaints Management Policy v1 – Pol 211

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Issue	Description	Comments
<p>1. <b>Standard service option - Residential</b></p>	<p>The standard service option for residential properties (generally defined as being within the town boundary*) are:</p> <p>140 litre waste bin</p> <p>240 litre recycle bin</p> <p>240 litre food and garden waste bin &amp; a 7L kitchen caddy (*within the defined town boundary)</p> <p>* *Within the defined town boundary is generally within the 100km/hr speed restriction sign and is set at the discretion of Council's Waste department</p>	<p><b>General</b></p> <p>Aligns with Council's Waste Management Strategy.</p> <p>Represents best practice, has triple bottom line outcomes.</p> <p>Encourages residents to reduce waste volumes, increase recycling and recovers food and garden waste.</p> <p><b>Rules</b></p> <p>All residents are required to have the standard service option.</p> <p>Residents can have as many waste, recycle and/or food and garden waste bins as they like, each additional bin will attract the adopted fee &amp; charge at the time.</p> <p>Only one 7L kitchen caddy will be provided to a residence when a new service is delivered. No replacement caddies will be provided.</p> <p><b>Other</b></p> <p>There will be situations where residents have a lesser requirement for a food and garden waste service. These situations will be where residents do not generate garden waste such as those living in units or apartments, on small blocks where the house takes up most of the block, where they have a gardener, they are not into gardening (do not have a garden) or they can deal with their food waste (compost, pets, chooks). In saying this, all residents within township boundaries must take up the service to divert food and garden</p>



Issue	Description	Comments
		waste, no matter how small, as even small amounts of food and garden waste that end up in landfill create harmful greenhouse gases
<p>2. <b>Small Units, Multi Unit Developments (MUDs) &amp; Retirement Villages</b></p>	<p>The standard service option for residential properties (generally defined as being within the town boundary*) are:</p> <p>140 litre waste bin</p> <p>240 litre recycle bin (optional 140L recycle bin)</p> <p>240 litre food and garden waste bin &amp; a 7L kitchen caddy (*within the defined town boundary)</p> <p>* 'Within the defined town boundary is generally within the 100km/hr speed restriction sign and is set at the discretion of Council's Waste department</p>	<p><b>General</b></p> <p>Residents are encouraged to utilise the standard size service of a 140L waste bin, 240L recycle bin and 240L organics bin. However, Council has previously provided some smaller units or retirement villages with 140L recycle bins due to the height and weight of bins and the limited room for bin storage.</p> <p>In this scenario Councils waste department may provide a smaller 140L recycle and organics bin for elderly, units/flats or residents who have limited ability to manoeuvre a larger 240L bin. Fees and charges will not be discounted due to the cost of the service provided remaining the same.</p> <p>Only one 7L kitchen caddy will be provided to a residence when a new service is delivered. No replacement caddies will be provided.</p> <p><b>Rules</b></p> <ul style="list-style-type: none"> <li>• Residents must be living in a small unit, multi-unit dwelling or retirement village, or</li> <li>• Only residents who are elderly, or have limited capacity to manoeuvre a 240L bin can apply.</li> <li>• Fees and charges will remain the same as the standard service charge.</li> </ul>



Issue	Description	Comments
<p>3. <b>Standard service option - Rural Residential</b></p>	<p>If rural residential properties (generally defined as being outside the town boundary*) would like to have a service, the standard service options are:</p> <p>140 litre waste bin</p> <p>240 litre recycle bin</p> <p>* Outside the defined town boundary is generally the 100km/hr speed restriction sign and is set at the discretion of Council's Waste department</p>	<p><b>General</b></p> <p>Rural residential properties are not always on a defined collection route, and it may not be economical to pick up from remote locations. When a collection contract is tendered, the contractor prices the cost of per bin pick up based on the current services which then becomes the service cost. For a service to be approved it must be within a reasonable distance of a current route or collection (generally within 1 kilometre). Otherwise, the contractor must assess the application to ensure it is economically viable for them to incorporate the service into their current collection route.</p> <p>A number of things will be considered in making this determination including the distance, terrain, likely other services that could be picked up, ability to join to another route.</p> <ul style="list-style-type: none"> <li>• These properties have alternatives such as resource recovery centres, animals (chickens, pets, livestock for disposing of food waste) as well as other options for garden waste (mulching, etc).</li> <li>• Rural residential properties are often too far from collection points (usually people take bins to a central point). There are issues around getting the bins to that point for many residents.</li> <li>• This is cost effective for residents and Council.</li> </ul> <p><b>Rules</b></p> <p>Residents can have as many waste and recycle bins as they like, each additional bin will attract another fee.</p>



Issue	Description	Comments
		<p><b>Other</b></p> <p>The food and garden waste service is generally not an option in rural residential areas as residents have many alternative options for food and garden waste. The service would also be costly given the lower expected volumes of food and garden material that could be accessed and greater transport distances.</p> <p>Residents that are in rural residential areas will only have access to the food and garden waste service if they are within a defined town boundary that currently has a food and garden waste service and in areas that are on an existing food and garden waste collection route. A reasonable distance will be determined by the contractor in consultation with Council and will vary depending on the size of the town in question. The service would need to be financially viable for the contractor and be considered in light of the contract rate paid to the contractor for the service at the time.</p> <p>For any food and garden waste service requests outside the defined town boundary, Council's Waste department will consider on merit, review it and refer the decision to the contractor.</p>





Issue	Description	Comments
<p>4. <b>Standard service option - Farm</b></p>	<p>If farms (generally defined as being outside the town boundary*) would like to have a service, the standard service options are:</p> <p>140 litre waste bin</p> <p>240 litre recycle bin</p> <p>* Outside the defined town boundary is generally the 100km/hr speed restriction sign and is set at the discretion of Council's Waste department</p>	<p><b>General</b></p> <p>Farms are not always on a defined collection route, and it may not be economical to pick up from remote locations. When a collection contract is tendered, the contractor prices the lift rate based on the current services. For a service to be approved it must be within a reasonable distance of a current route or collection (generally within 1 kilometre). Otherwise, the contractor must assess the application to ensure it is economically viable for them to incorporate the service into their current collection route.</p> <p>Farms are often too far from collection points (usually people take bins to a central point). There are issues around getting the bins to that point for many residents. A number of things will be considered in making this determination including the distance, terrain, likely other services that could be picked up, ability to join to another route.</p> <p>Food and garden waste services are not available in rural areas. It is not economically viable at this stage as it would increase the overall cost to the community for the service. These properties have alternatives such as resource recovery centres, animals (chickens, pets, livestock for disposing of food waste) as well as other options for garden waste (mulching, etc).</p> <p>This is cost effective for residents and Council.</p> <p><b>Rules</b></p> <p>Residents on farms can have as many waste and recycling bins as they like, each additional bin will attract another fee.</p> <p>The food and garden waste service is not available.</p>



Issue	Description	Comments
		<p><b>Other</b></p> <p>The food and garden waste service would also be costly given the lower expected volumes of food and garden material that could be accessed and greater transport distances. The food and garden waste service is not an option in farming areas. Residents on farms have many alternative options for disposing of their food and garden waste.</p>
<p>5. <b>Standard service option - Commercial</b></p>	<p>The standard service options for commercial properties (generally defined as being within or outside the town boundary*) are:</p> <p>240 litre waste bin</p> <p>240 litre recycle bin</p> <p>* 'Outside the defined town boundary is generally the 100km/hr speed restriction sign and is set at the discretion of Council's Waste department</p>	<p><b>General</b></p> <p>Aligns with Council's Waste Management Strategy.</p> <p>Represents best practice, has triple bottom line outcomes.</p> <p>Is cost effective for commercial properties and Council. Waste is the most expensive option.</p> <p><b>Rules</b></p> <p>Commercial properties can have as many waste and recycling bins as they like, each additional bin will attract another fee.</p> <p>Food and garden organics services are not yet available to commercial customers. However, once the residential roll-out is complete Council will investigate and consider providing this service as an option to commercial customers.</p>



Issue	Description	Comments
<p>6. <b>Infirm service option</b></p>	<p>Resident contacts Council because they are not able to wheel their bin out for collection and retrieval.</p>	<p><b>General</b></p> <p>There are situations where a resident is not capable of wheeling their bin to and from the kerb due to a medical condition or disability. Councils' kerbside collection contractor can have their driver, wheel the residents bins out to empty it and wheel it back to a suitable location on the property.</p> <p><b>Rules</b></p> <ul style="list-style-type: none"> <li>• Residents must be living alone and have no one residing with them that is capable of wheeling the bin out and back in for collection.</li> <li>• Residents must produce a medical certificate demonstrating they are unable to place bins out for collection.</li> <li>• An application form must be signed, and a site assessment will be conducted by the waste department and/or a nominated representative from the kerbside collection contractor.</li> <li>• Council will require up to date medical exemptions to continue the service for the period set out in the certificate.</li> <li>• Councils assessor can revoke the service at any time if the service is not deemed necessary or the medical exemption expires.</li> </ul>
<p>7. <b>Stolen bins</b></p>	<p>Resident reports a stolen bin and seeks a replacement</p>	<p><b>General</b></p> <p>A resident approaches Council stating their bin (any or all services) has been stolen and a replacement is required. There are approximately 15,000 bins in service across the Council and there is a significant cost in replacing them. Therefore, a deterrent is required to ensure residents are not using the bins for other purposes and reporting them stolen.</p>



Issue	Description	Comments
		<p><b>Rules</b></p> <p>Residents must report their bin/s as stolen within 24 hours of the event. An Event notification number must be provided from NSW Police along with a statement of the event. Council will send through a service request to the contractor to deliver the bins.</p> <p>Failure to supply an event notification number or report within 24 hours will mean the ratepayer/resident will be required to pay the adopted fee and charge for a replacement bin prior to a service request being submitted to the contractor.</p> <p>Tenants or transferred owners should contact the real estate agents to ensure bins are still present on the property upon settlement for purchasers or handover for tenants.</p> <p>Mobile garbage bins remain the property of Council and should remain at each property. If the previous tenant or owner has removed the bins it is considered the responsibility of the purchaser or Real Estate that bins remain with the property. If this has occurred, the new property owner will be responsible for paying the adopted fee and charge for the delivery of replacement bins.</p>
<p>8. <b>Waste, recycling and food and garden waste services go together</b></p>	<p>Where a service is approved/provided all services must be taken up ie waste, recycling and food and garden waste (within the FOGO eligible area only). They cannot be exclusive services</p>	<p>It is not appropriate for services to be provided exclusively. Aligns with Council's Waste Management Strategy and ensures best practice waste management can be achieved. It is important from an economic and environmental perspective that waste volumes be reduced, and recovery rates increased. This cannot be achieved unless all bins are used within the FOGO eligible area.</p> <p>Outside the FOGO eligible area, waste and recycling services must go together.</p>



Issue	Description	Comments
<p>9. <b>Rural properties regularly withdrawing their waste services</b></p>	<p>A farmhouse is rented for a period of less than 1 year (seasonal workers). The owner applies for waste services, receives the service the property is then vacated, and the owner applies to have the services cancelled.</p>	<p><b>General</b></p> <p>This requires significant resources to process the applications and key the data into the system. It is also costly to physically mobilise the bins to the property and then remove them from the property at a later date.</p> <p><b>Rules</b></p> <p>A rural property cannot access a service for less than 1 year. No part refund will be available.</p> <p>Once a property is issued with the Occupancy Permit and is in a designated collection boundary, waste services are compulsory, bins and charges will apply to the property.</p>
<p>10. <b>Making a request/application for a service</b></p>	<p>Who can make a request/application for a waste service</p>	<p><b>General</b></p> <p>The owner of a property is ultimately responsible for the payment of any fees if a tenant defaults. Any variation to this is not enforceable.</p> <p>It is not uncommon, particularly in commercial agreements, for the tenant to receive the rate notice and be responsible for paying the rates. If they default on payment, then the owner is responsible for paying the outstanding amount. In instances where choices are provided, such as additional services, then the owner must agree with this and be afforded the option to vary any lease agreement they have with the tenant to reflect this.</p> <p><b>Rules</b></p>



Issue	Description	Comments
		Any request for a service or variation to a service can only be made by the property owner or a real estate agent acting on behalf of the owner in a rental situation.
<p><b>11. When will kerbside services be provided/applied</b></p>	<p>Understanding situations where Council will provide a service.</p>	<p><b>General</b></p> <p>For Council to know where a service exists and for Council to be able to charge for that service it must be associated with an occupiable building. For dwellings that have been constructed in recent years an occupancy certificate will exist. For older dwellings there may not be an occupancy certificate.</p> <p>It is important to understand that services are assigned to properties based on their occupancy, this effectively means the property can be occupied by a resident or residents.</p> <p>Commercial properties that have separate occupancies (ie one building split into multiple shops/businesses) must have separate services. Each occupancy is assessed separately and receives separate rate notices and associated charges. This reflects the fact that each can have its own business attached and as such be occupied.</p> <p>There are occasions, mostly relating to rural properties, where a number of parcels are amalgamated into one and more than one dwelling exists. In these situations where there are multiple occupiable dwelling a service may be required for each residence.</p> <p><b>Rules</b></p> <p>For a service to be provided to a new property an occupancy certificate must be provided. The owner must apply for the service.</p>



Issue	Description	Comments
		<p>Council will provide multiple services where a property is amalgamated and more than one dwelling exists subject to meeting the requirements discussed in the “Farm” and “Rural Residential” sections above.</p> <p>Vacant blocks or blocks with sheds or partially constructed dwellings without an occupancy certificate cannot access services.</p>
<p><b>12. Continual contamination of food and garden waste or recycling bins</b></p>	<p>There are situations where residents knowingly or unknowingly contaminate the food and garden waste or recycling bin by placing inappropriate material in the bin</p>	<p><b>General</b></p> <p>There can be many reasons for this:</p> <ul style="list-style-type: none"> <li>▪ Do not believe in recovering recyclables or food and garden waste</li> <li>▪ Do not understand what goes in each bin</li> <li>▪ The other bins are full, and the overflow is placed in the wrong bin causing contamination</li> <li>▪ A 3<sup>rd</sup> party wrongly used the bin</li> </ul> <p><b>Rules</b></p> <p>The kerbside collection vehicle driver identifies the bin is contaminated. The driver is in the best position to identify the contamination upon collection and understands what items and the quantity of those items that cause downstream processing issues.</p> <p>The process is:</p> <ul style="list-style-type: none"> <li>• <b>First instance of contamination</b> - The bin will be emptied but will have a sticker placed on it stating that the bin was contaminated. The sticker will indicate the type</li> </ul>



Issue	Description	Comments
		<p>of contamination and what the resident should do. A letter (letter 1) will be sent to the resident highlighting the issue and what can be done about it.</p> <ul style="list-style-type: none"> <li> <b>Second instance of contamination (within 12 weeks of the first occurrence) -</b>                      If the bin is contaminated again, the bin will not be emptied, and the issue will be escalated to a waste officer or contractor to contact and discuss with the resident. Education methods are implemented to provide the resident with an opportunity to understand the problems contamination cause and to rectify the situation.                 </li> </ul> <p>A letter (letter 2) will be sent to the resident highlighting the issue and what can be done about it.</p> <ul style="list-style-type: none"> <li> <b>Third instance of contamination (within 12 weeks of the previous occurrence) –</b> If the bin is contaminated again, the bin will not be emptied, and the issue will be escalated to a waste officer or contractor to contact and discuss with the resident. Education methods are implemented to provide the resident with an opportunity to understand the problems contamination cause and to rectify the situation.                 </li> </ul> <p>A letter (letter 3) will be sent to the resident highlighting the issue and what can be done about it. It will also state that the bin will be removed should it be contaminated for a fourth time.</p> <ul style="list-style-type: none"> <li> <b>Fourth instance of contamination (within 12 weeks of the previous occurrence) –</b> If the bin is contaminated a fourth time the service will be removed. The service charge will remain against the property. If the resident wishes to reinstate the service to the property, a probational period of eight (8) weeks will be                 </li> </ul>





Issue	Description	Comments
		<p>implemented once the bin has been reinstated. The bin will not be returned to the property for four (4) weeks at which point, the probational period will begin.</p> <p>A letter will be sent to the resident stating that the bin has been/will be removed and under what circumstances the service will be reinstated, that is in 4 weeks if a statutory declaration is provided.</p> <ul style="list-style-type: none"> <li> <b>Probational period</b> - the premises will be subject to a probationary period of eight (8) weeks following the reinstatement of services. Further contamination detected within this period will result in the removal of the service for an additional four (4) weeks.                     </li> </ul> <p>In the event that no contamination is reported during the probationary period, any subsequent occurrences of contamination after this time will be considered a first occurrence.</p> <ul style="list-style-type: none"> <li> <b>Fifth instance of contamination (within 8 weeks of the probational period)</b> – If the bin is contaminated a fifth time during the probational period, the service will be removed, and the service charge will remain against the property. If the resident wishes to reinstate the service to the property, a signed statutory declaration must be received from the property owner stating that the bin will not be contaminated. The service will not be returned for a period of 4 weeks.                     </li> </ul>
<p><b>13. Presentation of bins not approved by Council</b></p>	<p>Residents place out bins that are not Council approved and therefore do not attract a charge</p>	<p><b>General</b></p> <p>There are situations where residents place out bins that they have purchased elsewhere, stolen, or have had historically. Council will not be collecting charges for these bins.</p>



Issue	Description	Comments
		<p><b>Rules</b></p> <p>The bin will not be emptied, and the contractor will sticker the bin advising the resident to contact Council.</p>
<p><b>14. Issues arising with kerbside bin collection</b></p>	<p>There are situations where residents place their bin out incorrectly for collection by the kerbside collection vehicle</p>	<p><b>Too heavy</b></p> <p>Trucks have a limit of up to 70kgs and it is possible that bins can weigh much more than this. If bins are heavier than 70kgs it becomes unsafe to lift them and can cause damage to the lifting mechanism and anything in the surrounding area if the bin were to fall.</p> <p>If a bin is tagged as being too heavy, residents will need to empty some of the contents before the bin can be emptied. Residents can weigh the bin using bathroom scales to get an idea of the weight before collection.</p> <p><b>Overfull</b></p> <p>Residents sometimes overfill their bins so that materials are “mushrooming” and/or sticking out of the top of the bin. This presents a safety issue when the bin is lifted to be emptied and can over balance presenting a risk to people and equipment. This also poses a risk to the environment with vermin and birds likely to enter the bin and remove the contents causing litter issues.</p> <p>If a bin is tagged as being overfull residents will need to remove the offending items so that the bin can be emptied safely.</p> <p><b>Under a tree</b></p> <p>Bins that are placed under trees cannot always be emptied if the lifting arm or bin can come into contact with limbs. It may also be difficult or impossible for the truck to approach</p>



Issue	Description	Comments
		<p>the bin without the cab or body hitting the tree. In these situations, the bins cannot be emptied without damaging the vehicle or its lifting arm.</p> <p>The driver will move the bin to a safe location and empty the content, a sticker will then be placed on the bin indicating where it should be placed or who to contact to understand where the bin should be placed for collection.</p> <p><b>Too close together</b></p> <p>If bins are placed too close together the lifting arm grab cannot get between the bins without knocking bins over. Bins should be placed at least 50cm apart to ensure the grab can reach between bins.</p> <p>If a bin is tagged as being too close together residents will need to move the bins apart at least 50cm so that the bin can be emptied.</p>
<p><b>15. Residents seeking refunds for services</b></p>	<p>Residents do not always check their rate notice and can seek refunds for services across multiple years</p>	<p><b>General</b></p> <p>It is the resident’s responsibility to ensure they check their rate notice against the services they are being charged for to ensure they are correct. This includes not receiving a service but being charged for it or the wrong size service attached to the property. Council have approximately 15,000 bins in service. People move, steal and relocate bins. Council has no way of knowing this has occurred unless the resident or kerbside collection contractor informs Council.</p> <p>Refunds in previous years cannot be budgeted for and will impact the current year’s budget and as such should not be made.</p> <p><b>Rules</b></p>



Issue	Description	Comments
		Refunds will only be made in the current financial year.
<p>16. <b>Properties wishing to withdraw services</b></p>	<p>Residential and commercial properties sometimes wish to withdraw their services.</p>	<p><b>General</b></p> <p>The garbage and recycling charges fully fund all costs associated with Council's waste management and recycling operations including resource recovery centre operations, waste environmental compliance obligations, education programs, litter management and general administration as well as collection services.</p> <p>It is Murray River Council's decision, made possible under the Local Government Act (Section 496), to set the charge for all properties; this decision ensures that the cost of the service remains affordable for the entire community. Allowing particular properties to opt out of garbage and recycling services would set a precedent for others that is likely to result in environmental degradation and undermine the affordability of the service to the entire community.</p> <p>All properties generate some unwanted material which needs to be managed. If a service was removed some people would choose to manage this material inappropriately for example dump, bury or burn it. Attaching a service to every property and charging for that service ensures most people use the service.</p> <p>Sometimes residents will argue they do not have anywhere to store bins. They would still generate unwanted materials and should be encouraged to find a solution and use their bins.</p> <p><b>Rules</b></p> <p>All urban residential and commercial properties incur a garbage and recycling charge irrespective of whether these properties utilise the collection service or not.</p>



Issue	Description	Comments
<p>17. <b>Operation of Street litter bins</b></p>	<p>Principles by which Council operate, modify, and change street litter bin services</p>	<p><b>General</b></p> <p>From time-to-time residents request changes to the street litter bin fleet. Over time, areas can receive more or less traffic and litter generators can change. This results in some services being overused, some underused and in some cases no services provided at all.</p> <p><b>Principles</b></p> <p><b>In Central Business Districts (CBDs)</b> Enclosures should be installed in CBDs of all towns where bins exist in the street scape.</p> <p><b>Parks and playgrounds</b> Mobile garbage bins should be installed on a lockable post depending on the volumes of waste generated.</p> <p><b>In areas that are prominent and close to or in CBD areas</b> consideration should be given to enclosures.</p> <p><b>Other areas</b> In all other areas mobile garbage bins on a lockable post should be used.</p> <p><b>Request for new services</b> Any new requests for additional street litter bins above the current fleet will be received from time to time and will need to be considered. The following key criteria will be used to determine if a bin is required:</p> <p>Are there other bins in the vicinity? If no, then the likely use and current litter problem in the immediate area should be considered. Discussion should be held with Council's waste contractor to gauge their thoughts on the need for a new service and their ability to service</p>



Issue	Description	Comments
		<p>it. Discussions should also be held with neighbouring properties to better understand the need and the likely acceptance of a street bin in the area.</p> <p>If yes, the distance to the next available option should be considered. Consideration to increasing the size of the current bins should also be given. Discussions should be held with Council's waste contractor regarding the use of the current street litter bins to ascertain if the demand warrants an additional service in the area.</p> <p>Request for changes to services</p> <p>There may be cases where existing services are not meeting needs, too small, or are considered by the public as inappropriate for the location. This might be due to the aesthetics of the bin used or the useability of the bin being used. It is not economically viable for all bins to be enclosures given the expense. Enclosures should only be used in street scapes such as CBD's and heavily used parks such as Moama Playpark.</p> <p>In all cases the bin size to be used (140 or 240 litre type) should be determined in consultation with Council's waste contractor who clears the bins and is in the best position to know the typical use and volume of material generated at each location.</p> <p>In many cases the discretion of the Waste Coordinator and Parks Coordinator and available budget will need to be considered in deciding if a case warrants additional bins.</p>
<p><b>18. Waste services for events</b></p>	<p>Access to funding for waste services at events</p>	<p><b>General</b></p> <p>The Waste Division within Council has:</p> <ul style="list-style-type: none"> <li>• Negotiated a price for special event bin supply, removal and emptying through a tender process. This is a contracted rate until 2030.</li> </ul>



Issue	Description	Comments
		<p><b>Rules</b></p> <p>Access to waste services and requests for events is managed by Council’s Economic Development &amp; Tourism team. Council’s sponsorship of waste and recycling services at events is at the discretion of the Economic Development &amp; Tourism team.</p> <p>Events must comply with the ‘minimum requirement’, which is equal waste and recycling services to be eligible for services from Council. Council encourages event organisers to implement strategies to meet current best practice waste management and resource recovery at events.</p>
<p>19. <b>Commercial waste disposal at Council resource recovery centres</b></p>	<p>The type and volume of waste that will be accepted by Council at resource recovery centres (excluding Moama Waste Management Facility)</p>	<p><b>General</b></p> <p>Council’s resource recovery centres have been built to receive residential and small amounts of construction and demolition waste (renovations). Commercial volumes of waste entering resource recovery centres would fill skip bins quickly and disrupt the function of the facility and reduce the ability of Council to service residents. Private arrangements should be made with commercial waste providers for volumes greater than 3m<sup>3</sup>. Moama Landfill has the capacity to intake any volume of commercial waste.</p> <p><b>Rules</b></p> <p>Council will not accept waste volumes greater than 3m<sup>3</sup> or any volume from a commercial waste operator at facilities, other than Moama.</p> <p>Commercial and/or industrial waste is not accepted at resource recovery centres other than Moama</p>



Issue	Description	Comments
<p>20. <b>Provision of subsidised/free disposal at resource recovery centres fire, flood, storm</b></p>	<p>Fire, flood or storm events impact residents and they seek subsidised or free disposal of materials at resource recovery centres</p>	<p><b>General</b></p> <p>Council requires residents to take responsibility for their waste and as such a user pays system is in place at resource recovery centres. In the event a fire, flood or storm impacts residents and materials require disposal Council may subsidise or remove the charge for that disposal.</p> <p><b>Rules</b></p> <p>In situations where the State Government declares an event an emergency Council may allow the disposal of residential material free of charge.</p> <p>If the event has limited impact in terms of how widespread it is but has a severe impact (eg house fire) Council will allow free disposal if the Manager Waste &amp; Compliance has been engaged by an external agency (ie Police, SES, CFA) and recommends it.</p> <p>All other situations would require the applicant to request subsidised disposal in writing as an exceptional circumstance. This should include the type of event, impact, location, the type, and estimated volume of material to be disposed of and the duration of time estimated to dispose of the material.</p>
<p>21. <b>Council does not provide a hard waste collection</b></p>	<p>A hard waste collection is not available in the Murray River Council due to various reasons including cost, OH&amp;S and management issues</p>	<p>Council does not provide an annual hard waste collection as it presents the following issues</p> <ul style="list-style-type: none"> <li>• OHS – Lifting awkward heavy items presents risk associated with strains, sprains, cuts, and abrasions.</li> <li>• Cost – contractors will charge significantly to compensate for the risk posed, logistical difficulties and disposal costs.</li> </ul>





Issue	Description	Comments
		<ul style="list-style-type: none"> <li>• Hazardous waste – there is no control over what is left out for pick up. If hazardous materials such as asbestos or chemicals are left out how should these be managed? Should they be left behind or removed? Leaving them behind means they are still in the environment where they can have environmental or human health impacts. Removing them will encourage more of it to occur and add significantly to the cost.</li> <li>• No encouragement to recycle/recover – materials are piled on the kerb, no separation of recoverable materials is required, therefore recoverable materials are not captured. Some services do recover the steel.</li> <li>• Management issues – what happens if someone leaves material out or puts it out at the wrong time? Does Council send Compliance around to make them clean it up?</li> <li>• Other people can use it – there is nothing stopping someone from outside the collection area covertly dropping material on someone else’s nature strip.</li> <li>• It’s impossible to police the theft of materials from the kerb by other residences with many of these items posing a risk to the ‘new owner’. There is also a risk to safety when rummaging through the material. Who is liable for faulty electrical equipment, chemical exposure, strains, sprains, lacerations etc?</li> <li>• Hard waste collections can encourage kerbside dumping (residents leave all sorts of waste on the kerb) at times when a hard waste collection service has not been allocated or booked. Council would then be required to collect and dispose of this waste or enforce removal sending mixed messages to residents.</li> <li>• Illegal dumping is not reduced as this problem is not caused by a lack of transport options.</li> <li>• A reduction in items donated to ‘Resale Shops’ and charities is likely.</li> <li>• Revenue taken at resource recovery centres will reduce.</li> </ul>



Issue	Description	Comments
		<ul style="list-style-type: none"> <li>• A reduction in business and revenue for businesses involved in waste collection and home maintenance such as home handy men, lawn mowing contractors, waste, and skip bin contractors.</li> <li>• Has a perverse outcome of educating the public that there is no cost for waste disposal and then a charge is attempted to be levied at the transfer station for the same item that was free for collection from the nature strip the day before. This could increase the incidence of dumping.</li> <li>• Aesthetics, litter, vermin.</li> </ul>
<p>22. <b>Community groups disposing of litter and dumped rubbish collected on public land</b></p>	<p>Community groups performing volunteer clean-up activities on public land seek access to resource recovery centres for disposal of collected material (litter and/or dumped rubbish).</p>	<p><b>General</b></p> <p>Various community groups perform clean-up activities on public land across the Council area in a voluntary capacity. The material (litter and dumped rubbish) they collect must be disposed of and it is not reasonable to expect the group to pay for the disposal. They are performing a community service that should be encouraged.</p> <p><b>Rules</b></p> <p>Community group seeking access to waste disposal must be an organised group eg Landcare, incorporated body, friends of group (at Council’s discretion).</p> <p>Litter and dumped rubbish must be collected on public land, that is Council owned or managed land or state government land.</p>



**9.4.2 ADOPTION OF PESTICIDE NOTIFICATION PLAN**

**File Number:** -

**Author:** Matthew Sherman, Project Manager Meninya Street Precinct Project

**Authoriser:** Rod Croft, Director Planning & Environment

**RECOMMENDATION**

That Council adopts and implements the 2023 Draft Pesticide Use Notification Plan into operation for a period of 3 years.

**BACKGROUND**

Murray River Council recently renewed its Pesticide Use Notification Plan and undertook 28-day public consultation to obtain feedback from the community prior to its implementation.

**DISCUSSION**

The Draft Pesticide Use Notification Plan that was publicly displayed for a period of 28-days and did not receive any feedback or objections during the consultation period. It is therefore recommended that Council adopt and implement the Pesticide Use Notification Plan into Operation. The Pesticide Use Notification Plan will be valid for a period of 3 years or until approximately September 2026.

**STRATEGIC IMPLICATIONS**

3. Strategic Theme 3: A place of Liveable Communities

3.16 - Update and review our open spaces to reflect community wants and needs - Weed Management

**BUDGETARY IMPLICATIONS**

Not Applicable.

**POLICY IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS****RISK ANALYSIS**

- **What can happen?**

Council is required to have a valid Pesticide Use Notification Plan as per the Pesticide Regulation 2017. Failure to have a current plan would result in non-compliance with the regulation.

- **How can it happen?**

Failure to adopt and implement the proposed plan.

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

Non-compliance

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

Low.

- **Adequacy of existing controls?**

Adequate

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

Approve officers recommendation to adopt and implement 2023 Pesticide Use Notification Plan.

### **CONCLUSION**

Murray River Council has undertaken the necessary investigation and consultation to adopt the plan and therefore it is the officer's recommendation to Council that they adopt the Pesticide Use Notification Pan for a period of 3 years.

### **ATTACHMENTS**

1. **Draft - Pesticide Use Notification Plan** [!\[\]\(5950fde355bafc747b20583b30242b59\_img.jpg\)](#) [!\[\]\(2ba4b990a9f2ed1d09a614c2477547e9\_img.jpg\)](#)

# Pesticide Use Notification Plan

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Adopted: July 2023





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### Office Locations

#### **Barham Office**

15 Murray Street, Barham  
Open: 9am-4pm Monday-Friday

#### **Mathoura Visitor and Business Centre**

Cobb Highway, Mathoura  
Open: 9am-4pm Monday-Friday

#### **Moama Office**

52 Perricoota Rd, Moama  
Open: 9am-4pm Monday-Friday

#### **Moulamein Business Centre**

Morago St, Moulamein  
Open: 9.30am-1pm Monday-Friday



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**AREA OF OPERATION**

Local Control Authority Area of Murray River Council.

**PLAN PERIOD**

Start Date:                   Upon adoption.  
 Completion Date:         3 years after adoption.





## 1. Introduction

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017.

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by Murray River Council. The plan allows members of the community to take action to avoid contact with pesticides if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community & the environment.

The plan sets out how council will notify members of the community of pesticide applications made by council to public places.

The plan describes:

- what public places are covered by the plan.
- who regularly uses these public places and an estimate of the level of use.
- how and when council will provide the community with information about its Pesticide applications in public places (i.e. what notification arrangements will be used).
- how the community can access this plan and get more information about council's notification arrangements.
- how future reviews of the plan will be conducted.
- contact details for anyone wishing to discuss this plan with council.

This plan forms a component of the council's integrated pest management policy. This policy states that the council only uses pesticides in public places when necessary to eliminate Priority weeds, to protect public property from pest damage, and to protect users of public places from nuisance or danger.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Frequency of programmed applications range from 1-4 times per year for aquatic weeds, 6-8 times per year for sports fields, 4-6 times per year for parks and gardens, and 1-6 for public thoroughfares. Bait insecticides are used for termite and ant control to protect structures and public safety, wherever this is considered an effective solution. Other pesticides used include fungicides, rodenticides, and large vertebrate baits. Further information on the council's pesticide use can be obtained by calling the Biosecurity Coordinator on 1300 087 004 or by visiting the website [www.murrayriver.nsw.gov.au](http://www.murrayriver.nsw.gov.au)

## 2. Public places covered by this plan

Murray River Council proposes to use or allow the use of herbicides in the following categories of outdoor public places within this council's local government areas:

- Public parks & playgrounds & picnic areas
- Sporting fields, ovals & related sporting facilities
- Cemeteries
- Reserves (Council managed)
- Councils laneways and pathways
- Road verges and reserves
- Easements accessible to the public
- Council drains
- Swimming pools
- Interior of Council's public buildings
- Any Crown Land in trust to council
- Waste management centres
- Recreational Reserves
- Council Waterways
- Sewer treatment plants and pump stations.

Murray River Council's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table.

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
<b>Public Parks and Gardens</b>	<ul style="list-style-type: none"> <li>• Children and young families</li> <li>• Elderly people</li> <li>• General recreational users (eg. joggers, dog walkers, bush walkers, cyclists, picnickers)</li> <li>• Visitors to area</li> </ul>	Very High (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Broadscale insecticides</li> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Fungicide (usually garden beds)</li> <li>• Spray termiticides, ant control</li> <li>• Bait termiticides, ant control</li> </ul>

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
<b>Picnic Areas</b>	<ul style="list-style-type: none"> <li>Families</li> <li>Other social groups (eg. ethnic, religious groups)</li> <li>Visitors to area</li> </ul>	High (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Spot insecticides</li> <li>Broadscale selective herbicides</li> <li>Bait rodenticides</li> <li>Fungicide (usually garden beds)</li> <li>Spray termiticides</li> <li>Spray ant control</li> <li>Bait termiticides</li> <li>Bait ant control</li> </ul>
<b>Playgrounds</b>	<ul style="list-style-type: none"> <li>Children groups</li> <li>Young families</li> <li>Visitors to area</li> </ul>	High	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Spot insecticides</li> <li>Spray ant control</li> <li>Bait ant control</li> </ul>
<b>Sporting Fields, Ovals and Related Sporting Facilities</b>	<ul style="list-style-type: none"> <li>Sporting clubs and associations</li> <li>School sports groups</li> <li>General recreational users groups (eg. joggers, dog walkers)</li> </ul>	High	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Spot insecticides</li> <li>Broadscale selective herbicides</li> <li>Broadscale non-selective herbicides</li> <li>Broadscale insecticides</li> <li>Spray of bait termiticides on facilities</li> <li>Rodenticides near facilities</li> </ul>
<b>Cemeteries</b>	<ul style="list-style-type: none"> <li>Families</li> <li>Funeral attendees</li> </ul>	Low to High subject to funeral occurrence	<ul style="list-style-type: none"> <li>Broadscale selective herbicides</li> <li>Broadscale non-selective herbicides</li> <li>Spot herbicides</li> <li>Spot insecticides</li> <li>Fungicide (usually garden beds)</li> <li>Spray ant control</li> <li>Bait ant control</li> <li>Large to medium vertebrate baiting</li> </ul>

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
<b>Rural Reserves</b>	<ul style="list-style-type: none"> <li>• Sporting clubs and associations</li> <li>• General residents</li> <li>• Young families</li> <li>• Campers</li> <li>• Cyclists</li> <li>• Visitors to area</li> <li>• Anglers</li> </ul>	High subject to seasonal variation	<ul style="list-style-type: none"> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Bait and spray insecticide ant control</li> <li>• Large to medium vertebrate baiting</li> </ul>
<b>Urban Reserves</b>	<ul style="list-style-type: none"> <li>• Local residents and visitors to the area</li> <li>• Campers/cyclists</li> <li>• Joggers/dog walkers</li> <li>• Anglers</li> </ul>	Low to Medium subject to seasonal variation	<ul style="list-style-type: none"> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Bait and spray insecticide ant control</li> <li>• Large to medium vertebrate baiting</li> </ul>
<b>Council Laneways and Pathways</b>	<ul style="list-style-type: none"> <li>• Local residents</li> <li>• People who work in the area</li> <li>• Visitors to the area</li> </ul>	Medium to High	<ul style="list-style-type: none"> <li>• Broadscale non-selective herbicides</li> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Bait ant control</li> </ul>
<b>Rural Road Shoulders, Verges and Road Reserves</b>	<ul style="list-style-type: none"> <li>• Rural land holders</li> <li>• General public/motorists</li> <li>• Stock managers</li> <li>• State Government contractors</li> </ul>	Low	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Woody weed stem injection</li> <li>• Broadscale non-selective herbicides</li> <li>• Broadscale selective herbicides</li> </ul>
<b>Urban Roads, Streets and Roadside Furniture (eg culverts, curb &amp; channelling,</b>	<ul style="list-style-type: none"> <li>• Local residents or visitors walking or driving on the road</li> <li>• General</li> </ul>	Medium to High for urban areas	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Spray and bait ant control</li> <li>• Spray and bait termiticides</li> </ul>

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
footpath and trees)	recreational users (joggers, dog walkers)		<ul style="list-style-type: none"> <li>Spot insecticides</li> <li>Broadscale non-selective herbicides</li> <li>Broadscale selective herbicides</li> </ul>
<b>Easements Accessible to the Public</b>	<ul style="list-style-type: none"> <li>Local residents and people who work in the area</li> </ul>	Low to Medium	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broadscale non-selective herbicides</li> <li>Spot insecticides</li> <li>Spray and bait termiticides</li> <li>Bait ant control</li> </ul>
<b>Council Drains</b>	<ul style="list-style-type: none"> <li>Local residents living adjacent to a drain;</li> <li>Local residents or visitors who walk or drive past a drain</li> </ul>	Low to Medium	<ul style="list-style-type: none"> <li>Broadscale non-selective herbicides</li> <li>Spot herbicides</li> </ul>
<b>Swimming Pool Buildings and Grounds</b>	<ul style="list-style-type: none"> <li>Local residents and visitors to area</li> <li>Sporting clubs and associations</li> <li>School sports groups</li> </ul>	High depending on seasonal variation	<ul style="list-style-type: none"> <li>Spot herbicides</li> <li>Broadscale non-selective herbicides</li> <li>Broadscale selective herbicides</li> <li>Broadscale non-selective herbicides</li> <li>Broadscale insecticides</li> <li>Spot insecticides</li> <li>Spray and bait termiticides</li> <li>Bait ant control</li> </ul>
<b>Interiors of Public Buildings</b>	<ul style="list-style-type: none"> <li>Young children and their carers (childcare facilities)</li> <li>Parents groups/playgroup</li> <li>Community associations</li> </ul>	High	<ul style="list-style-type: none"> <li>Bait rodenticides</li> <li>Spray termiticides</li> <li>Spray ant control</li> <li>Bait termiticides</li> <li>Bait ant control</li> <li>Spot insecticides</li> </ul>

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
	<ul style="list-style-type: none"> <li>• Church groups</li> <li>• General members of the public</li> <li>• Public health staff</li> </ul>		
<b>Crown Land in Trust to Council</b>	<ul style="list-style-type: none"> <li>• Campers</li> <li>• Bushwalkers</li> <li>• Recreation users e.g. fishing, bike riding, swimming</li> </ul>	Low to High depending on seasonal variation	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Bait and spray ant control</li> </ul>
<b>Landfill and Transfer Stations</b>	<ul style="list-style-type: none"> <li>• Contractors</li> <li>• General public</li> </ul>	High	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Broadscale insecticides</li> <li>• Spray and bait termiticides on facilities</li> <li>• Rodenticides near facilities</li> <li>• Bait ant control</li> <li>• Large to medium vertebrate baiting</li> </ul>
<b>Recreational Reserves</b>	<ul style="list-style-type: none"> <li>• As per sporting fields</li> <li>• Passive recreational user groups</li> </ul>	High	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Broadscale insecticides</li> <li>• Spray and bait termiticides on facilities</li> </ul>

Public Place	Regular User Groups	Level of Use of Public Place	Type of Pesticide Used
			<ul style="list-style-type: none"> <li>• Rodenticides near facilities</li> <li>• Bait ant control</li> <li>• Fungicide (usually garden beds)</li> <li>• Large to medium vertebrate baiting</li> </ul>
<b>Council Waterways</b>	<ul style="list-style-type: none"> <li>• Bushwalkers</li> <li>• Recreational users (eg bushwalkers, fishing, bike riding, swimming etc)</li> </ul>	Low to High depending on seasonal variation	<ul style="list-style-type: none"> <li>• Spot herbicides</li> </ul>
<b>Sewerage Treatment Works and Pump Stations</b>	<ul style="list-style-type: none"> <li>• Contractors</li> </ul>	Low	<ul style="list-style-type: none"> <li>• Spot herbicides</li> <li>• Spot insecticides</li> <li>• Broadscale selective herbicides</li> <li>• Broadscale non-selective herbicides</li> <li>• Broadscale insecticides</li> <li>• Spray and bait termiticides on facilities</li> <li>• Rodenticides near facilities</li> <li>• Bait ant control</li> <li>• Large to medium vertebrate baiting</li> </ul>

### 3. Notification arrangements

This section of the plan describes how and when Council will provide notice of pesticide use in public places. These notification arrangements are based on Council’s assessment of:

- the level of usage of public places where herbicides may be used.
- the extent to which members of the public who are most likely to be sensitive to herbicides (e.g. young children, sick, pregnant and elderly people) and are likely to use these areas regularly



- the extent to which activities generally undertaken in these areas could lead to some direct contact with herbicides (such as picnic areas where food is consumed; sporting or other recreational activities that result in contact with the ground)
- the type of herbicides used.

**Notice of herbicide use will be provided by one of, or a combination of the following:**

- council's website [www.murrayriver.nsw.gov.au](http://www.murrayriver.nsw.gov.au)
- Signs
- Signs on vehicles
- Social media
- information on Council's website (which will describe programmed, reactive and emergency herbicide use in public places)
- newspaper advertisements distributed in the area
- letter box drop

Council will also allow persons and organisations to nominate to have their details placed on a register which would allow them to be notified of certain types of herbicides uses in particular places, as described in this section of the plan. Please see appendix D attached.

**Instances where Council will not give notice of herbicides application:**

Council uses some herbicides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). Council does not intend to provide notice for such herbicide applications other than by way of this description in this plan (or general information on Council's website). This will apply to minor control of spot weed/vegetation control using a wand or backpack/hand-held spray bottle and, volume sprayer and indoor insect pests using baits or aerosol spray cans.

**Notice will not be given of the following herbicides uses**

- minor spot spraying of isolated priority weeds on Council controlled land with herbicides
- where herbicide is below a Schedule 6 for spot spraying only.
- emergency control work – signage only will be provided.

### 3.1. Outdoor Recreation Areas

The notification arrangements described below will apply to the following public place categories controlled by Council within the local government area (LGA):

- Public Parks and Gardens
- Playgrounds
- Picnic Areas
- Sporting Fields, Ovals and Related Sporting Facilities



- Cemeteries
- Waterways
- Rural and Urban Reserves
- Recreational Reserve

In these public places, signs will be provided to the general community near the application area or main entrance at the time of application and remain as long as described on the herbicide label, or any other legislative requirement for the following pesticide uses:

- broadscale selective herbicides
- broadscale non-selective herbicides
- broadscale insecticides
- fungicides
- spray termiticides and ant control
- bait termiticides (where part of an ongoing program, first use pesticide only)
- bait rodenticide (where part of an ongoing program, first use pesticide only)

Where any of the above pesticide uses occur adjacent to sensitive places (see definition of 'sensitive places', section 3.5) the occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).

For playgrounds and picnic areas only, prior notice will be extended to seven days by placing signs for all the above pesticide uses. For these areas only, signs will also be placed for at least 48 hours after spot herbicide or insecticide use or placement of ant control baits.

For sporting fields, ovals and related sporting facilities, sporting groups and occupiers of adjacent sensitive places who register interest with council can also have notice of the above pesticide uses faxed or emailed at least 48 hours prior to application.

Information will be available to the general community on the council's website about the forward program for the above applications (updated every three months), and on the following pesticide uses in outdoor recreation areas:

- spot herbicides
- spot insecticides
- bait ant control.

### 3.2 Outdoor Public Thoroughfares and Certain Easements Accessible to the Public

The notification arrangements described below will apply to the following categories of public places controlled by Murray River Council

- Laneways, Pathways and Roadside Furniture
- Road Shoulders, Verges and Road Reserves
- Easements accessible to the public
- Drains

In these public places, information on the forward program for broadscale herbicide will be posted on council's website every three months.

Information on the programmed and reactive spot use of herbicides will also be posted on council's website every three months. Where programmed spot herbicide applications occur on outdoor public thoroughfares and the above easements, adjacent to sensitive places, and/or for parties who register interest with council, prior notice by mail or letterbox drop will be provided at least five days beforehand.

Notice will not be given where occupiers of properties adjacent to council public places use pesticides on parts of these public places near their properties.

### 3.3 Certain Council Buildings

For pesticide use in Council Chambers, Council owned Health Care Buildings, Swimming Pools, Community Halls and Centres and Childcare Facilities that are owned or controlled by Council, signs will be provided near the application area or main entrance at least 48 hours prior to application and remain for at least 48 hours afterwards for the following pesticide uses.

- spot use of insecticides
- bait rodenticides
- spray termiticides
- spray ant control

Information for the general community will be posted on Council's website every three (3) months on the following pesticide uses in the above Council buildings:

- bait termiticides
- bait ant control

In addition, five (5) days prior notice of all programmed pesticide use in Council Childcare Facilities will be given to operators of the facilities, where practicable the programmed use of pesticides in Council buildings will be carried out when the building is unoccupied.

### 3.4 Other Council Facilities

The notification arrangements described below will apply for the following categories of public place owned and/or managed by Council:

- Landfill and Transfer Stations
- Crown Reserves managed by or in trust to Council (that do not contain facilities that fall under other categories)
- Sewerage Treatment Works (pond areas)

In these places, information on the forward program for broad scale herbicide will be posted on Council's website every three (3) months.

Prior notice will also be provided by placing signs at the main entrance to these facilities 24 hours in advance of the application and for at least 24 hours after the herbicide or pesticide use.

### 3.5 Special Measures for Sensitive Places

Clause 39 of the Regulation defines a sensitive place to be any:

- school or pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home
- place declared to be a sensitive place by the NSW Environment Protection Authority (EPA).

Special notification measures for programmed pesticide use in outdoor public places adjacent to sensitive places for each category of public place have already been noted.

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, council will provide concurrent notice shortly before use to the occupier by phone, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, council will organise a door-knock in that sensitive place, preferably at least 30 minutes before, so people are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

### 3.6 Emergency Pesticide Applications

An emergency pesticide application in a public place may be required to deal with biting or dangerous pests (such as rodents, wasps, bees, venomous spiders, fleas, bird mites or similar creatures). In these situations the council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, the council will provide information by contracting council on 1300 087 004, or members of the public can ask for information from the person applying the pesticide.

### 3.7 Pesticide Contractors and Lessees of Public Places

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this Plan.

Where persons or organisations hold an existing lease on Council land that remains a public place and if they use pesticides in this area, Council will still require notification in accordance with the requirements of this Plan. The lessee must notify Council three (3) months prior to the application of the pesticide to all the required notifications. Current lease agreements with Council are held by:

- Picnic Point Caravan Park.

- Riverside Caravan Park.
- Liston Caravan Park.
- Barham Caravan Park.

#### 4. What information will be provided

In accordance with division 2 clause 41(1) (h) of the NSW Pesticides Regulation 2017, notices of pesticide use must include all the following information:

- the full product name of the pesticide to be used
- the purpose of the use, clearly setting out what pest or pests are being treated
- the proposed date/s or date range of the pesticide use
- the place where the pesticide is to be used
- contact telephone number and email address of the Council officer who people can contact to discuss the notice
- any warnings regarding re-entry to or use of the place of application specified on the product label or an Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.

Signs will be of a standardised design that will be easily recognisable to the public and workers.

As already noted, Council's website will have a dedicated area that describes its programmed, reactive and, if practicable, emergency herbicide uses in public places with a link to this notification plan. The relevant website address will be publicised in rate notices and by regular inclusion in Council's regular quarterly newsletter.

#### 5. How the community will be informed of this plan

Council will advise residents of the contents of this plan and its contents by:

- making a copy of the plan available for public viewing free of charge at Council's offices:
  - Barham Office, 15 Murray Street, Barham, 9am-4pm Monday-Friday
  - Mathoura Visitor and Business Centre, Cobb Highway, Mathoura, 9am-4pm Monday-Friday
  - Moama Office, 52 Perricoota Rd, Moama, 9am-4pm Monday-Friday
  - Moulamein Business Centre, Morago St, Moulamein, 9.30am-1pm Monday-Friday
- placing a copy of the plan on the Council website at [www.murrayriver.nsw.gov.au](http://www.murrayriver.nsw.gov.au)
- placing notices in local newspapers distributed in the area.
- Social media.

## 6. Future reviews of the plan

The notification plan will be reviewed every 3 years. The review will include:

- a report on progress of implementing the plan.
- placing the plan on public exhibition, with any proposed changes and calling for public submissions
- in the light of public submissions, making recommendations for alterations (if applicable) to the plan.

## 7. Contact details

Anyone wishing to contact Council to discuss the notification plan or to obtain details of specific details of pesticide applications in public places should contact:

Biosecurity Coordinator  
PO Box 906, Moama NSW 2731

Phone 1300 087 004

Email: [admin@murrayriver.nsw.gov.au](mailto:admin@murrayriver.nsw.gov.au)

## APPENDICES

- A. Sample for pesticide notification.
- B. Notice of Intention
- C. Commonly Used Chemicals
- D. Application for Registration of Herbicide-Sensitive Individual / Or Area
- E. Map of Murray River Council LGA

## Appendix A

### Sample pesticide notification notice



Product: Grazon Extra

The purpose of the use: Treating Blackberry infestation.

Proposed dates of use: 1<sup>st</sup> to 9<sup>th</sup> December 2023.

The place of use: Horseshoe Lagoon, Moama.

Contact Details:

Biosecurity Coordinator  
PO Box 906, Moama NSW 2731  
Phone 1300 087 004  
Email: [admin@murrayriver.nsw.gov.au](mailto:admin@murrayriver.nsw.gov.au)  
Website: [www.murrayriver.nsw.gov.au](http://www.murrayriver.nsw.gov.au)

Warnings about limitations on the subsequent use of or entry onto the land specified on the approved label or pesticide permit: Nil

Appendix B

Notice of Intended Herbicide Application



Notice to residents of: \_\_\_\_\_

Date or dates of herbicide use:\* \_\_\_\_\_

(\*A range of dates may be used to cover short-term postponements.)

Full name of herbicide(s) & concentration: \_\_\_\_\_

The weeds/vegetation to be treated are: \_\_\_\_\_

Where the herbicide(s) will be applied: \_\_\_\_\_

Withholding period restrictions (if any): \_\_\_\_\_

Herbicide application method: \_\_\_\_\_

Name of Operator(s): \_\_\_\_\_

Date of this notice: \_\_\_\_\_

Anyone wishing to contact Council to discuss the notice or to obtain details of specific details of pesticide applications in public places should contact:

Biosecurity Coordinator  
PO Box 906, Moama NSW 2731  
Phone 1300 087 004  
Email: admin@murrayriver.nsw.gov.au  
Website: www.murrayriver.nsw.gov.au



## Appendix C

### Commonly Used Chemicals

CHEMICAL	CLASS	SCHEDULE	MINOR USE NOTIFICATION REQUIRED
BASTA	Herbicide	5	NO
CRUCIAL	Herbicide	5	NO
COLUMBUS	Insecticide	5	NO
ENVIRODYE	Herbicide	5	NO
ESPLANADE	Herbicide	5	NO
GRAZON EXTRA	Herbicide	5	NO
GRAZON DS	Herbicide	5	NO
HAMMER	Herbicide	5	NO
KAMBA M	Herbicide	5	NO
LONTREL ADVANCED	Herbicide	5	NO
METSULFURON 600	Herbicide	5	NO
OUT OF BOUNDS	Insecticide	6	NO
ROUNDUP BIACTIVE	Herbicide	5	NO
SELECT XTRA	Herbicide	5	NO
SPREADWET 1000	Adjuvant	5	NO
STARANE ADVANCED	Herbicide	5	NO
UPTAKE OIL	Adjuvant	5	NO
VIGILANT 2 GEL	Herbicide	5	NO
VORAXOR	Herbicide	5	NO
WEEDMASTER DUO	Herbicide	5	NO



Appendix D

Application for registration of herbicide-sensitive individual / or area.



To be registered with Murray River Council as an herbicide-sensitive Individual / or area, complete this application form. All the information in this application, is for Murray River Council information only.

I hereby request to be placed on the list of herbicide-sensitive individuals / or area.

PLEASE PRINT

NAME OF INDIVIDUAL / OR AREA:

RESIDENCE ADDRESS / LOCATION:

TOWN:

DAYTIME PHONE:

DECLARATION OF AUTHORISED PERSON(S)

DATE:

I request that the individual / area named above should be placed on the list of herbicide-sensitive individuals / areas for the following reason/s

REASON/S

Three horizontal lines for providing reasons.



### Appendix E

### Map of Murray River Council LGA



**9.4.3 BRIDGE ART PROJECT - CAR PARKING OPTIONS**

**File Number:** -

**Author:** Rod Croft, Director Planning & Environment

**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

1. That Council notes the Car Parking Demand Assessment Report (Attachment 1) for the Bridge Art Project and;
2. That Council chooses one (1) option below in relation to the car parking requirements for the Bridge Art Project:

Option 1 – That Council supports the current car park design due to the site constraints and projected patron use of the facility, which would allow car parking requirements to be met offsite utilising existing car park spaces for larger evening events (estimated at 45 car park spaces), additional to the 12 dedicated car park spaces onsite (including 1 accessible car park) for regular daily operation.

Option 2 – That Council does not support the current car parking design and requires the proponent to meet the car parking requirements for daily use (12 car parks including 1 accessible car park) and the addition of 45 car park spaces for larger evening events via a shared funding agreement with Council to formalise additional car parking at appropriate location within proximity of the site.

Option 3 – That Council does not support the car park design and directs the proponent to redesign the facility to meet carparking requirements as per the Murray Development Control Plan.

**BACKGROUND**

In early 2023, the Bridge Art Project (BAP) was awarded a grant of \$4.95 million via the NSW Regional Tourism Activation Grant Program for the design and construction of the Bridge Art Gallery at 74 Meninya Street, Moama.

Council has received the development application for the facility in August 2023, with the scale of the proposal triggering a regionally significant development status. The development assessment is being compiled and conducted independently of Murray River Council by Hay Shire Council's planning department, due to perceived conflicts arising in the past regarding this project.

Whilst it is recognised that the bridge art project forms part of the overall redevelopment of the Meninya Street Precinct, the Bridge Art Project itself is not a Council lead, ran or on-going development.

**DISCUSSION**

A detailed car parking demand assessment report has been prepared by TrafficWorks Pty Ltd that relates to the daily use of the Bridge Art Gallery and including estimated car parking for evening events. It is estimated that an evening event could attract approximately 100 patrons.

Under the Murray Development Control Plan (DCP) Section 4.6 of the instrument outlines relevant controls for commercial development within the Murray River Council area. As an "Art Gallery" is not a nominated use in the DCP, the car parking requirements align to the commercial development which equates to 1 car park space per 40m<sup>2</sup> Gross Floor Area. Given the size and scale of the

building, the site constraints, and the expected use of the facility, it is considered unrealistic to use this calculation to determine required car parks.

Trafficworks Pty Ltd completed a car parking occupancy survey of the available on-street parking within the vicinity of the subject site. The survey concluded that *“a minimum of 37 spaces available along Meninya street during the weekday operation times of the gallery and at least 249 spaces in the entire survey area”*.

Council understands that the proponent has considered a shared funding model to complete some reconfiguration of the existing car parking area along Boundary Road near, adjacent to the Lions Park area to facilitate some angled car parking and bus bay if the demand for the facility increases over time (attachment 2). It is noted that the landscaping works has now been completed by Transport NSW and therefore could mean that alterations to this area could impact on the defect period for this area. If this is the case, Council officers will work with the proponent to identify another site and confirm financial arrangements towards formalising car parking in this vicinity that largely benefit the Bridge Art Gallery (Only if Council chooses option 2 above).

Council understands that larger events held of the Bridge Art Gallery will occur in the evenings, and therefore it is believed that there will be minimal impacts to car parking issues associated businesses operating in close proximity to the facility, given the infrequent nature of an evening event occurring bi-monthly.

The regional panel is being briefed regarding this project on 10<sup>th</sup> October 2023 with will include the outcome of this Council report to provide advice to the panel on Councils stance in relation to car parking requirements.

### **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**

There is no allocated budget related to creating any additional car parking to support of the Bridge Art Gallery. If Council chooses to enter into a shared funding model to upgrade the boundary road parking area or another area, an allocation of funding to support the development will be required in subsequent budget years.

### **POLICY IMPLICATIONS**

Nil.

### **LEGISLATIVE IMPLICATIONS**

### **RISK ANALYSIS**

- **What can happen?**

Option 1 and 2 – low risk associated with either option, and both will facilitate progression of the project.

Option 3- Council requests the redesign of the facility to account for car parking requirements as per the Murray DCP, which will likely mean the project will not proceed.

- **How can it happen?**

Council chooses to support Option 3.

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

The proponent will be forced to redesign the facility, which will likely mean the facility will not proceed.

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

Council will consider and vote on one of the 3 options.

- **Adequacy of existing controls?**

Council has provided two alternative options that provides an avenue to meet carparking requirements and allow the project to progress.

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

Outline the options to council in this report, and consider options in the report that would see the project progress.

## CONCLUSION

The Bridge Art Project Gallery has attempted to include as much car parking on the site as practically possible within the constraints of the site. Council has three options that provide pathways for the project. The options relate to the level of car parking Council is willing to accept that will facilitate a council view on car parking requirements that will be considered by the regional panel as part of their deliberations and assessment for the development.

## ATTACHMENTS

1. **Attachement 1 - Car Parking Demand Assessment Report Trafficworks Pty Ltd.** [↓](#) 
2. **Attachement 2 - Bridge Art Prelim Car Park Design Boundary Road.** [↓](#) 



## Car Parking Demand Assessment Report

# 74 Meninya Street, Moama NSW

**Project Number** 220688

**Final Report** 25/07/2023

**Client** The Bridge Art Project



## Document control record

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### Document control

Report title	74 Meninya Street, Moama NSW
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Project number	220688
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Client	The Bridge Art Project
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Client contact	Lynne Gillard
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Revision	Date issued	Revision details / status	Prepared by	Authorised by
Draft	20/07/2023	Preliminary draft	Chris Blair	Kate Kennedy
Final	25/07/2023	Final	Chris Blair	Kate Kennedy

**220688** 74 Meninya Street, Moama NSW – Traffic Impact Assessment Report  
Final 25/07/2023



## Executive summary

The Bridge Art Project engaged Trafficworks to undertake a car parking demand assessment (CPDA) for the proposed development of an art gallery at **74 Meninya Street, Moama NSW**.

The table below summarises the site and the proposed development, and our conclusions and recommendations.

<b>Address</b>	74 Meninya Street, Moama NSW
<b>Zoning</b>	E2: Commercial Centre
<b>Proposed development</b>	Art Gallery
<b>Road network</b>	Meninya Street
<b>Car parking</b>	Typical Car Parking Demand of 11 spaces Evening Event Car Parking Demand of up to 45 spaces
<b>Conclusion</b>	<p>We conclude there are no traffic engineering reasons that would prevent the development from proceeding, subject to implementation of our recommendations.</p> <ul style="list-style-type: none"> <li>— <b>Recommendation 1:</b> That detailed design of the proposed access is completed to achieve compliance with the entering sight distance criteria in AS/NZS 2890.1</li> <li>— <b>Recommendation 2:</b> That lot boundary fence design achieves the sight distance to pedestrians required in AS/NZS 2890.1</li> </ul>

## Referenced documents

References used in the preparation of this report include the following:

- Murray Development Control Plan (2012)
- AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking
- AS/NZS 2890.2:2018 Parking Facilities Part 2: Off-street commercial facilities





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## 1 Introduction

The Bridge Art Project engaged Trafficworks to undertake a car parking demand assessment (CPDA) for the proposed development of an art gallery at **74 Meninya Street, Moama NSW**.

For the detail about:

- existing site conditions – see section 2
- description of the proposed development – see section 3
- car parking assessment of the proposed development – see section 4
- assessment of the access to the proposed development – see section 5
- our conclusions and recommendations – see section 6.



## 2 Existing conditions

### 2.1 Subject site

The site is:

- located at: 74 Meninya Street, Moama NSW (Lot 2 of DP1293868)
- currently used as a place of residence

The subject site currently has direct access to Meninya Street via a crossover in the southeast corner of the site.

It is our understanding that negotiations are currently underway towards creating an easement along the boundary of 72 and 74 Meninya Street.

Figure 1 and Figure 2 show the location of the site, which is generally surrounded by residential land uses.



Figure 1: Aerial photograph (Source: Nearmap)



Figure 2: Location plan (Source: SIXMaps)

Figure 3 shows the zoning for the site and surrounding area.

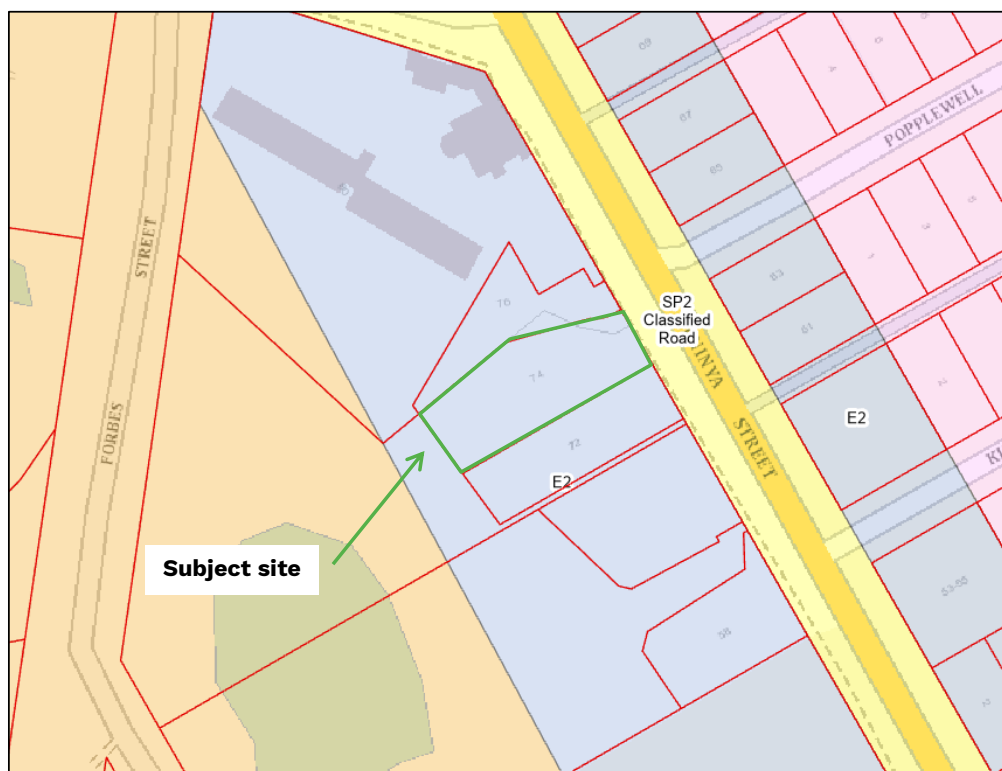


Figure 3: Zoning plan (reproduced from the NSW Planning Portal website)



## 2.2 Road network

### 2.2.1 Meninya Street

Table 1 describes the features of this road.

Table 1: Meninya Street features

Feature	Description
Road type	State Road
Access	Provides access between Cobb Highway in the northwest to Heygarth Street to the south.
Carriageway	20 m wide
Road cross section	<ul style="list-style-type: none"> <li>– Parallel parking is permitted on both sides of the road.</li> <li>– On-road bicycle lane on either side of the road</li> <li>– Footpaths on either side of the road</li> <li>– 4.0 m wide median that serves as a turning lane at intersections</li> </ul>
Speed limit	50 km/h
Public transport routes	Bus Route 938 Echuca Loop operates along Meninya Street with stops near the intersection of Boundary Road, Maiden Street and Blair Street.

## 2.3 Crash history

The Transport for NSW (TfNSW) Crash and casualty statistic portal, which details all injury crashes on roads throughout New South Wales, reports that 2 casualty crashes have occurred on the roads in the vicinity of the subject site in the last five-years of available data, i.e. 2017-2021:

- Minor injury crash entering parking on Meninya Street at Kinsey Street
- Minor injury left rear collision on Meninya Street at Popplewell Street

Given the collisions are minor and unrelated, we conclude that there is no trend that requires immediate investigation.

**Conclusion 1:** No crash trend requires immediate investigation.





## 2.4 Car parking

A car parking occupancy survey of the available on-street car parking within the vicinity of the subject site was undertaken on Thursday 8 June 2023 at 10am, 1pm and 4pm.

These times were selected as they represent the peak operating times of the proposed development.

The surveyed area is shown in Figure 4.



Figure 4: Car parking survey area

Summaries of the survey results at the peak time of 4pm are shown in Table 2, with detailed survey results shown in Appendix 1 – Car parking survey results.

Table 2: Car Parking Summary - 4pm Weekday Peak

Location	Capacity	Parked Cars	Available Spaces	Occupancy
Meninya Street	64 spaces	10 spaces	54 spaces	16%
Regent Street	28 spaces	5 spaces	23 spaces	18%
Popham Street	72 spaces	1 space	71 spaces	1%
Popplewell Street	69 spaces	8 spaces	61 spaces	12%



Location	Capacity	Parked Cars	Available Spaces	Occupancy
Kinsey Street	73 spaces	10 spaces	63 spaces	14%
<b>Total</b>	<b>306 spaces</b>	<b>34 spaces</b>	<b>272 spaces</b>	<b>11%</b>

Table 2 indicates there is a high level of car parking available in the peak car parking occupancy period.

**Conclusion 2:** There is a high level of publicly available on-street parking in the vicinity of the subject site.

## 2.5 Public transport

Table 3 describes the public transport that is available within the site's vicinity.

Table 3: Public transport within the site's vicinity

Public transport type	Description
Bus	Route 938 – Echuca Loop Service between Moama and Echuca

Stops are located along Meninya Street at Boundary Road, Maiden Street and Blair Street with the closest stop approximately 180 m from the subject site.



### 3 The proposal

The proposed development includes an art gallery precinct which includes:

- Art gallery and foyer
- Café
- Offices
- Community area
- Workshop area (for unpacking and packing of exhibits)
- Giftshop
- Amenities (kitchen, staff room, toilets)

In addition, an undercroft car parking area is proposed with capacity for 11 spaces.

Vehicular access to the proposed development will be via a new vehicular crossover to Meninya Street in the southeast corner of the property.

Figure 5 and Figure 6 provide extracts of the ground floor and undercroft development plans.

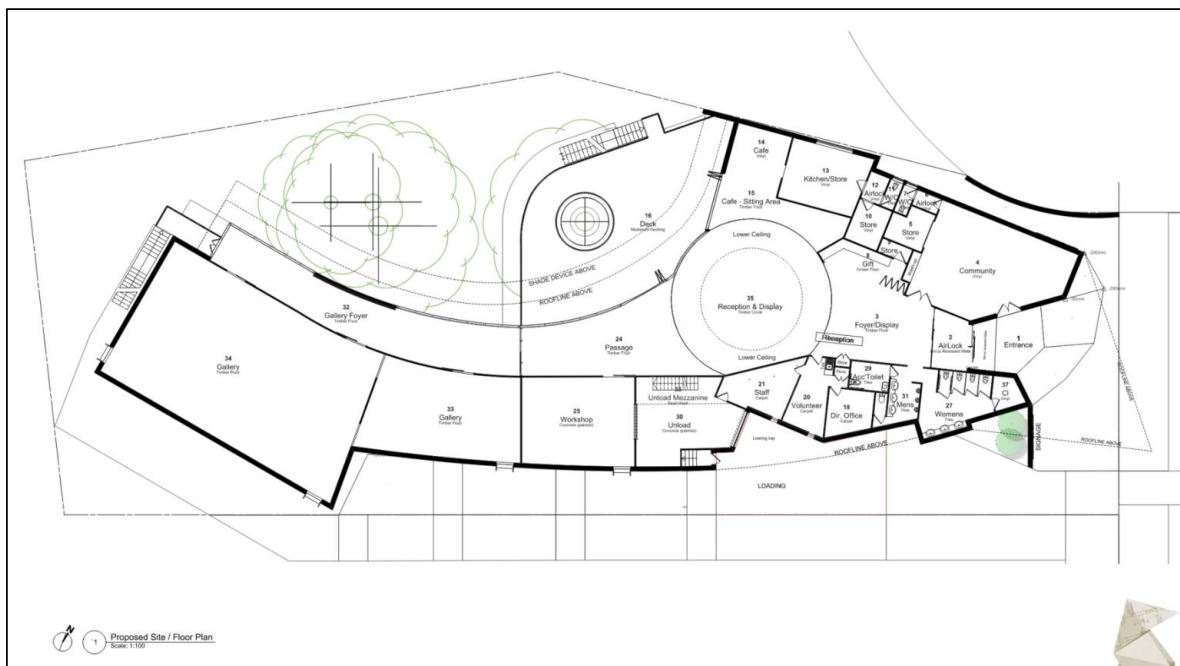


Figure 5: Development plan extract



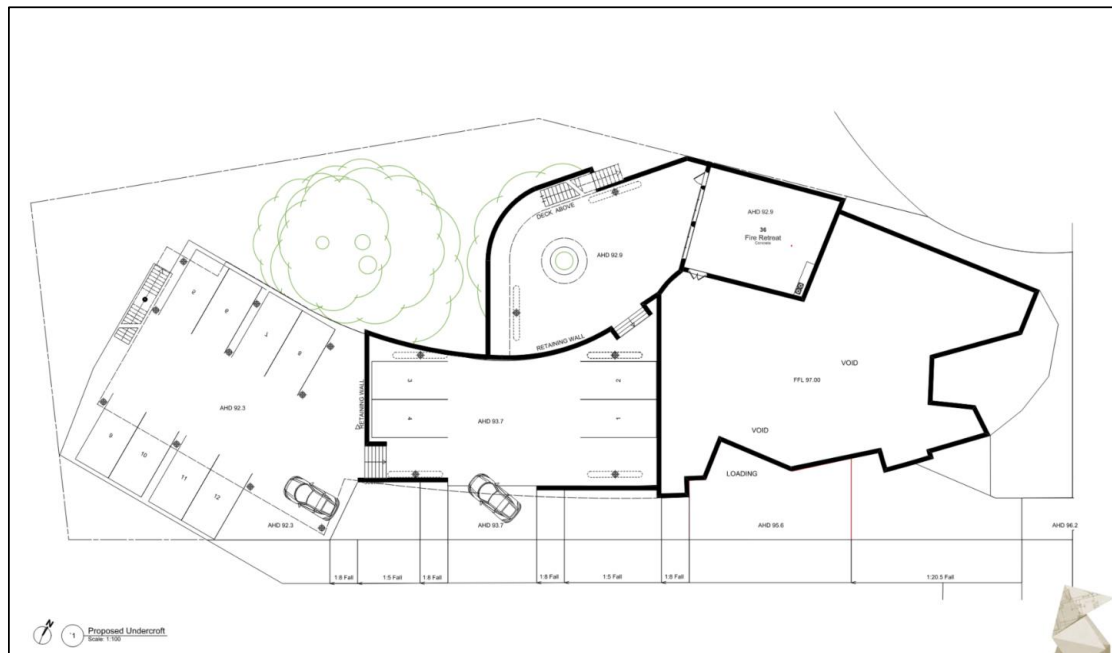


Figure 6: Development plan extract - undercroft parking

It is our understanding that the art gallery will be open the following hours:

- Weekdays: 10:00 am until 4:00 pm
- Weekends: 10:00 am until 3:00 pm

During regular hours it is anticipated that the art gallery will accommodate up to 15 patrons at a time with larger events occurring during the evening (approximately every 1-2 months) with up to 100 patrons at a time.



## 4 Car parking assessment of the proposed development

### 4.1 Car parking demand

Section 4.6 of the Murray Development Control Plan (DCP) outlines the relevant parking controls for commercial development within the Murray River Shire area.

Specifically, the DCP states that parking should be provided at a rate shown in Table 4.1 of the plan. Given that 'art gallery' is not a nominated use in the DCP, the estimated car parking demand for the proposed development has been based on a first principles assessment as follows.

#### 4.1.1 Staff parking

Discussions with the proposed operator have identified that up to 5 staff will be on site at any one time. Conservatively assuming all staff will arrive on their own it has been estimated this would result in a total staff parking demand of 5 spaces.

#### 4.1.2 Visitor parking

As outlined in Section 3, it is anticipated that there will a maximum of 15 patrons on site at any one time during regular hours with up to 100 patrons on site during the infrequent evening events.

The nature of the development would indicate that people are more likely to visit the site in groups. Adopting an average car occupancy of 2.5 people per car (which would be a rate of 0.4 cars per person) would result in an estimated visitor demand of:

- 6 spaces during regular operating hours
- up to 40 spaces during the larger evening events.



### 4.1.3 Car parking summary

A summary of the various car parking demands for the subject site during the peak period is provided in Table 4.

Table 4: Car parking demand assessment summary

Use	Rate	Measure	Requirement
Staff	1 space per staff member	5 staff members	5 staff spaces
Visitor – Regular use	0.4 spaces per visitor	15 patrons	6 visitor spaces
Visitor – Large events		100 patrons	40 visitor spaces
<b>Total</b>			<b>5 staff spaces</b> <b>6 visitor spaces daytime</b> <b>40 visitor spaces evening</b>

## 4.2 Adequacy of parking provision

The proposed development has an undercroft car park with capacity for 12 spaces. This would be sufficient to accommodate the entire staff parking demand. It is our understanding that an accessible space will also be provided on-street along the frontage of the subject site.

The remaining spaces associated with the visitors during both regular use and evening events will be accommodated in the existing on-street car parking resources in the vicinity of the subject site.

An assessment of the appropriateness of providing these spaces is provided below.

### 4.2.1 Regular art gallery operation

As identified in the car parking demand assessment, the estimated car parking demand for the visitor component during regular art gallery operation is 6 spaces.

The spot parking surveys undertaken in the on-street parking in the vicinity of the subject site found that there was a minimum of 37 spaces available along Meninya Street during the weekday operation times of the gallery with at least 249 spaces in the entire survey area.

On this basis, there is sufficient on-street parking in the vicinity of the subject site to accommodate the 6 visitor parking spaces associated with the regular operation of the proposed art gallery.



### 4.2.2 Infrequent evening events

As discussed above, the infrequent events are like to generate up to 40 visitor car parking spaces. During the weekday peak period there were at least 37 parking spaces available along Meninya Street with a further 249 spaces available within the nearby streets.

Given the larger events are likely to occur in the evenings it is anticipated that the car parking availability would be higher given the high number of commercial and retail tenancies that are located along Meninya Street (including a bakery, drive-through coffee shop and car wash). In addition, we understand that the client has provided an outline of how additional parking (including a bus bay) can be provided along Boundary Road to the north of the site should the need arise in the future. It is our understanding the client would consider shared funding of the spaces with Council based on proportional usage by the arts facility.

Based on the infrequent nature of the evening events, the high level of available car parking within the vicinity of the site as well as the potential for future off-street car parking along Boundary Road, the car parking arrangements for the evening events is considered appropriate.

**Conclusion 3:** The estimated visitor car parking demand will be accommodated in the nearby parking resources.

## 4.3 Adequacy of design

### 4.3.1 Car park design

The proposed under croft car park has been reviewed against the design requirements outlined in AS2890.1 and AS2890.2.

The parking spaces are provided with minimum dimensions that accord with the Australian Standards including space width and lengths, blind aisle extensions, access aisle widths and adjacent column locations.

**Conclusion 4:** The proposed car parking layout accords with the requirements of the Australian Standards.

### 4.3.2 Loading arrangements

It is our understanding that the loading arrangements for the proposed art gallery have been negotiated with Council to occur via reverse manoeuvres from Meninya Street. A designated loading bay has been provided approximately halfway down the ramp to the under croft where the vehicle can be unloaded directly into the building. It is our understanding that Meninya Street is in the process of being transferred from TfNSW to Council.

Swept path arrangements have been undertaken that demonstrate this movement.



### 4.3.3 Under croft ramp

The ramp to the under croft has been designed to accord with AS2890.1 and AS2890.2 to accommodate the loading area midway along the ramp.

The initial section of ramp from Meninya Street is provided with maximum grades and transitions that would permit an 8.8m loading vehicle to reverse off Meninya Street and down the ramp to the nominated loading area.

The subsequent sections have been designed with maximum grades and transition lengths to accommodate a typical passenger vehicle at both the middle and lower under croft car park areas.

The overall width of the ramp has been provided at a minimum of 3.0 m which facilitates one-way flow. The low number of parking spaces within the under croft car park would result in low traffic volumes and it is unlikely to result in opposing vehicles meeting along the ramp. In any event, a passing bay has been provided at the property boundary which permits vehicles to pass each other at the top of the ramp.

It is our understanding that negotiations are currently underway with the adjacent landowners at 72 Meninya Street on the creation of an easement between the two properties that would provide additional width for two-way movements along the proposed ramp.

### 4.3.4 Swept path assessments

Swept path analysis is attached at Appendix and includes the following key movements:

- Reverse loading movement from Meninya Street
- Access in and out at the proposed access to Meninya Street
- Swept paths for key movements within the under croft car parking area
- Passing movements at the site boundary



## 5 Access to the site

### 5.1 Site access – Access driveway SISD requirement

Section 3.2.4 in AS/NZS 2980.1 Parking Facilities – Part 1: Off-street car parking, sets out:

- entering sight distance (ESD) criteria for a driver exiting an access driveway to traffic on the frontage road
- sight distance to pedestrians.

Un-signalised access driveways shall be located so the intersection sight distance available to drivers leaving the driveway along the frontage road is at least that shown in Figure 3.2 of AS/NZS 2890.1 (reproduced in Figure 7).

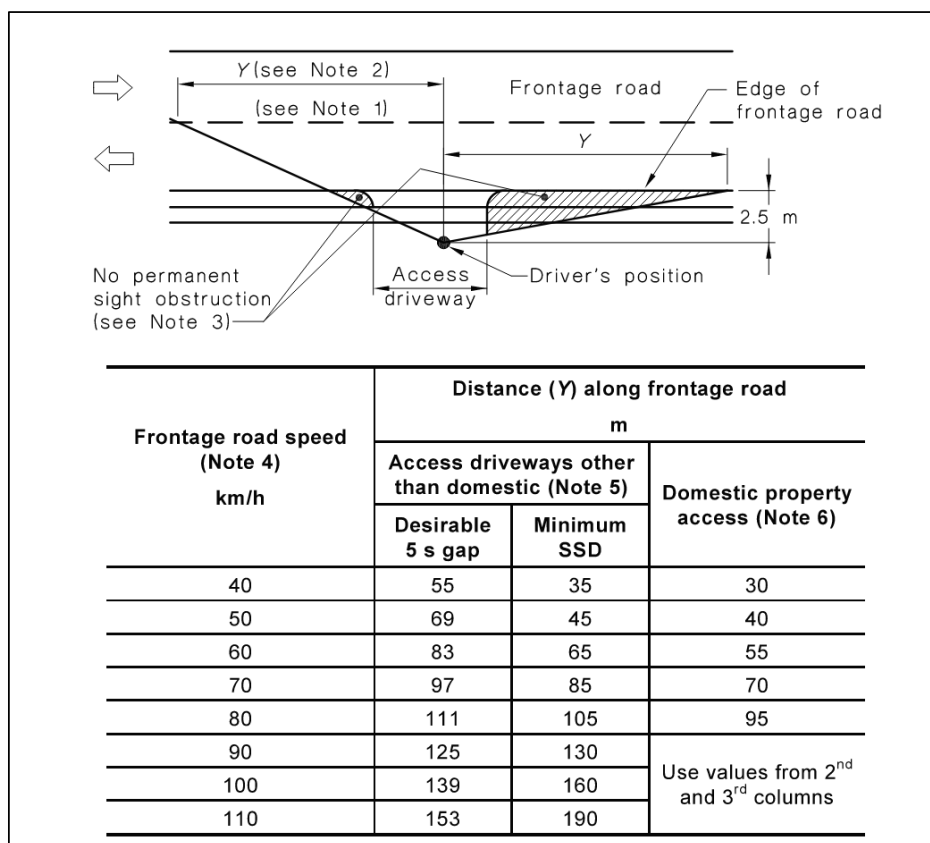


Figure 7: Sight distance requirements at driveways (Source: Figure 3.2 from AS/NZS 2890.1)

**Recommendation 1:** That detailed design of the proposed access is completed to achieve compliance with the entering sight distance criteria in AS/NZS 2890.1, namely 45 m along Meninya Street.



## 5.2 Sight distance to pedestrians

Clear sight lines as shown in Figure 3.3 of AS/NZS 2890.1 (reproduced in Figure 8) shall be provided at the property line so that adequate visibility is provided between vehicles leaving the property and pedestrians on the frontage road footpath.

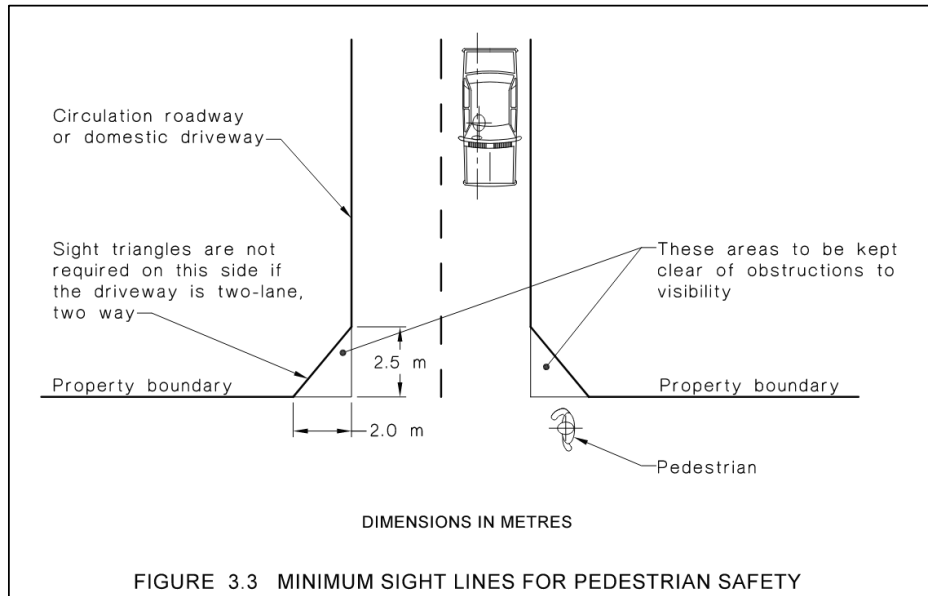


Figure 8: Minimum sight lines for pedestrian safety (Source: Figure 3.3 from AS/NZS 2890.1)

Lot boundary fences need to be designed so they taper down towards the street boundary. This provides the required sight lines between a departing driver and pedestrians on the frontage footpath.

**Recommendation 2:** That lot boundary fence design achieves the sight distance to pedestrians required in AS/NZS 2890.1.



## 6 Conclusions and recommendations

We conclude there are no traffic engineering reasons that would prevent the development from proceeding, as outlined below:

- No crash trend requires immediate investigation.
- There is a high level of publicly available on-street parking in the vicinity of the subject site.
- The estimated visitor car parking demand will be accommodated in the nearby parking resources.
- The proposed car parking layout accords with the requirements of the Australian Standards.

However, this TIA has identified a number of recommendations that need to be addressed:

- **Recommendation 1:** That detailed design of the proposed access is completed to achieve compliance with the entering sight distance criteria in AS/NZS 2890.1
- **Recommendation 2:** That lot boundary fence design achieves the sight distance to pedestrians required in AS/NZS 2890.1





## Appendix 1 – Car parking survey results

**220688** 74 Meninya Street, Moama NSW – Traffic Impact Assessment Report  
Final 25/07/2023



Survey Ref No:	6592
Job Name:	Moama NSW Parking Survey
Location:	74 Meninya St
Suburb:	Moama NSW
Map Reference:	
Comments:	

3 Trevethic Road  
 Springvale Vic 3171  
 T:03 9888 1119  
 F:03 9548 5848  
 E: seng@ntsurveys.com.au

Survey Date:	Thu, 08-Jun-23
Survey StartTime:	10am, 1pm and 4pm
Survey End Time:	7:00 PM
Survey Interval:	

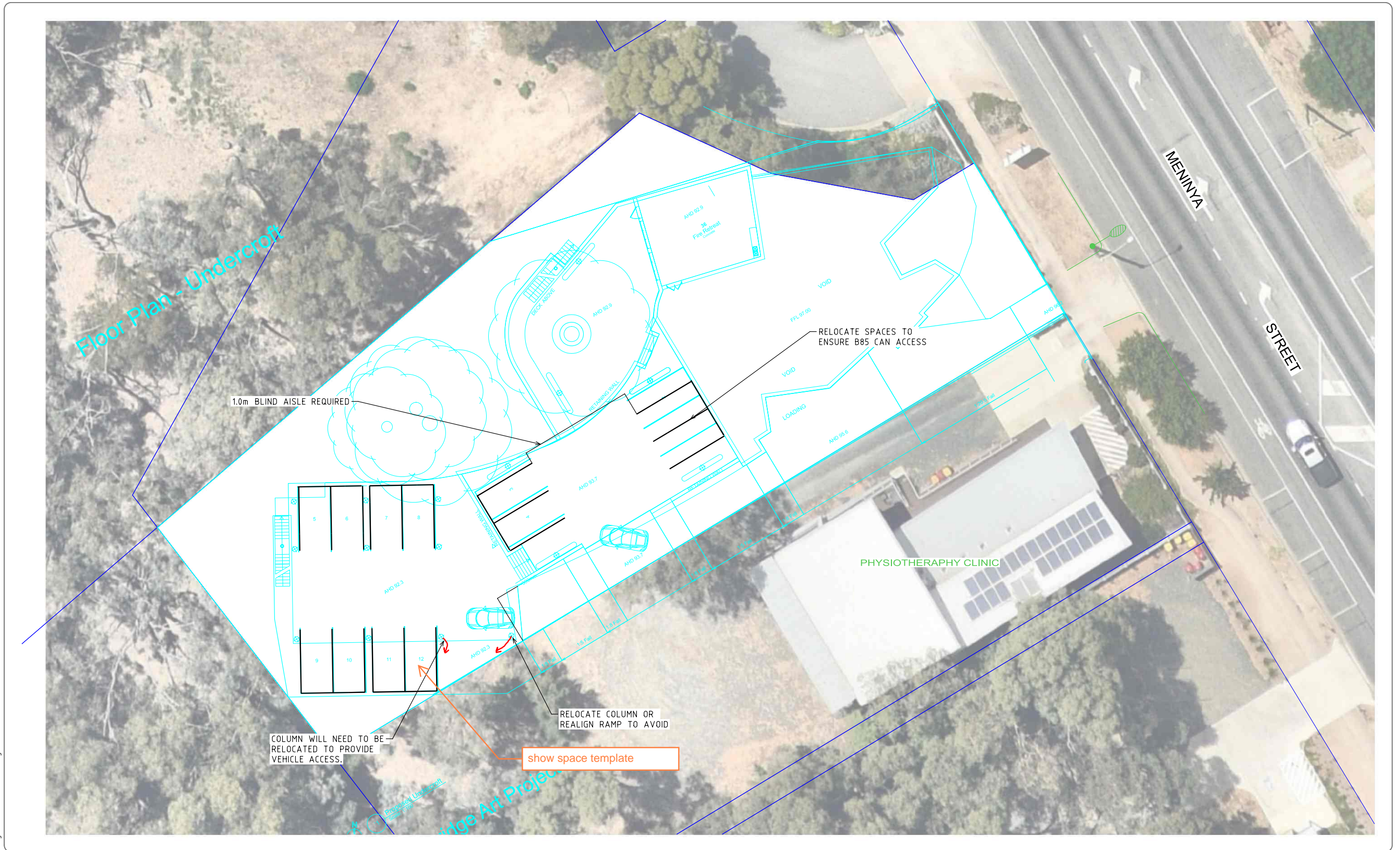
Area	Street	Section	Side	Type	Restrictions	Supply	Check	Parking Occupancy				
								10:00 AM	1:00 PM	4:00 PM	Avg	Max.
A1	Meninya Street	Cobb Hwy to Boundary Rd	West	Bus Zone		1	1	0	0	0	-	-
A2	Meninya Street	Boundary Rd to Meninya Palms Moama Hotel	West	2P	9am-5pm Mon-Fri	33	33	16	11	7	11	16
A3	Meninya Street	Cobb Hwy to Regent St	East	2P	9am-5pm Mon-Fri	2	2	0	0	0	-	-
A4	Meninya Street	Regent St to Popham St	East	2P	9am-5pm Mon-Fri	4	4	1	1	0	1	1
A5	Meninya Street	Popham St to Popplewell St	East	2P	9am-5pm Mon-Fri	3	3	0	0	1	0	1
A6	Meninya Street	Popplewell St to Kinsey St	East	Disabled Only		1	1	0	0	0	-	-
A6	Meninya Street	Popplewell St to Kinsey St	East	2P	9am-5pm Mon-Fri	12	12	8	7	2	6	8
A7	Meninya Street	Kinsey St to Porter St	East	2P	9am-5pm Mon-Fri	8	8	2	1	0	1	2
B1	Regent Street	Meninya St to Ash Ct	North	Unrestricted		14	14	2	2	2	2	2
B2	Regent Street	Meninya St to Opposite Ash Ct	South	Unrestricted		13	13	3	1	3	2	3
B2	Regent Street	Meninya St to Opposite Ash Ct	South	Bus Zone		1	1	0	0	0	-	-
C1	Popham Street	Meninya St to Francis St	North	Unrestricted		36	36	0	0	1	0	1
C2	Popham Street	Meninya St to Francis St	South	Unrestricted		36	36	0	0	0	-	-
D1	Popplewell Street	Meninya St to Francis St	North	Unrestricted		34	34	5	3	3	4	5
D2	Popplewell Street	Meninya St to Francis St	South	Unrestricted		35	35	6	5	5	5	6
E1	Kinsey Street	Meninya St to Francis St	North	Unrestricted		36	36	7	8	9	8	9
E2	Kinsey Street	Meninya St to Francis St	South	Unrestricted		37	37	3	2	1	2	3
<b>Totals</b>						<b>306</b>	<b>306</b>	<b>53</b>	<b>41</b>	<b>34</b>	<b>42.7</b>	<b>57</b>
						<b>Available Spaces</b>	<b>253</b>	<b>265</b>	<b>272</b>	<b>263.3</b>	<b>249</b>	
						<b>Capacity</b>	<b>306</b>	<b>306</b>	<b>306</b>	<b>306</b>	<b>306</b>	



## Appendix 2 – Swept path assessments

**220688** 74 Meninya Street, Moama NSW – Traffic Impact Assessment Report  
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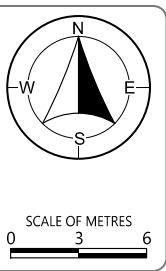
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CLIENT

**THE BRIDGE ART PROJECT**

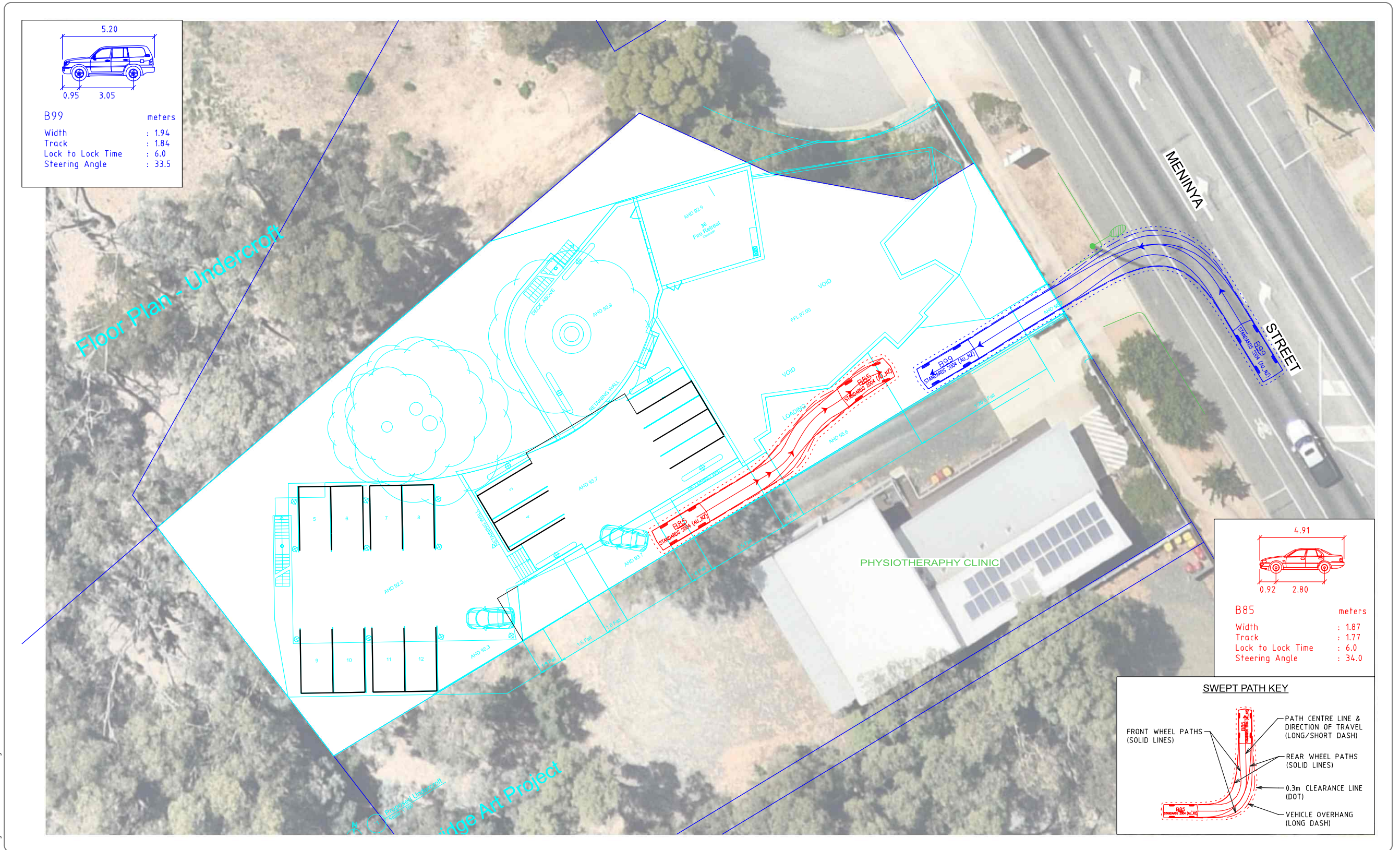


**74 Meninya St, Moama**  
Murray River Council1

**Swept Path Assessment**

SHEET NO.	DRAWING NO.	ISSUE
	220688-CTP-01	P2



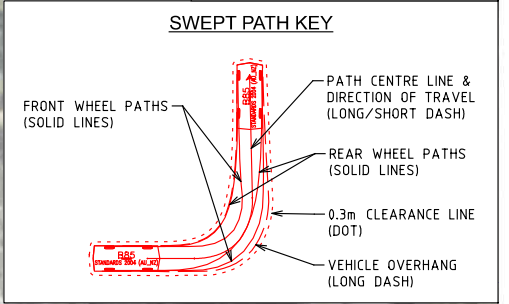


5.20  
0.95 3.05

**B99** meters  
Width : 1.94  
Track : 1.84  
Lock to Lock Time : 6.0  
Steering Angle : 33.5

4.91  
0.92 2.80

**B85** meters  
Width : 1.87  
Track : 1.77  
Lock to Lock Time : 6.0  
Steering Angle : 34.0



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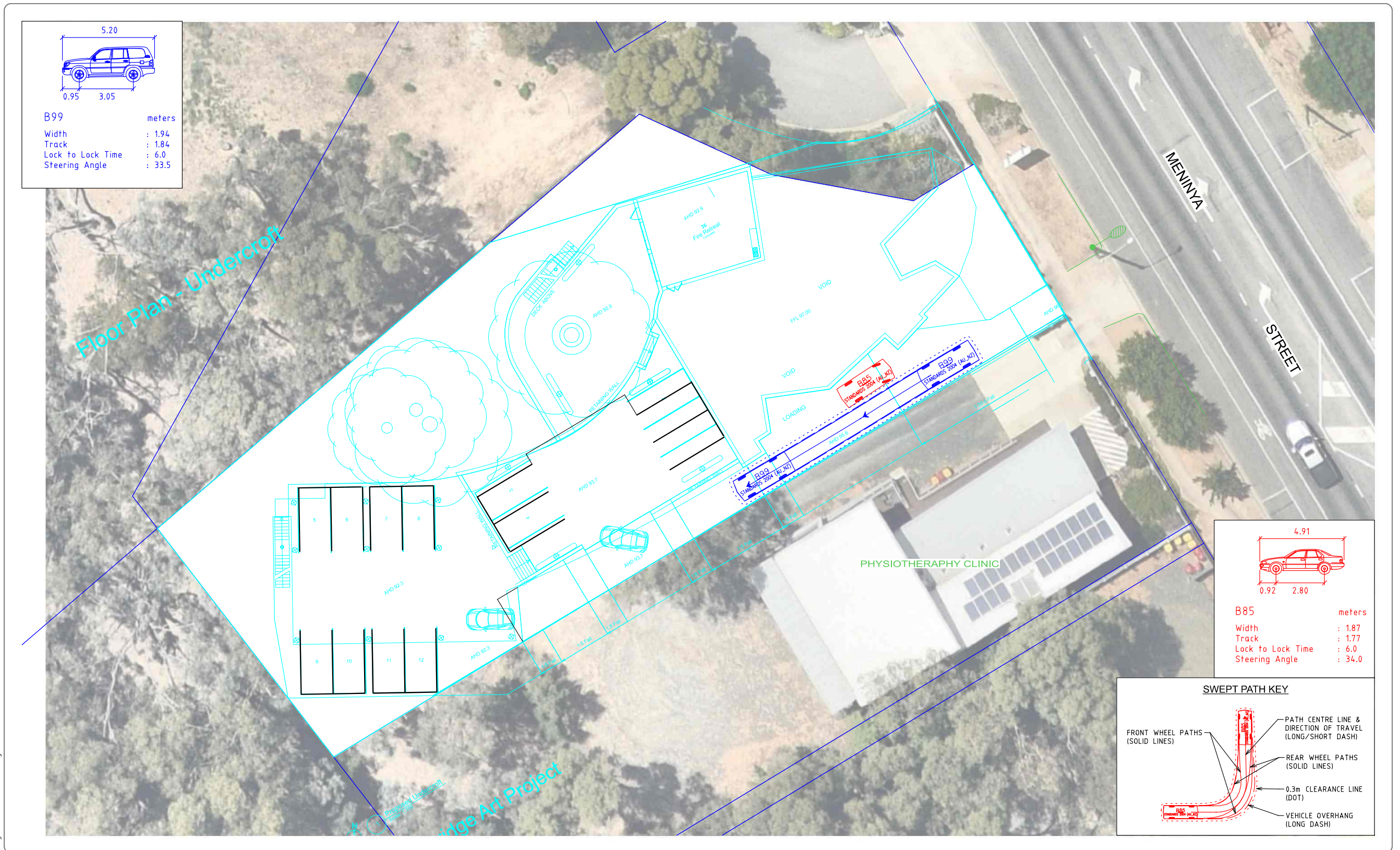
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**74 Meninya St, Moama**  
Murray River Council1

**Swept Path Assessment**

SHEET NO. 1 DRAWING NO. 220688-SKT-01 ISSUE P2



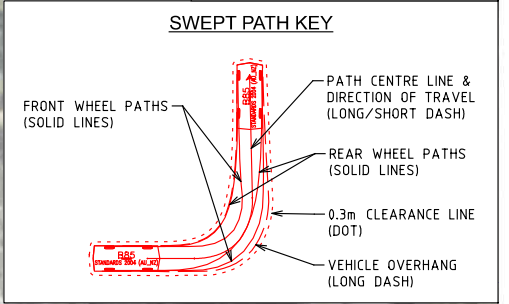


5.20  
0.95 3.05

B99 meters  
Width : 1.94  
Track : 1.84  
Lock to Lock Time : 6.0  
Steering Angle : 33.5

4.91  
0.92 2.80

B85 meters  
Width : 1.87  
Track : 1.77  
Lock to Lock Time : 6.0  
Steering Angle : 34.0



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**PRELIMINARY PLAN**  
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DATE OF ISSUE: 18/07/23

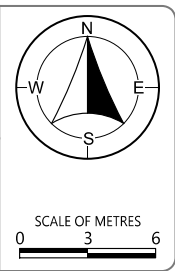
**Notes & Legend**

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- ALL DIMENSIONS ARE TO FACE OF KERB UNLESS SHOWN OTHERWISE.

— Design by Trafficworks  
— Design by Others  
— Cadastre  
— Existing

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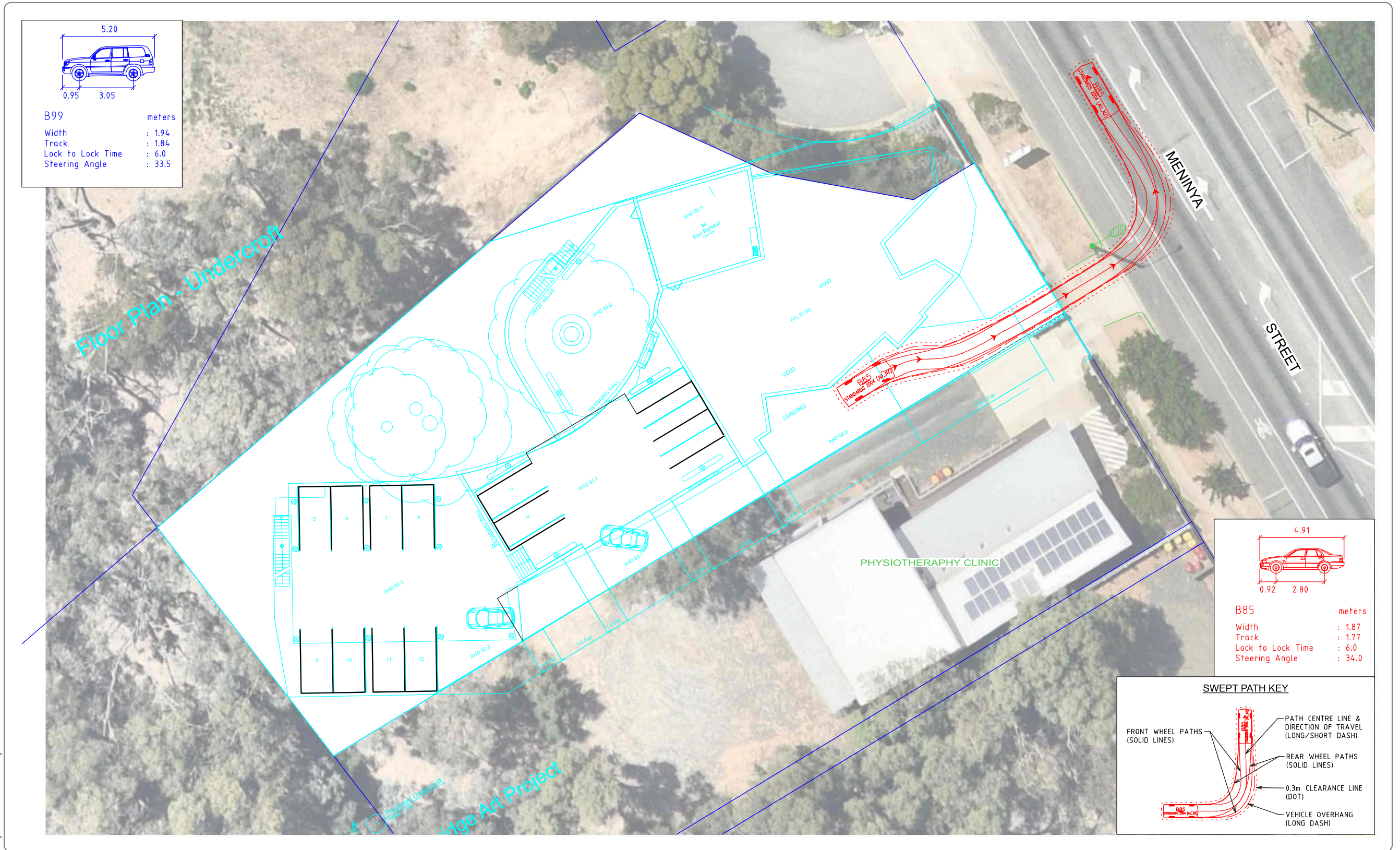


**74 Meninya St, Moama**  
Murray River Council1

**Swept Path Assessment**

SHEET NO. 2	DRAWING NO. 220688-SKT-02	ISSUE P2
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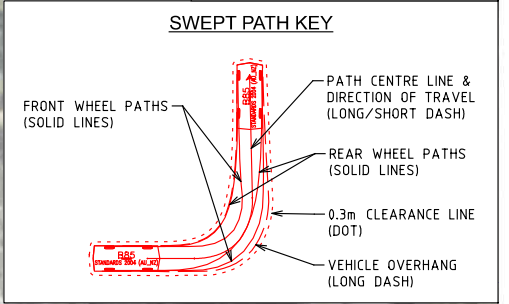


5.20  
0.95 3.05

B99 meters  
Width : 1.94  
Track : 1.84  
Lock to Lock Time : 6.0  
Steering Angle : 33.5

4.91  
0.92 2.80

B85 meters  
Width : 1.87  
Track : 1.77  
Lock to Lock Time : 6.0  
Steering Angle : 34.0



18/07/2023 220688-SKT-03 8:25:16 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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— Design by Others  
— Cadastre  
— Existing

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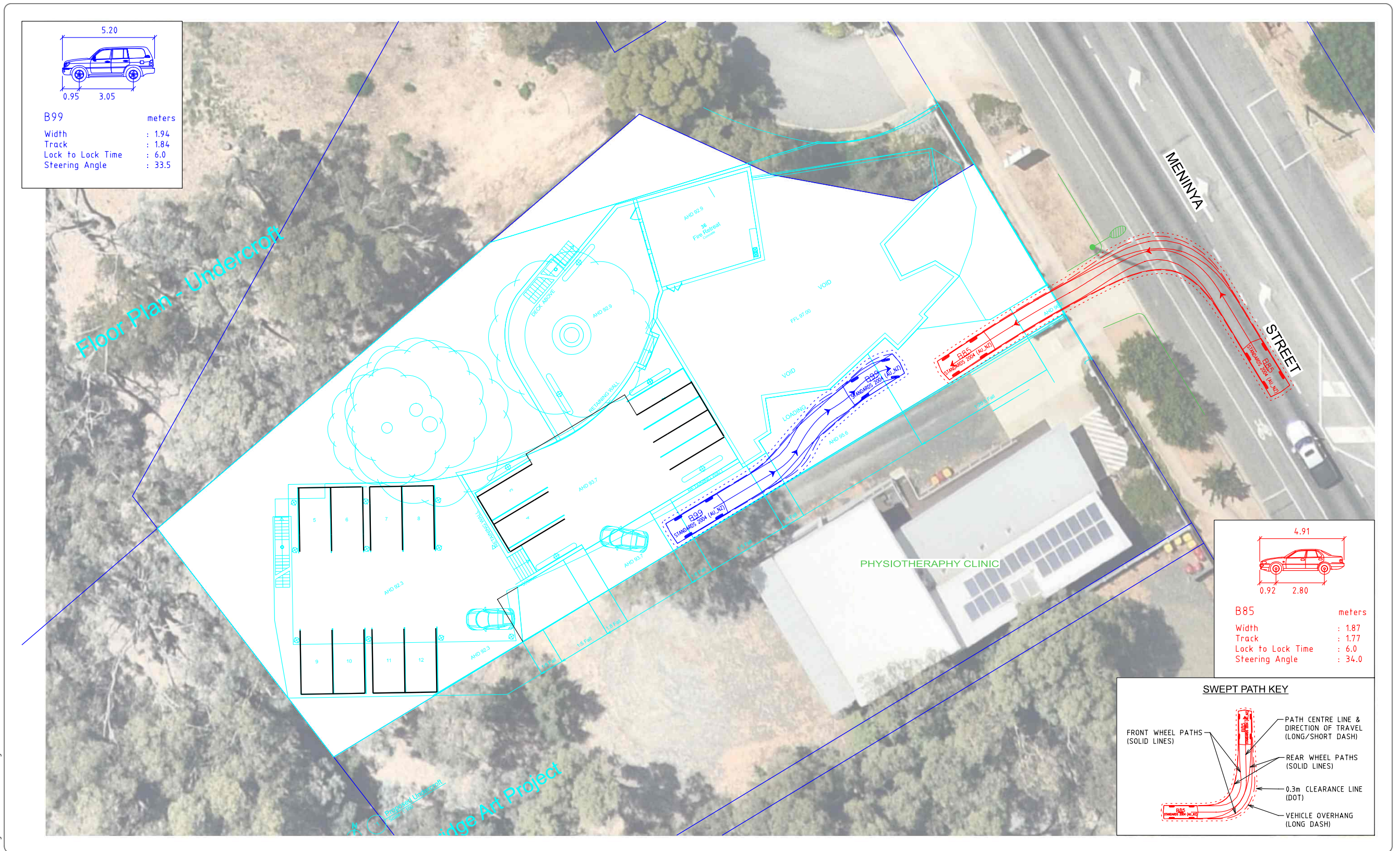
CLIENT  
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**74 Meninya St, Moama**  
Murray River Council1

**Swept Path Assessment**

SHEET NO. 3      DRAWING NO. 220688-SKT-03      ISSUE P2



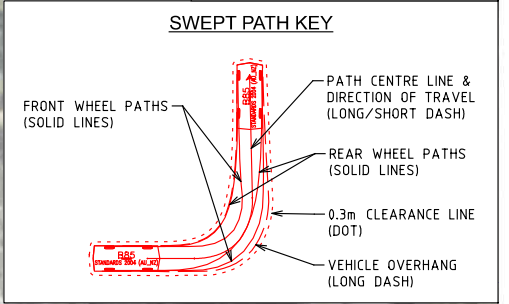


5.20  
0.95 3.05

**B99** meters  
Width : 1.94  
Track : 1.84  
Lock to Lock Time : 6.0  
Steering Angle : 33.5

4.91  
0.92 2.80

**B85** meters  
Width : 1.87  
Track : 1.77  
Lock to Lock Time : 6.0  
Steering Angle : 34.0



18/07/2023 220688-SKT-04 8:25:16 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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— Cadastre  
— Existing

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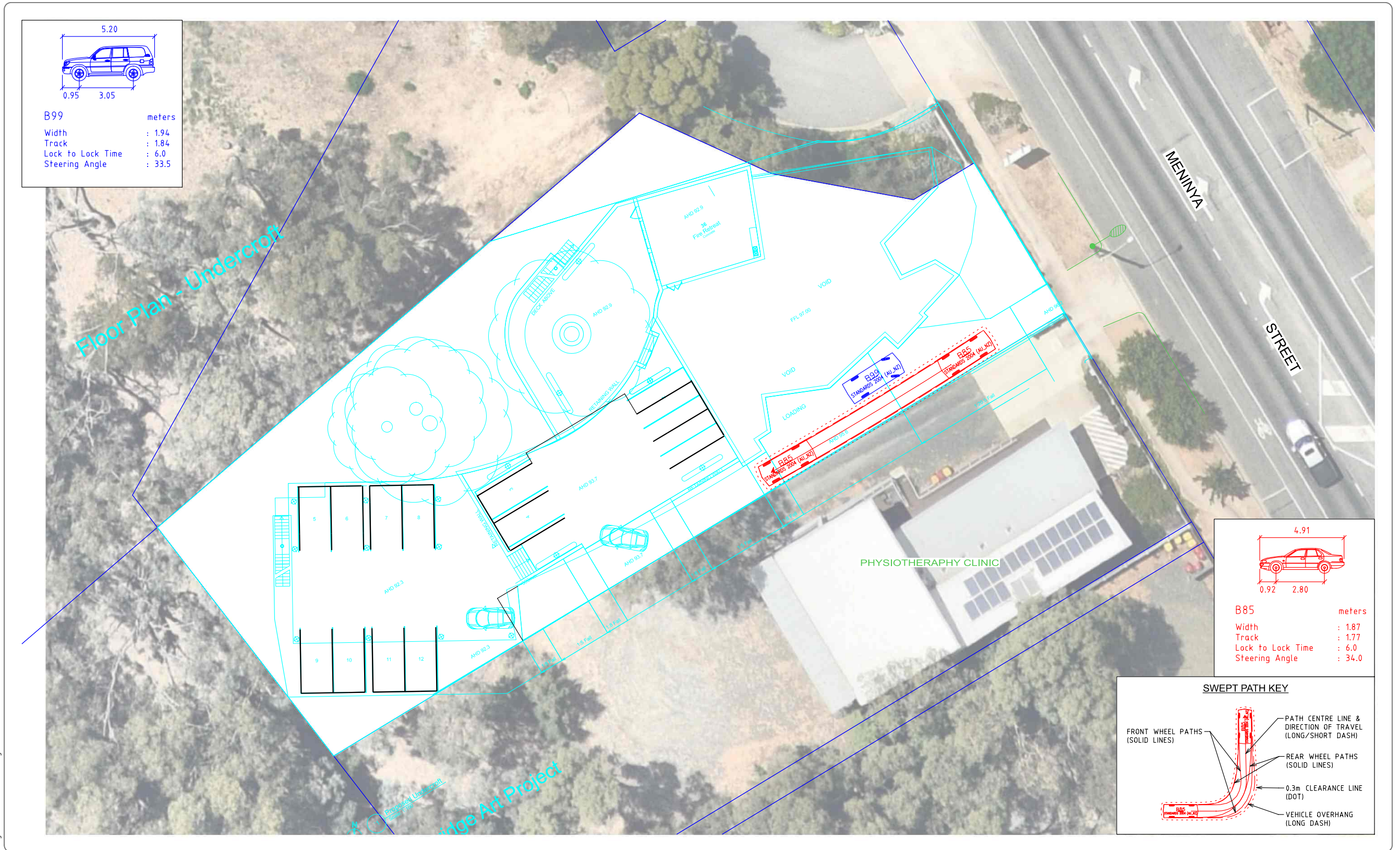
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Murray River Council1

**Swept Path Assessment**

SHEET NO. 4 DRAWING NO. 220688-SKT-04 ISSUE P2





18/07/2023 220688-SKT-05 8:25:17 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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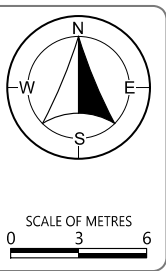
**PRELIMINARY PLAN**  
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DATE OF ISSUE: 18/07/23

Notes & Legend	
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	Cadastre
	Existing

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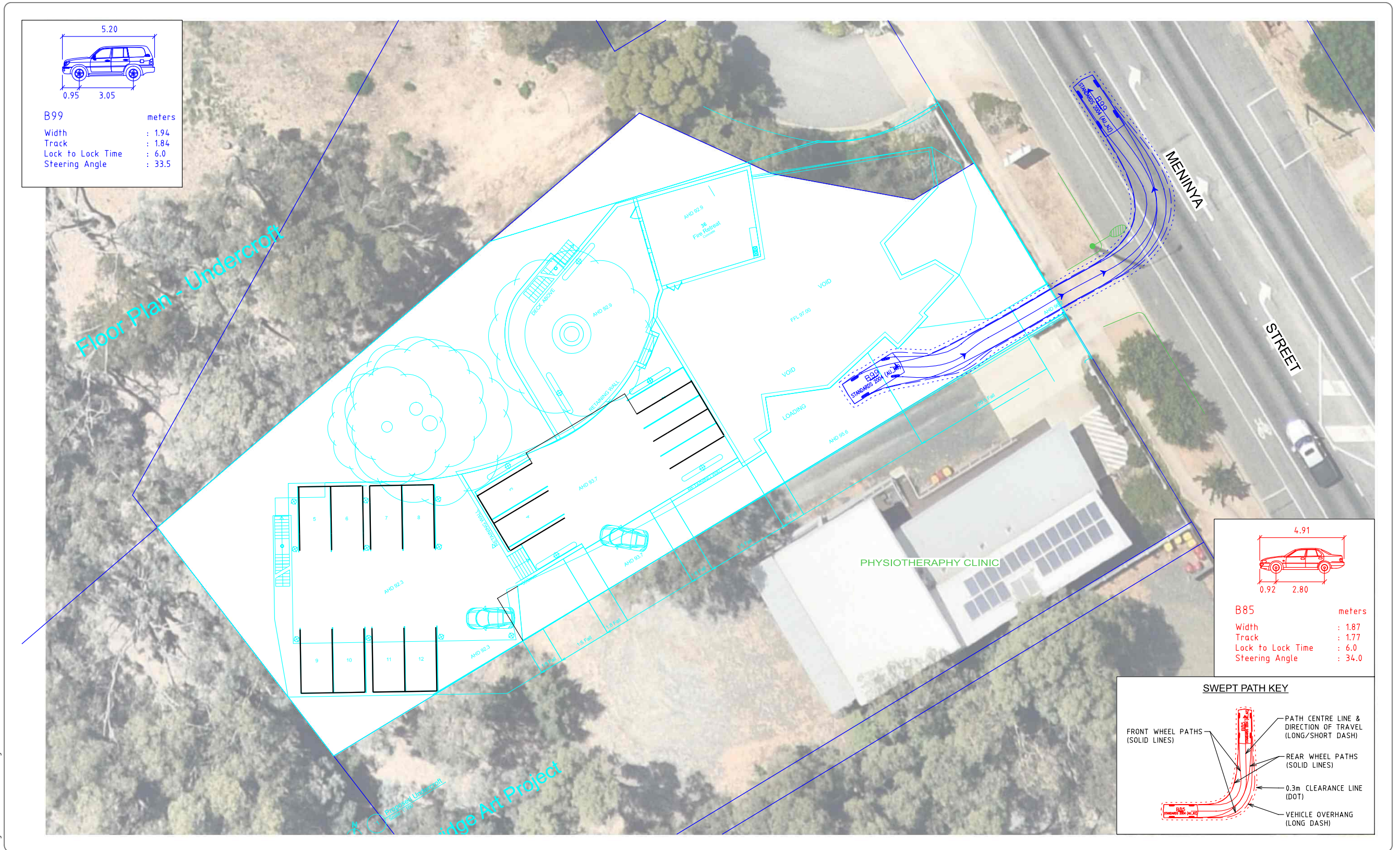


**74 Meninya St, Moama**  
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**Swept Path Assessment**

SHEET NO. 5	DRAWING NO. 220688-SKT-05	ISSUE P2
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18/07/2023 220688-SKT-06 8:25:18 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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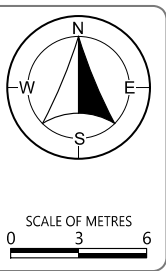
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	Existing

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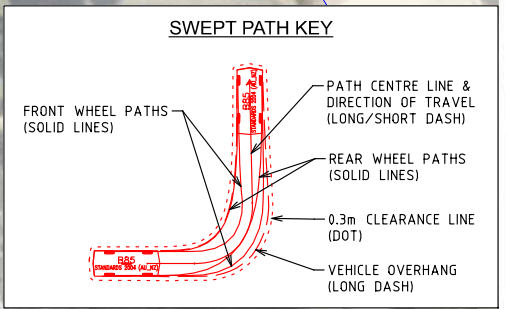
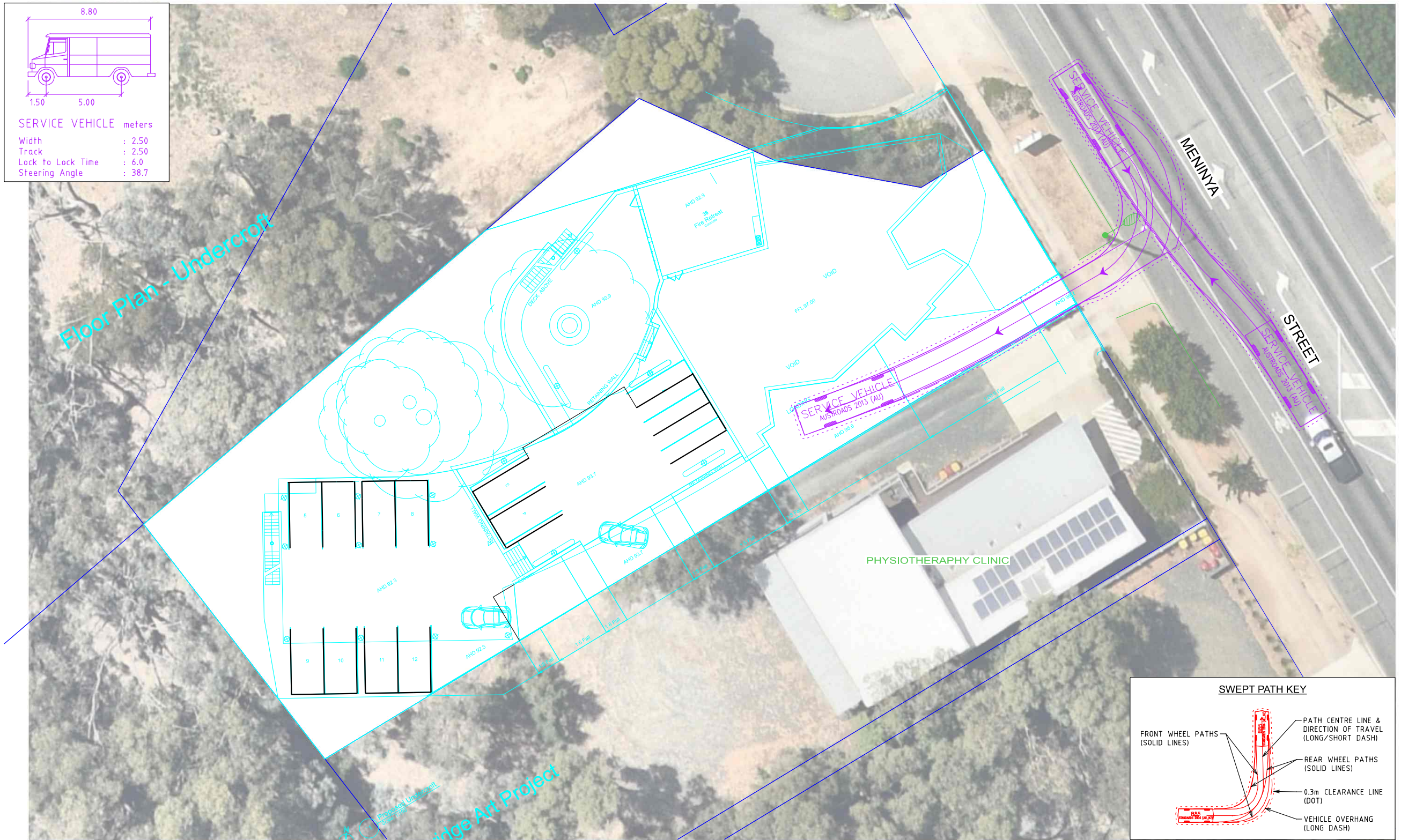
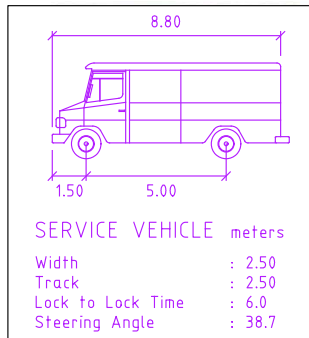


**74 Meninya St, Moama**  
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**Swept Path Assessment**

SHEET NO. 6	DRAWING NO. 220688-SKT-06	ISSUE P2
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18/07/2023 220688-SKT-07 8:25:19 AM T:\2223 Projects\220688-CTP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
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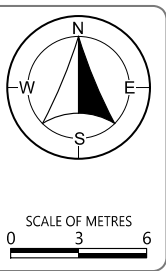
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	Existing

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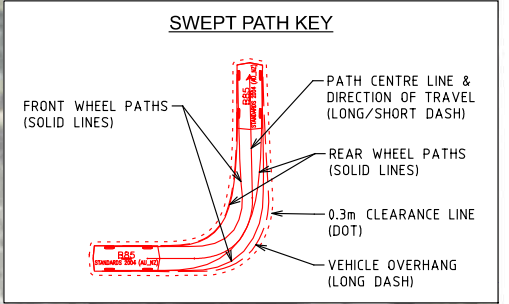
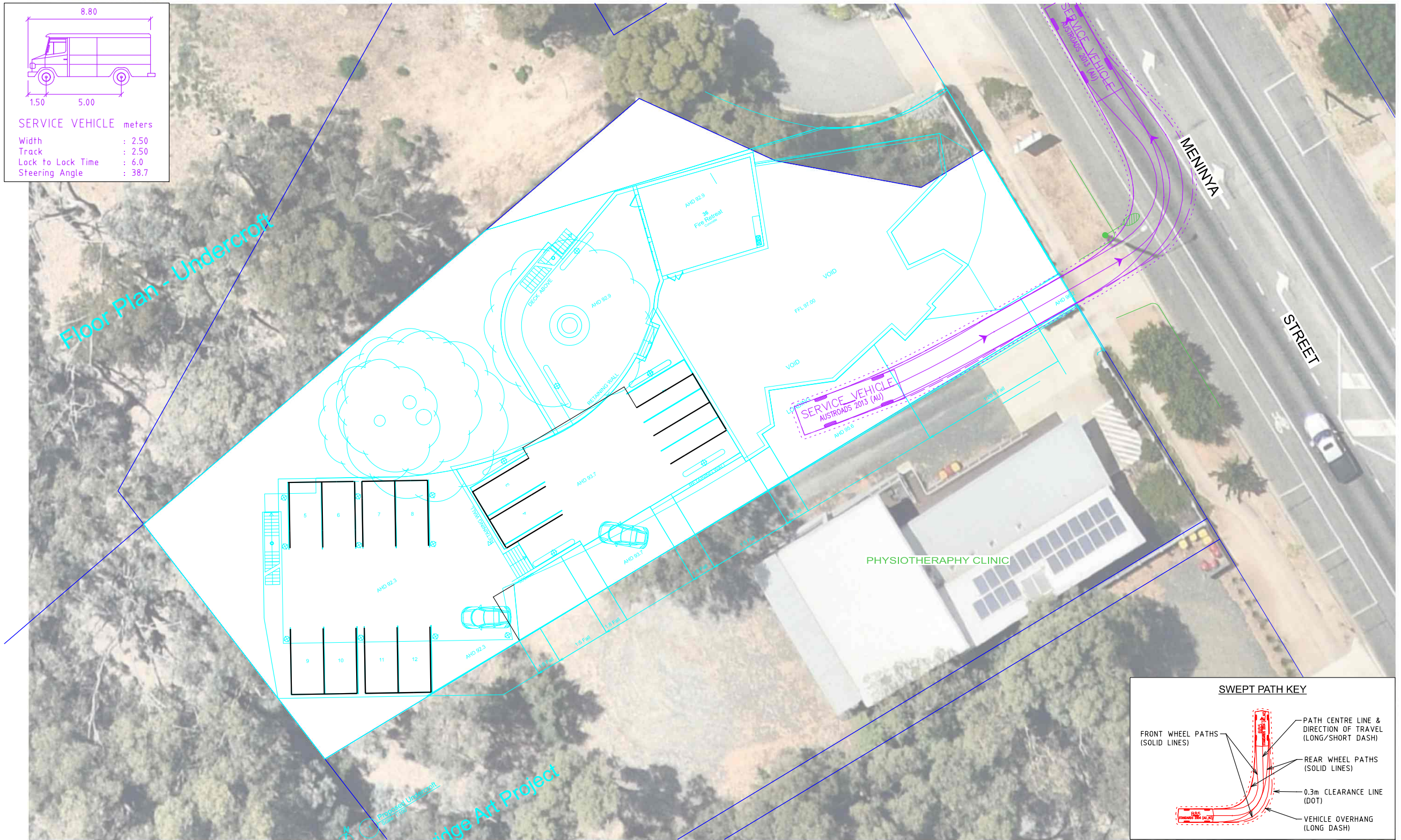
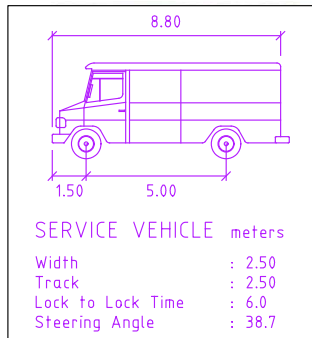


**74 Meninya St, Moama**  
Murray River Council1

**Swept Path Assessment**

SHEET NO. 7 DRAWING NO. 220688-SKT-07 ISSUE P2





18/07/2023 220688-SKT-08 8:25:19 AM T:\2223 Projects\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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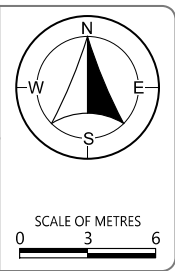
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	Cadastre
	Existing

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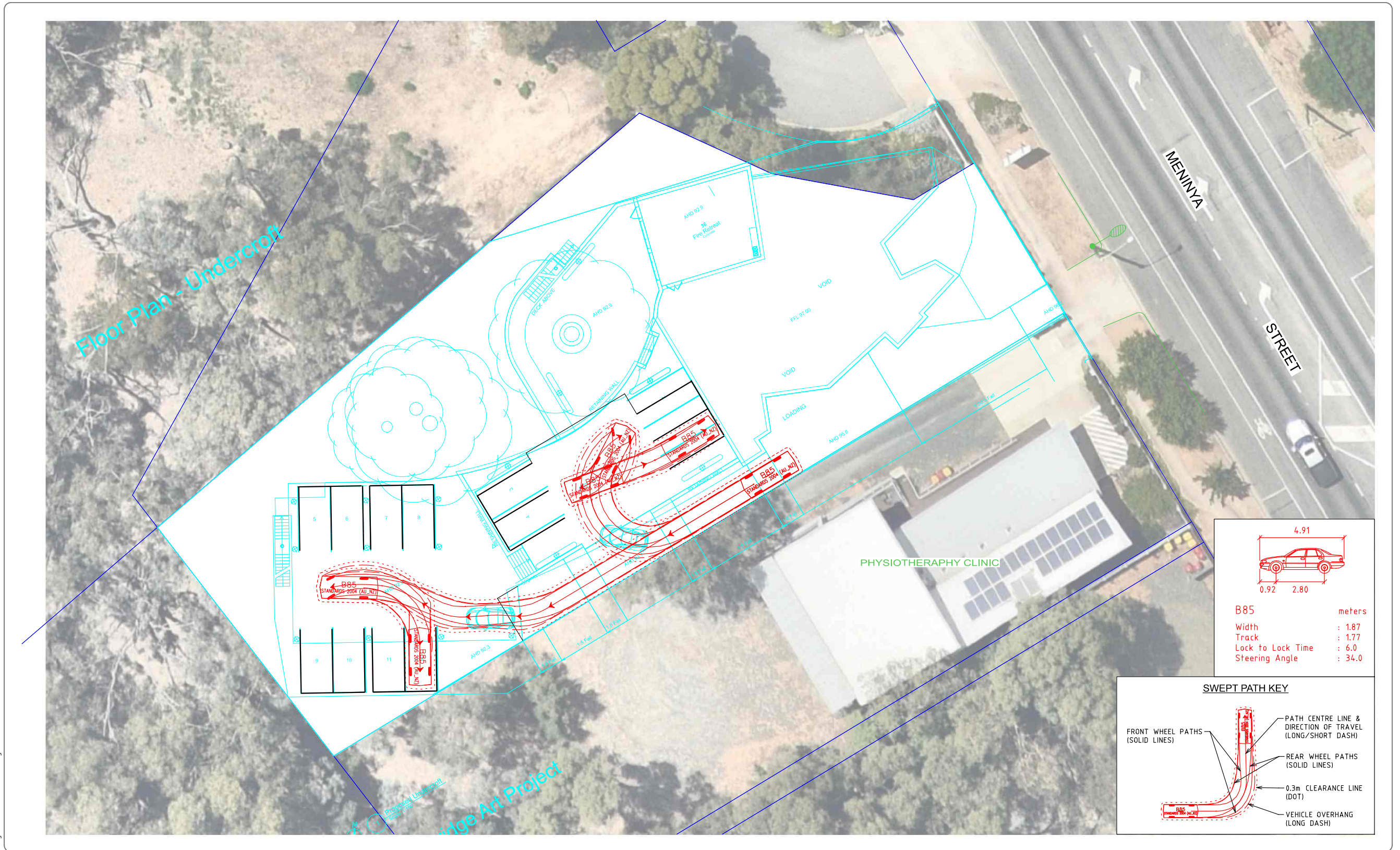


**74 Meninya St, Moama**  
Murray River Council1

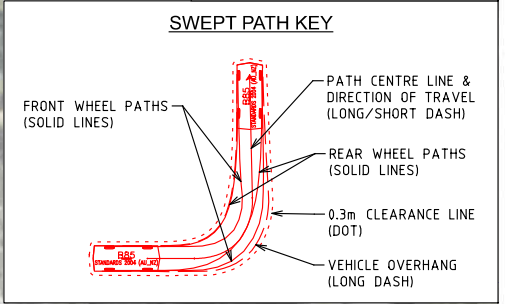
**Swept Path Assessment**

SHEET NO. 8	DRAWING NO. 220688-SKT-08	ISSUE P2
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4.91	
0.92 2.80	
<b>B85</b>	metres
Width	: 1.87
Track	: 1.77
Lock to Lock Time	: 6.0
Steering Angle	: 34.0



18/07/2023 220688-SKT-09 8:25:20 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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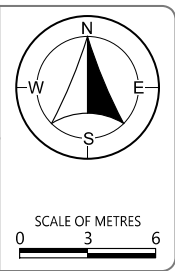
**PRELIMINARY PLAN**  
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DATE OF ISSUE: 18/07/23

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	Cadastre
	Existing

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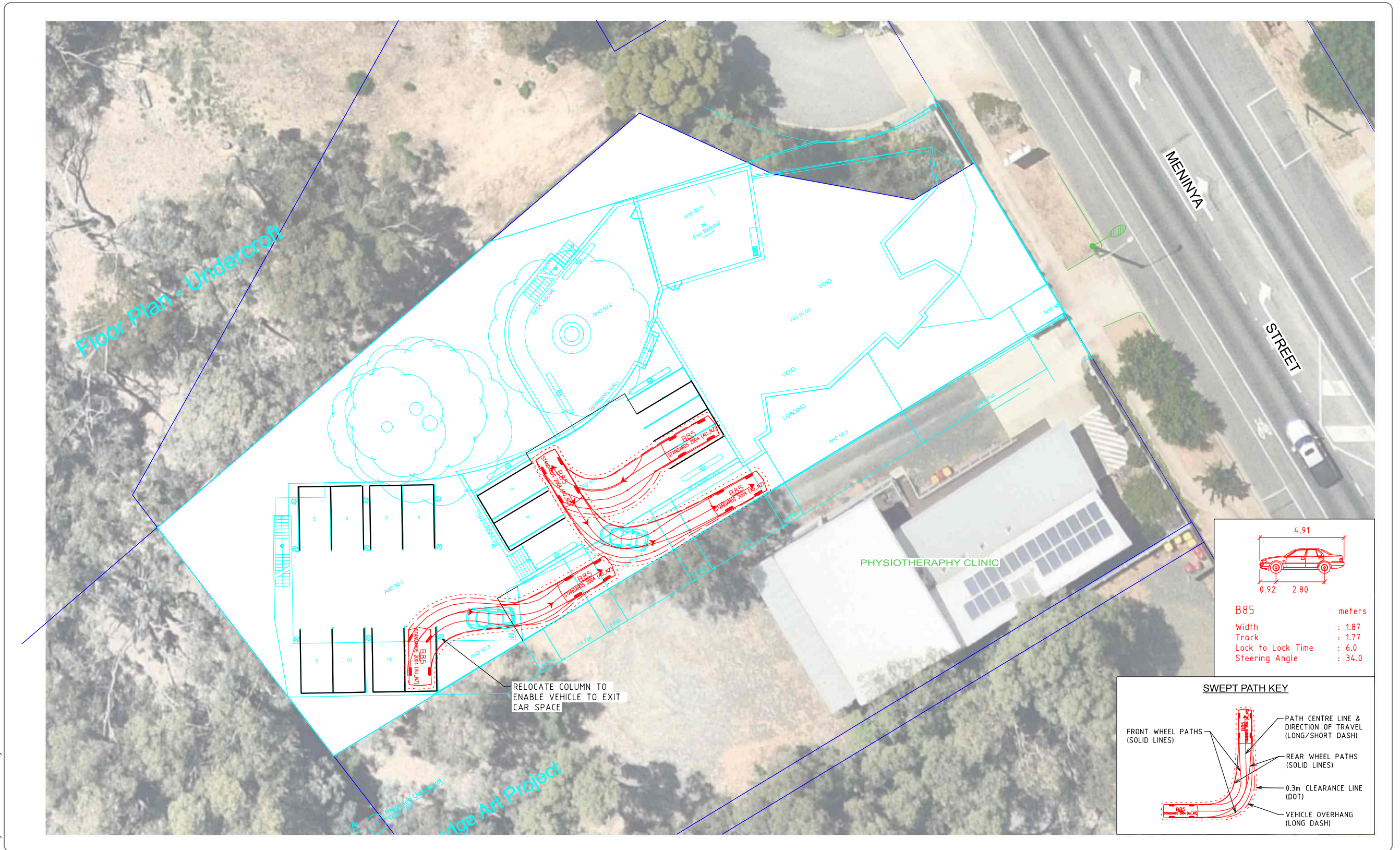
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<b>74 Meninya St, Moama</b>		
Murray River Council1		
<b>Swept Path Assessment</b>		
SHEET NO. 9	DRAWING NO. 220688-SKT-09	ISSUE P2





18/07/2023 220688-SKT-10 8:25:21 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

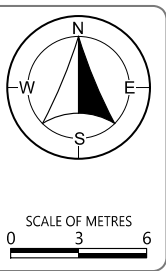
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	Existing

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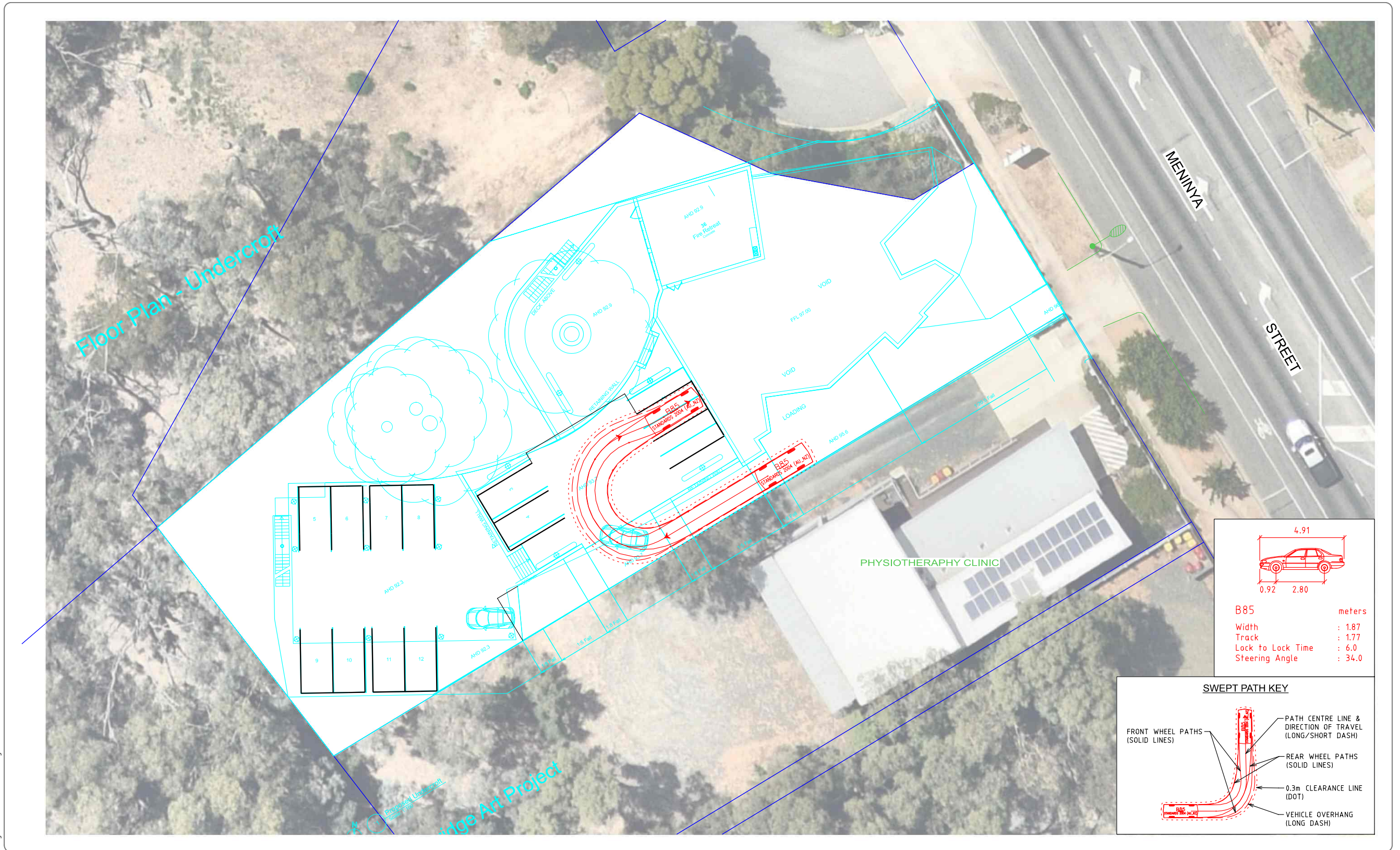


**74 Meninya St, Moama**  
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**Swept Path Assessment**

SHEET NO. 10	DRAWING NO. 220688-SKT-10	ISSUE P2
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18/07/2023 220688-SKT-11 8:25:22 AM T:\2223 Projects\220688-CTP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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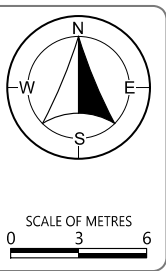
**PRELIMINARY PLAN**  
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DATE OF ISSUE: 18/07/23

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	Cadastre
	Existing

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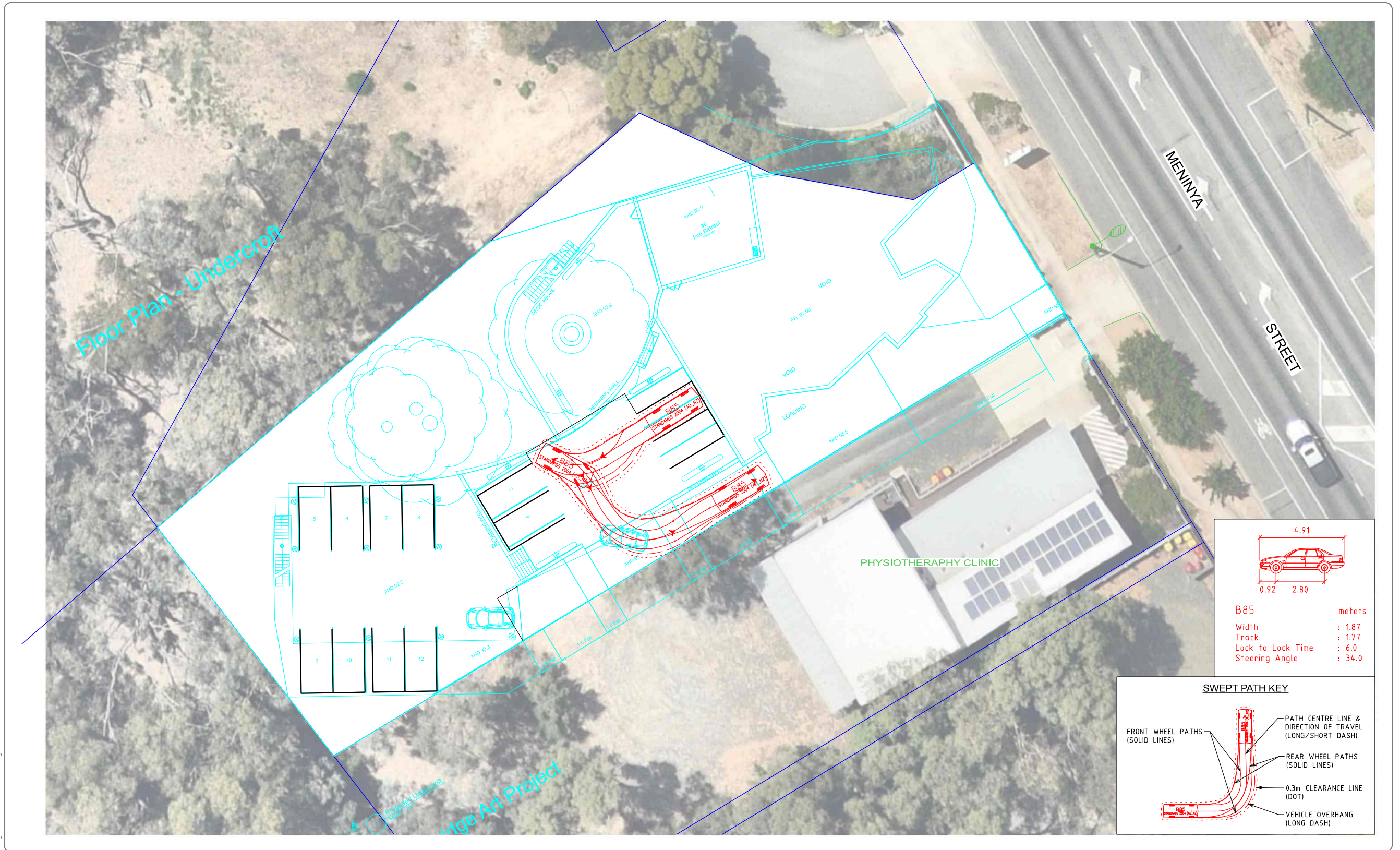


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**Swept Path Assessment**

SHEET NO. 11	DRAWING NO. 220688-SKT-11	ISSUE P2
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18/07/2023 220688-SKT-12 8:25:23 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

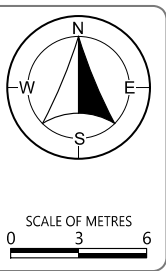
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	Existing

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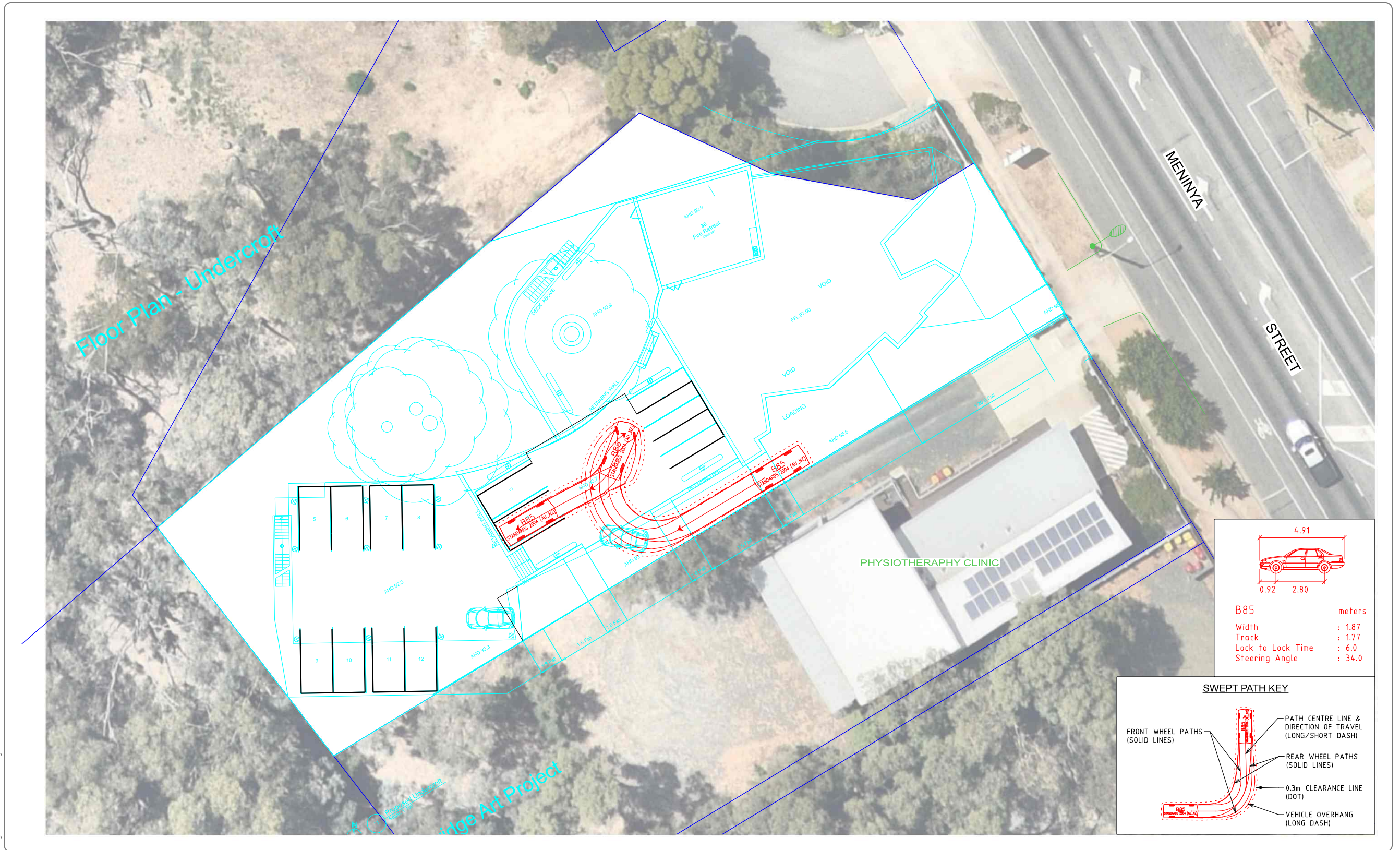


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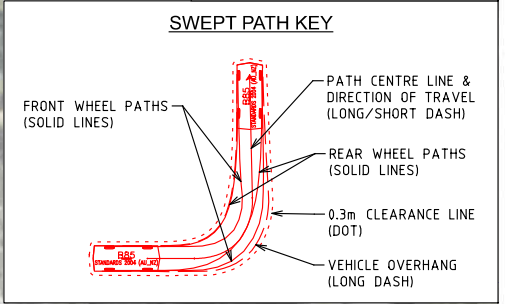
**Swept Path Assessment**

SHEET NO. 12	DRAWING NO. 220688-SKT-12	ISSUE P2
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<b>B85</b>	metres
Width	: 1.87
Track	: 1.77
Lock to Lock Time	: 6.0
Steering Angle	: 34.0



18/07/2023 220688-SKT-13 8:25:23 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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Design by Trafficworks Design by Others Cadastre Existing	

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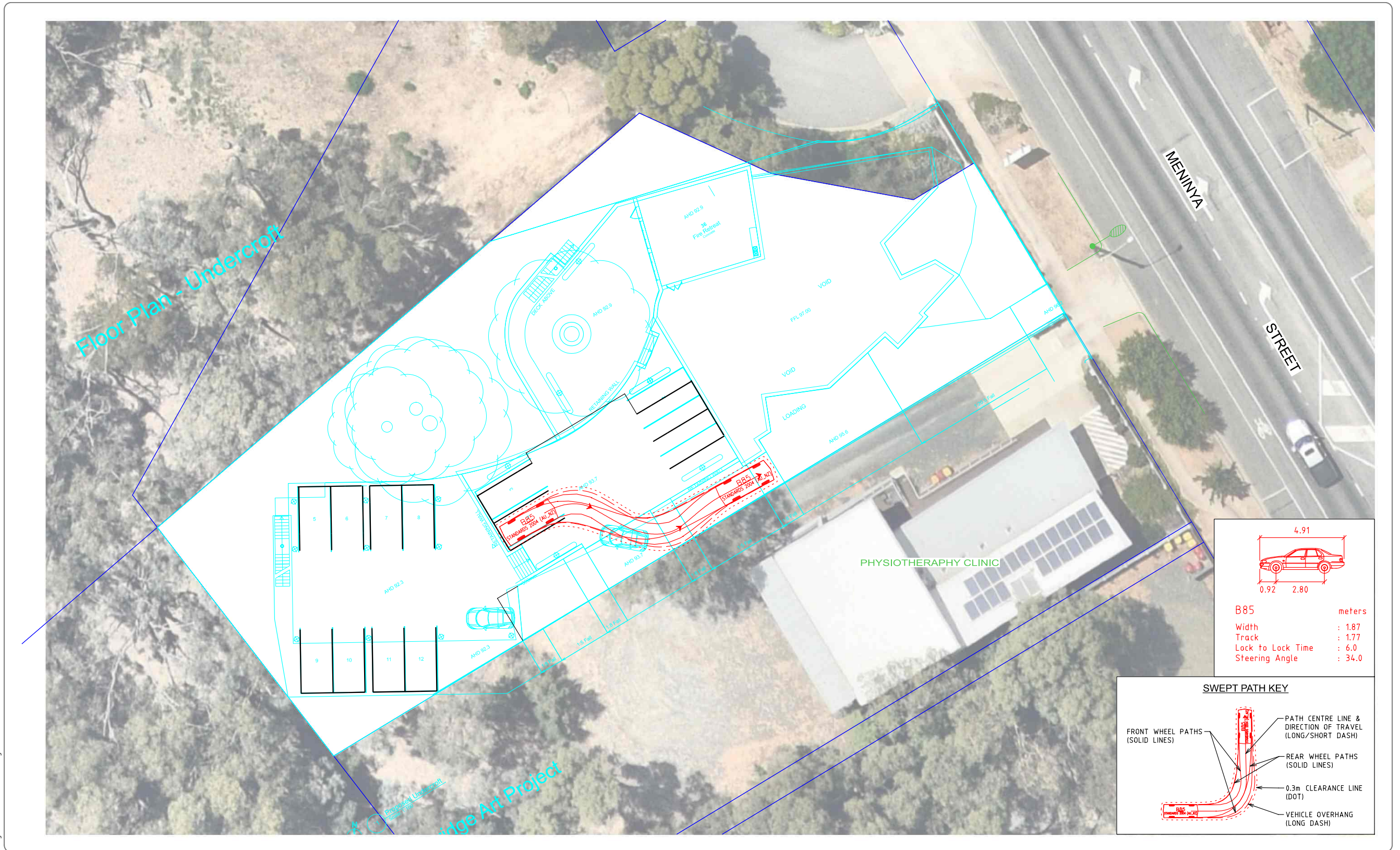
SCALE OF METRES  
0 3 6

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**Swept Path Assessment**

SHEET NO. 13	DRAWING NO. 220688-SKT-13	ISSUE P2
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18/07/2023 220688-SKT-14  
8:25:24 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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	Cadastre
	Existing

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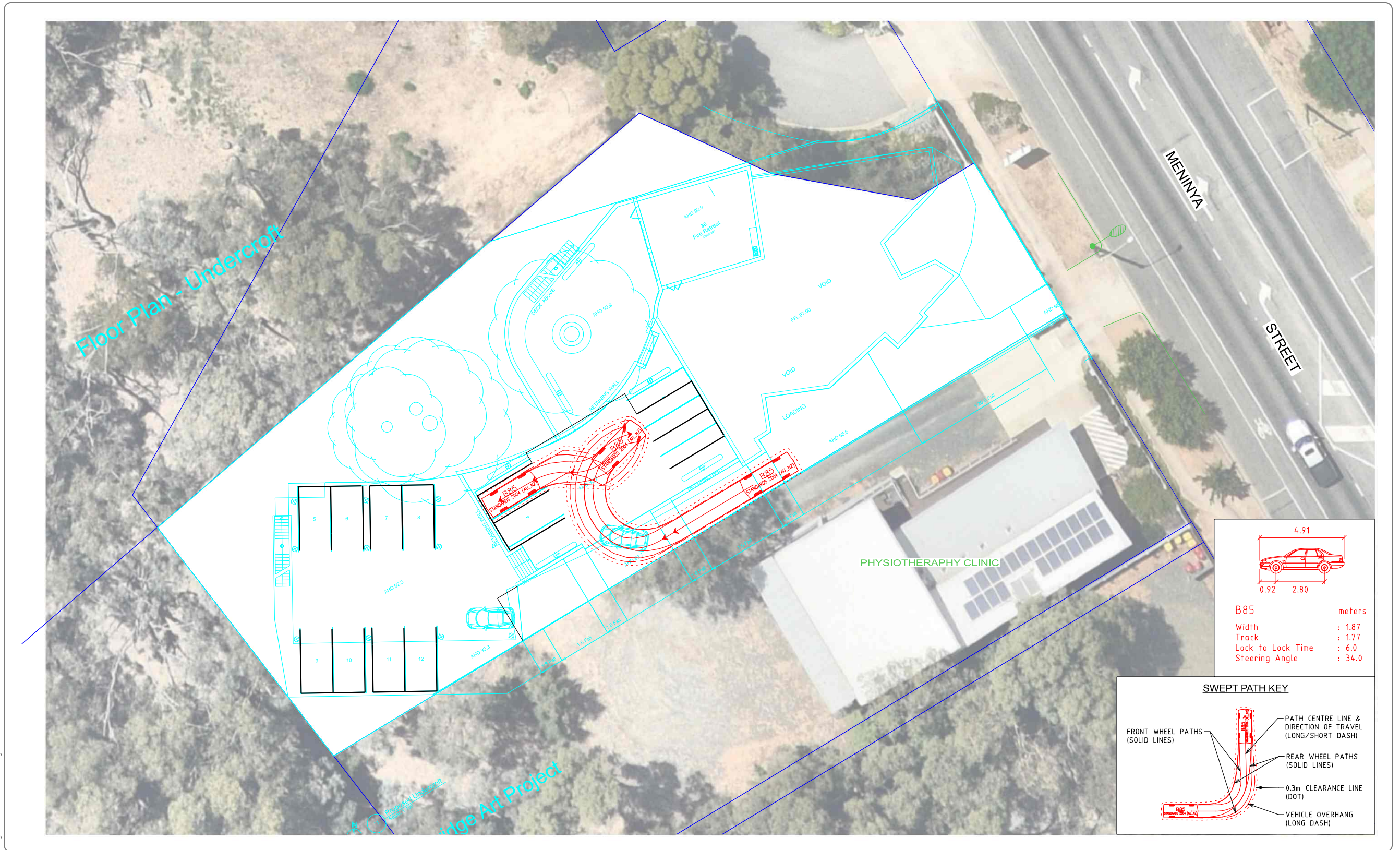
SCALE OF METRES  
0 3 6

**74 Meninya St, Moama**  
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**Swept Path Assessment**

SHEET NO. 14	DRAWING NO. 220688-SKT-14	ISSUE P2
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18/07/2023 220688-SKT-15 8:25:25 AM T:\2223 Projects\220688-Design\220688-CP-01-P2.dgn

Drawing Record				
ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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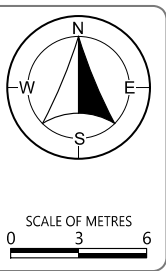
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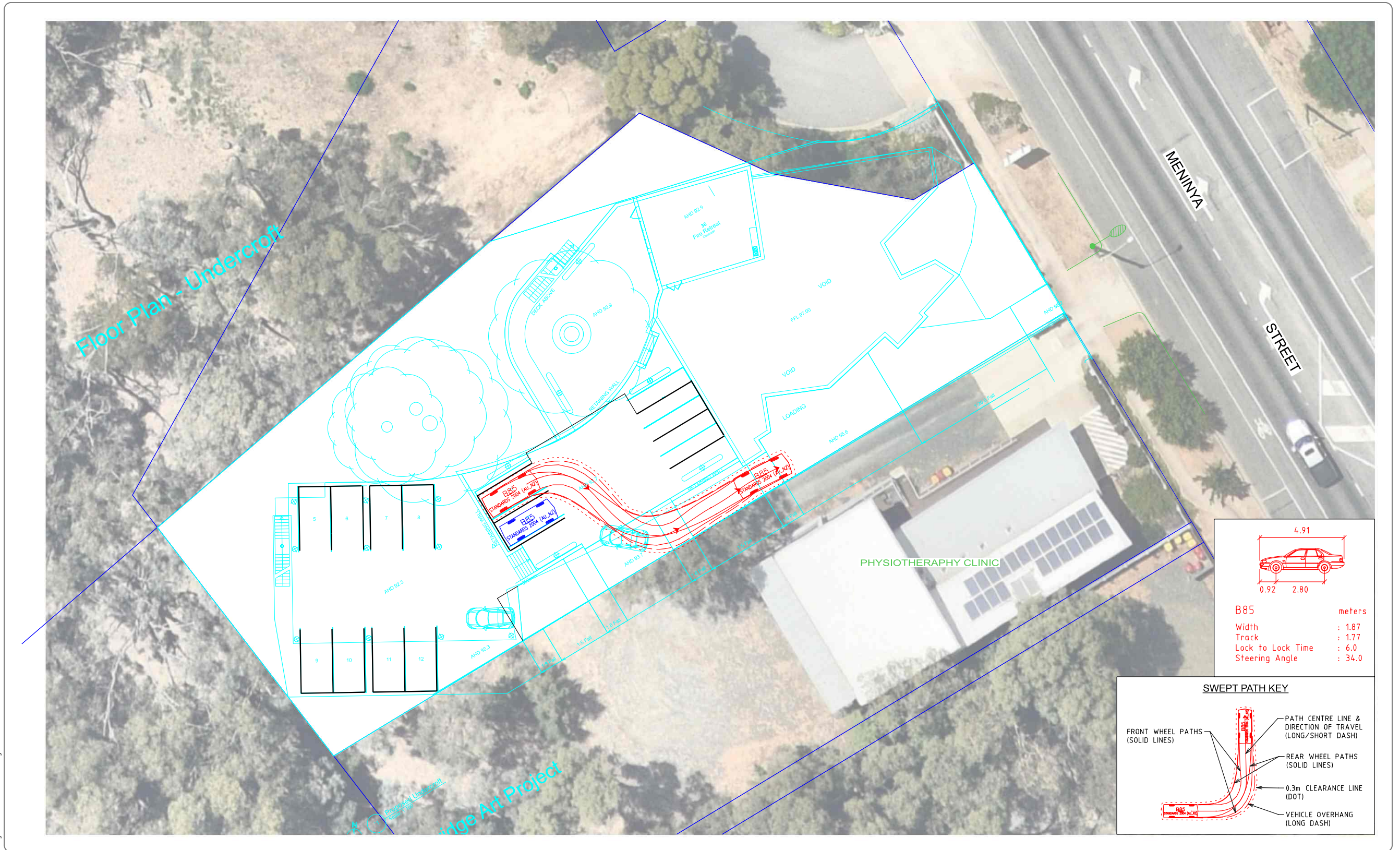


**74 Meninya St, Moama**  
Murray River Council1

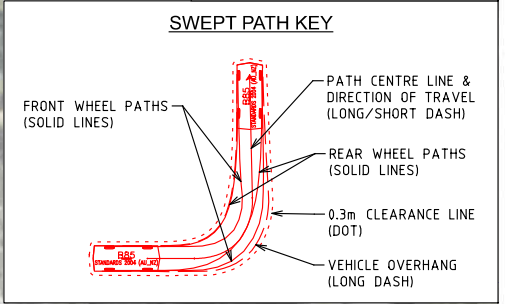
**Swept Path Assessment**

SHEET NO. 15	DRAWING NO. 220688-SKT-15	ISSUE P2
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ISSUE	DRAWN	APP'D	DATE	AMENDMENT
P2	JF	AA	18.07.23	PRELIMINARY ISSUE FOR COMMENT

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**Swept Path Assessment**

SHEET NO. 16	DRAWING NO. 220688-SKT-16	ISSUE P2
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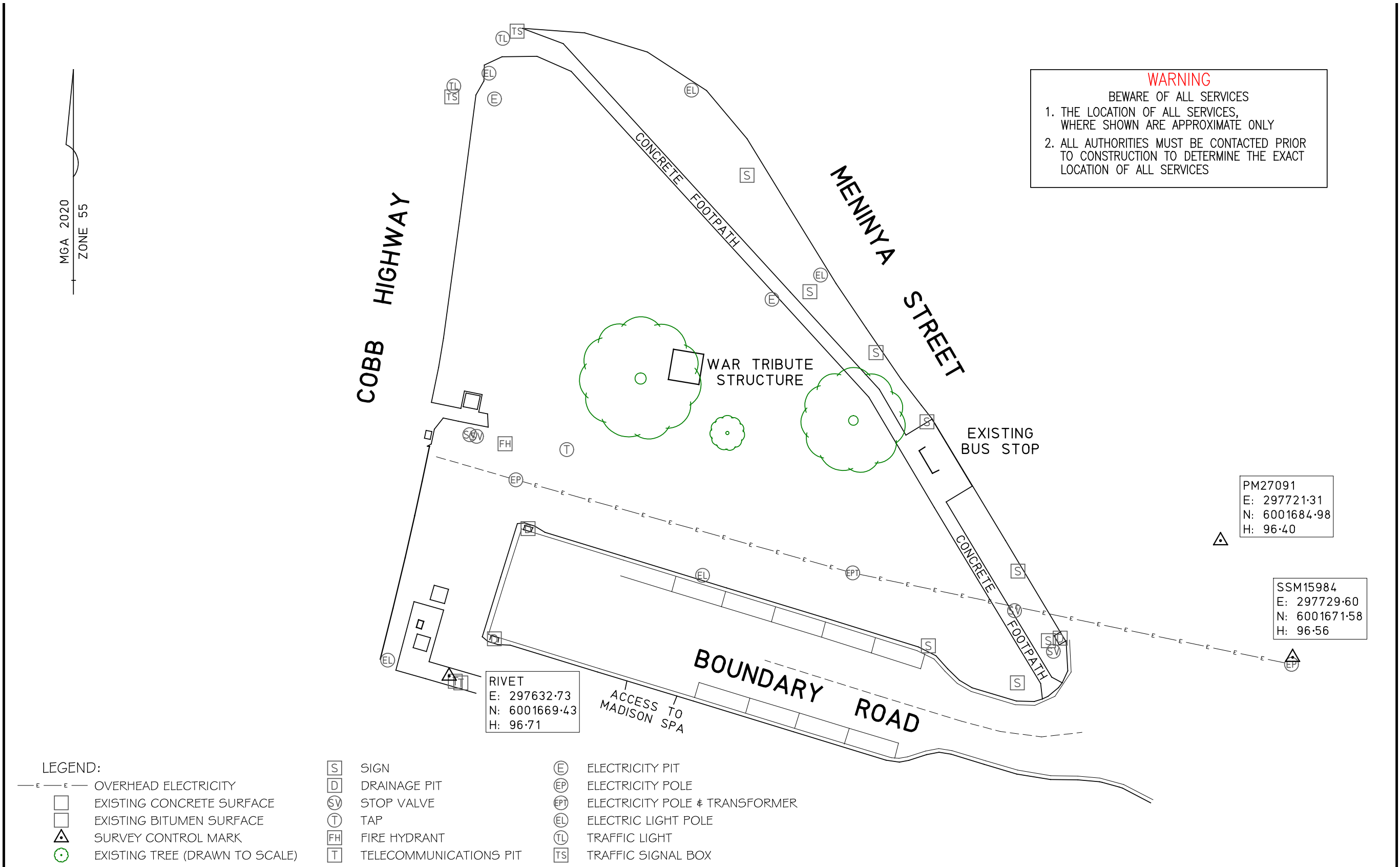


### Appendix 3 – Acronyms and terms

Acronyms / terms	Definition
AGRD4	Austrroads Guide to Road Design Part 4 – Intersections and crossings
AGRD4A	Austrroads Guide to Road Design Part 4A – Unsignalised and signalised intersections
AGTM6	Austrroads Guide to Traffic Management Part 6 – Intersections, interchanges and crossings management
AGTM8	Austrroads Guide to Traffic Management Part 8 – Local street management
AS/NZS2890.1	Australian Standard / New Zealand Standard 2890.1 Parking facilities Part 1: Off-street car parking
ESD	Entering site distance
PSP	Precinct structure plan
SIDRA	SIDRA intersection – micro analytical traffic engineering software to model the performance of intersections
SISD	safe intersection sight distance
TfNSW	Transport for New South Wales
TIA	traffic impact assessment
vpd	vehicles per day
vph	vehicles per hour







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SSM15984  
 E: 297729.60  
 N: 6001671.58  
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RIVET  
 E: 297632.73  
 N: 6001669.43  
 H: 96.71

- LEGEND:**
- e — e — OVERHEAD ELECTRICITY
  - EXISTING CONCRETE SURFACE
  - EXISTING BITUMEN SURFACE
  - △ SURVEY CONTROL MARK
  - ⊙ EXISTING TREE (DRAWN TO SCALE)
  - S SIGN
  - D DRAINAGE PIT
  - ⊙ SV STOP VALVE
  - ⊙ T TAP
  - FH FIRE HYDRANT
  - ⊙ T TELECOMMUNICATIONS PIT
  - ⊙ E ELECTRICITY PIT
  - ⊙ EP ELECTRICITY POLE
  - ⊙ EPT ELECTRICITY POLE & TRANSFORMER
  - ⊙ EL ELECTRIC LIGHT POLE
  - ⊙ TL TRAFFIC LIGHT
  - ⊙ TS TRAFFIC SIGNAL BOX

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 139 Hogan Street, TATURA. Ph. (03) 58241322

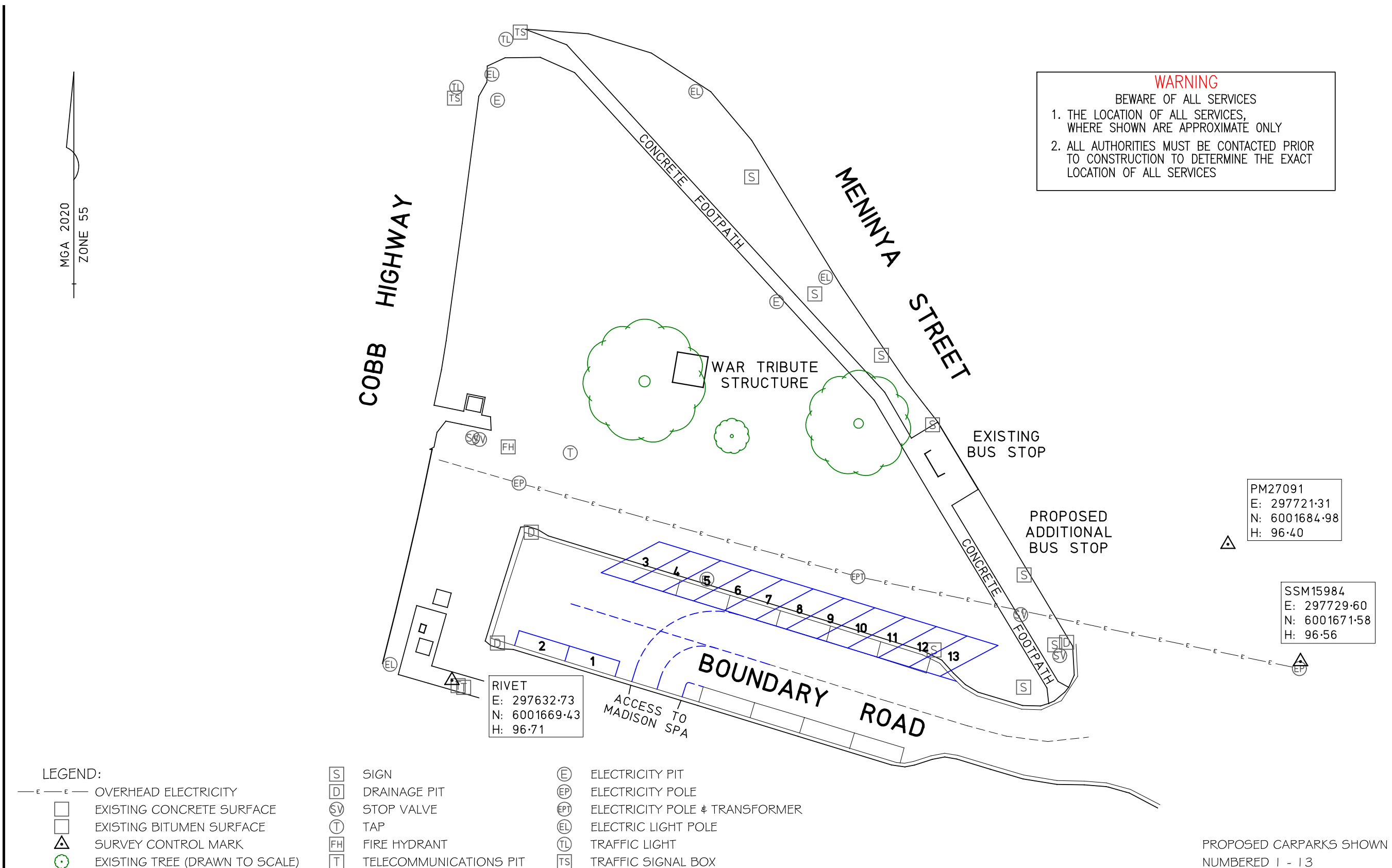
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**FEATURE SURVEY**  
 PROPOSED CARPARK - BRIDGE ART PROJECT  
 LIONS PARK - MOAMA  
 MENINYA STREET, MOAMA NSW 2731

FILE No.	DRAWN	CHECKED	DATE	SHEET NUMBER	VER	SHEET SIZE
7192	MT	—	15/5/2023	1 OF 3	2	A3

VER	DATE	DETAILS OF AMENDMENTS	DRN	CHK
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		DETAILS OF AMENDMENTS	DRN	CHK

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  - ⊙ EL ELECTRIC LIGHT POLE
  - ⊙ TL TRAFFIC LIGHT
  - ⊙ TS TRAFFIC SIGNAL BOX

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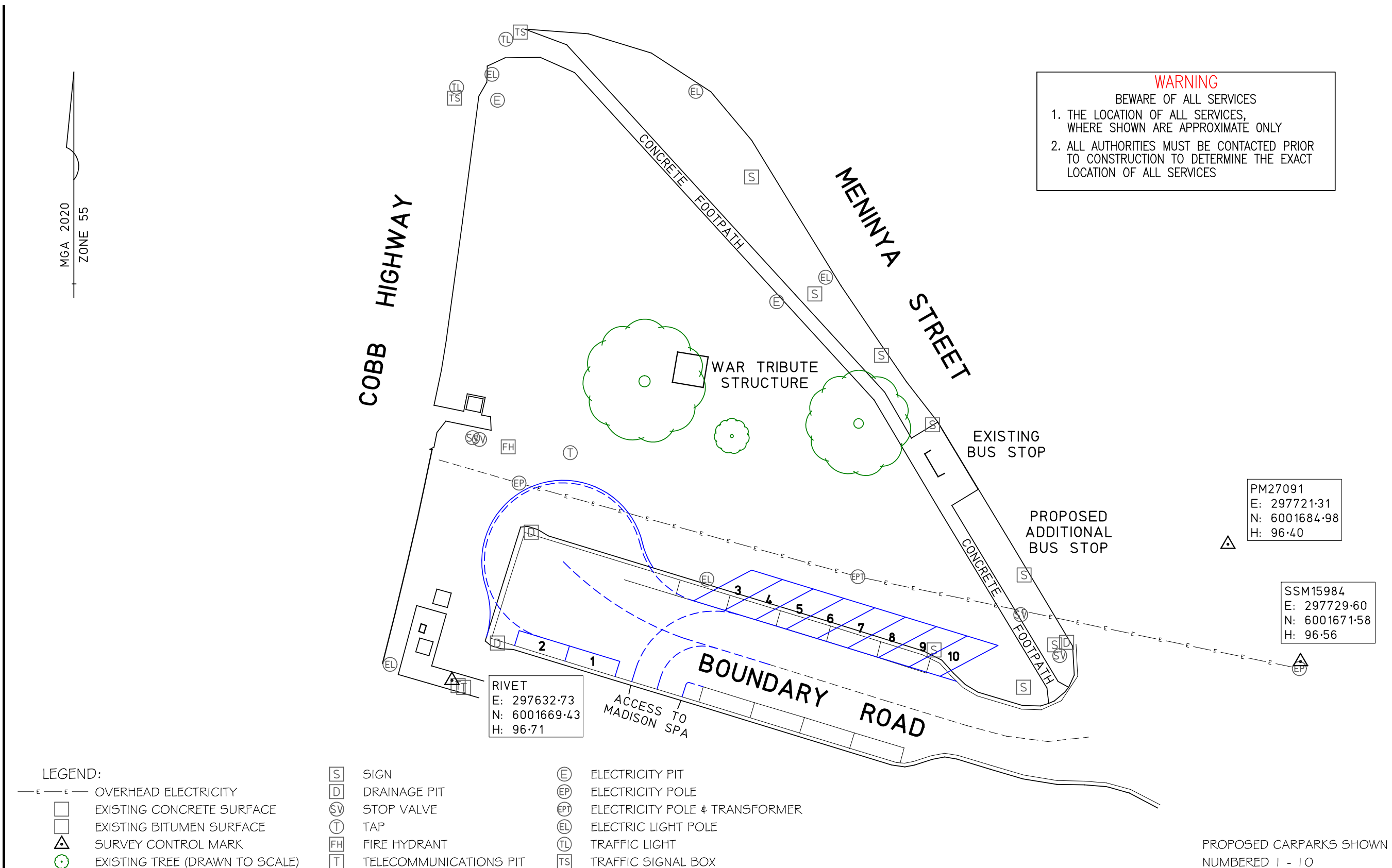
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**CARPARK CONCEPT PLAN (A)**  
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 LIONS PARK - MOAMA  
 MENINYA STREET, MOAMA NSW 2731

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- [S] SIGN
- [D] DRAINAGE PIT
- [SV] STOP VALVE
- [T] TAP
- [FH] FIRE HYDRANT
- [T] TELECOMMUNICATIONS PIT
- [E] ELECTRICITY PIT
- [EP] ELECTRICITY POLE
- [EPT] ELECTRICITY POLE & TRANSFORMER
- [EL] ELECTRIC LIGHT POLE
- [TL] TRAFFIC LIGHT
- [TS] TRAFFIC SIGNAL BOX

PROPOSED CARPARKS SHOWN  
 NUMBERED 1 - 10

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**CARPARK CONCEPT PLAN (B)**  
 PROPOSED CARPARK - BRIDGE ART PROJECT  
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## 9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

### 9.5.1 LOCAL GOVERNMENT NSW DESTINATION & VISITOR ECONOMY CONFERENCE

**File Number:** -

**Author:** Sarah Ryan, Acting Director Community and Economic Development

**Authoriser:** Jack Bond, Acting Chief Executive Officer

#### RECOMMENDATION

That Council receive and note the 2023 Local Government NSW Destination & Visitor Economy Conference Report.

#### BACKGROUND

The Tourism Industry is a key economic driver for Murray River Council. The effects of Covid 19 have had a profound impact on the visitor economy as have the recent floods, therefore it is essential Murray River Council, and the Visit River Country brand are part of our State Tourism Conferences. This allows us to create networks with industry leaders, promote our brand and exchange ideas, build on key relationships with industry leaders and keep up with industry trends, best practice and developments.

#### DISCUSSION

Visit Victoria hosted the Destination Victoria Conference on Tuesday 16 and Wednesday 17 May 2023 at the Melbourne Convention and Exhibition Centre (MCEC). The annual tourism conference for Victoria's visitor economy brought together 700 people from Victoria's tourism, events and hospitality industries. Over two days, the program energised, educated and inspired with insightful information and practical tools to ensure strong and sustainable growth for the Victorian visitor economy. Presenters included industry leaders and subject matter experts who reported on current trends and insights, new development and opportunities within the sector, and an opportunity for attendees to connect and learn from others within the industry. This year's conference carried the theme Opportunity Awaits. Tourism Officer Kristy Hayes represented Murray River Council at the two-day conference.

The 2023 LGNSW Destination and Visitor Economy Conference was held from 29-31 May in Manly, Sydney. The event was held over three-days bringing together local government staff and Councillors, key industry stakeholders and local operators to discuss insights and the ever-changing world facing future visitors. Over the three days, local councils came together looking for ways to renew tourism opportunities; to find new innovations to attract visitors and showcase local businesses, all while supporting their local communities. This annual conference is aimed to equip councils with the right tools to achieve these goals including ways to increase total volume of international and domestic overnight and day trip visitors, nights and expenditure. Presenters included Peter Lipman (Sydney Opera House Tourism Sales and Marketing Executive), Anthea Hammon, Managing Director of Scenic World, Steve Cox (Chief Executive Officer of Destination NSW) and Layne Beachley AO. Also announced at conference were the NSW Top Tourism Town Award Winners for 2023; Moama, Barham and Mathoura were all nominees. Tourism Officer Kristy Hayes represented Murray River Council at the three-day conference, along with Cr Nikki Cohen and Cr Tom Weyrich.

#### STRATEGIC IMPLICATIONS

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

5.10 - Promote and grow tourism across the region - Growing Tourism across the LGA.

**BUDGETARY IMPLICATIONS**

Funds budgeted for conference fees, travel and accommodation.

**POLICY IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS****RISK ANALYSIS**

- **What can happen?**  
Nil
- **How can it happen?**  
NA
- **What are the consequences of the event happening?**  
NA
- **What is the likelihood of the event happening?**  
NA
- **Adequacy of existing controls?**  
NA
- **Treatment options to mitigate the risk?**  
NA

**CONCLUSION**

The 2023 LGNSW Destination & Visitor Economy Conference provided a platform for Councillors and Council staff to be educated on the latest best practice and trends in tourism, and network with industry leaders.

**ATTACHMENTS**

1. **Conference reports**  



Destination Victoria 2023 Conference

Tuesday 16 May and Wednesday 17 May 2023

Melbourne Convention and Exhibition Centre

NSW Destination and Visitor Economy Conference 2023

May 29, 2023 1:30 PM - May 31, 2023

Manly, NSW

Kristy Hayes  
Murray River Council  
Tourism Officer  
June 23<sup>rd</sup> 2023



## Destination Victoria Conference 2023



Visit Victoria hosted the Destination Victoria on Tuesday 16 and Wednesday 17 May 2023 at the Melbourne Convention and Exhibition Centre (MCEC). The annual tourism conference for Victoria's visitor economy brought together 700 people from Victoria's tourism, events and hospitality industries.

Over two days, the program energised, educated and inspired with insightful information and practical tools to ensure strong and sustainable growth for the Victorian visitor economy.

Presenters included industry leaders and subject matter experts who reported on current trends and insights, new development and opportunities within the sector, and an opportunity for attendees to connect and learn from others within the industry.

This year's conference carried the theme ***Opportunity Awaits.***

Tourism Officer Kristy Hayes represented Murray River Council at the two-day conference.

### Day 1

After attendees were welcomed by MC Karina Carvalho, Emma Murray (founder, High Performance Mindfulness) shared sustainable strategies on how to bring your A-game to high-expectation settings every day. Her sought-after program has been used to support members of AFL clubs and ASX 100 companies to reach their full potential. Following the tragedy of her teenage son's spinal cord injury, Emma tailored her unique program of mindfulness and high-performance psychology to teach people from all walks of life how to achieve their best when overwhelmed and under pressure.

Brendan McClements, CEO Visit Victoria, then delivered the keynote address, providing an overview of Visit Victoria's plans for the future. He then welcomed Felicia Mariani, Chief Executive, Victoria Tourism Industry Council to join him and delve deeper into what ATE is for those operators who are yet to take part, and some of the ways VTIC and Visit Victoria will be working together ahead of next year's blockbuster trade show to help industry prepare for the return of ATE to Victoria for the first time in nine years.

After the morning break, Panel members Nigel Aldons (Head of Global Markets & Commercial, Visit Victoria), Jim Parashos (Chief of Aviation, Melbourne Airport), Terry Zhang (Regional Manager, Greater China, Visit Victoria), David Evans (Regional Manager, The Americas, Visit Victoria), Celia Ho (Regional Manager, South and South East Asia, Visit Victoria), Chris White (Head of Industry Engagement and Programs Visit Victoria) and Deb Carr (Regional Manager WA/VIC/TAS, Australian Tourism Export Council) discussed Victoria's visitor economy recovery from the international market's sustained absence due to COVID-19, explored strategies to maximize the market's return. With International borders reopened, airlines are increasing capacity, and welcome the evident acceleration of international visitors back to Victoria. The panel examined the importance of diversification and how to capitalize on the growing international market.

## Destination Victoria Conference 2023



### Day 1 (Cont)

Celine Wickerhoff (Director Business Development, Expedia Group Media Solutions) then spoke about trends from across their global portfolio of brands, views on the prospects in global markets and insights on the impact of pent-up demand, airfares, inflation and rising interest rates on travel globally.

Laurent Thevenet (Head of Creative Technology, Publicis Groupe APAC & MEA) presented an introduction to ChatGPT and AI delving into what these technology innovations mean for the future of global tourism and destination marketing. Bypassing the Media hype, we gained practical insight into the functional applications of ChatGPT and AI in the tourism sector, as well as the available AI tools relevant to operators of all sizes.

After the lunch break we heard from Visit Victoria's in-market Regional Managers on the opportunities update on their markets (America and Europe) including current trends, campaign activity and insights for product to capture a greater share of the market.

Nick Morris from Morris Goding Accessibility Consultants' related high-profile event learnings to tangible take-outs for small businesses and covering the all-important question of communicating essential accessible information to potential guests.

The final presentation of the afternoon was from Mr Jeroen Weimar (Chief Executive Officer, Organising Committee Victoria 2026 Commonwealth Games) about Victoria hosting the 2026 Commonwealth Games, the new multi-city model is set to be a game changer. As the state prepares to enter the world stage, Brendan McClements, Chief Executive Officer, Visit Victoria, and Jeroen Weimar, Chief Executive Officer Victoria 2026 Commonwealth Games, discuss the value that the Games will deliver statewide, the roles that the Organising Committee and Visit Victoria will play, and the legacy that the Games will provide.

The day ended with a networking evening at Aerial South Wharf, 17 Dukes Walk, South Wharf, where Visit Victoria hosted a Networking evening. Dean Oberin (EMT Chair) and Mark Francis (Port Authority) were also in attendance.



## Destination Victoria Conference 2023



### Day 2

The day kicked off with Bernard Salt AM (Futurist and Business Adviser) providing evidence based insights on economic, consumer and demographic trends that will impact tourism in Victoria.

Shae Keenan (CMO, Visit Victoria) then presented a Destination Marketing update. With all key international markets open, competition in travel is fierce. A focused strategy and distinct brand offer is critical in order to grow preference and market share. Shae shared insights from Visit Victoria's global consumer research and outline its global marketing strategy and why Brand Victoria is more important than ever.

Ms Phillipa Harrison (Managing Director, Tourism Australia) then gave a Tourism Australia update. She discussed driving Tourism Australia's strategies to create sustainable demand for Australia's tourism experiences internationally, and working with the tourism industry to support the sector's recovery from the impacts Covid19.

After the morning break Ash Bartley (Specialist Aboriginal Tourism) spoke to representatives from wawa biik; a new venture offering immersive cultural experiences on Taungurung Country in Victoria. This session provided insight into their community-led journey into tourism, discussing their unique approach that shares the Taungurung story and perspectives in a way that celebrates and regenerates their living culture.

Julia Swanson (CEO, Melbourne Convention Bureau) spoke about Business and major events driving the economy. This included a panel of experts including Kelly Dickson (Director, Major Events, Visit Victoria), Ms Danni Jarrett, CEO, Global Vic & Invest Vic), Paul Guerra (Chief Executive Victorian Chamber of Commerce and Industry) and discussion around the importance of attracting a strong pipeline of events to Melbourne and regional Victoria, and maximizing the benefit of the state's diverse, year-round calendar.

After lunch Dan Monheit CEO and Cofounder, Hardhat creative agency, put brand marketing under the behavioral science lens. Dan applied behavioral economics concepts to examine why brands can encounter catastrophic results when following local, well-intentioned advice. Advised on how to achieve better results for our customers and brand from his foundational research insights, real-world examples and key actionable takeaways.

A panel including (Patrizia Fimiani, Group Manager, Major Event Projects, Visit Victoria), Peter Jones (Director, Peter Jones Special Events (PJSE) Consulting), Jessica Bridgfoot (Director, Bendigo Art Gallery) and Kerstin Grant (Managing Director, The Sands Torquay) discussed how you can make the most of our event strategy, including practical design and delivery considerations, and recent examples from venues and events within regional Victoria.

## Destination Victoria Conference 2023



### Day 2 (Cont)

The afternoon session started with Matt Gudinski (CEO, Mushroom Group) speaking on Victoria's live music scene, including the making of the biggest moments in Australian live music in the last year, from Foo Fighters, to Billy Joel to the history-making Ed Sheeran at the MCG.

The conference ended with a live performance from Australian singer/songwriter Missy Higgins.



## Destination Victoria Conference 2023



### Key Learnings:

- India is by far the biggest International visitor, China will be number one by the end of the year (they only opened up from Covid in January). Can we tap into these markets? It will be difficult. Challenges are there is a language barrier (many don't speak English), they have little awareness of regional Victoria/ NSW, they have no transport so must have the confidence to use public transport to get there and we must be able to offer something unique they cannot get in Melbourne to make it worth the 3 hour trip
- ATDW; learnt I am not using it to it's advantage including how to increase exposure to River Country and our Tourism Businesses across various Tourism websites and attract more potential visitors to the area
- AI-Powered Tourism: How I can use Chat GPT to make my job easier including how to create personalized visitor experiences and highlight the unique attributes of our region

### Key Opportunities:

- Bright continually came up when talking about Regional visitation growth. What are they doing I can learn off?
- Commonwealth Games 2026. Bendigo and Shepparton will be hosting regionally, how can we take advantage of this. I spoke to Terry Karamaloudis (Manager of Tourism and Events in Bendigo) and Anthony Nicolaci (Tourism Manager Shepparton Council) and they are really keen to work with me to ensure we can keep attendees in the Region and explore neighbouring areas. We need to have an aligned strategy (eg, do we all host a festival while the games are on? Do we have day trips that pick up people from the Olympic villages?). Also concerns around if they can accommodate everyone so they will need our assistance with this also
- ATE will be held in Melbourne in 2024, a great opportunity for us to showcase River Country to new markets

### Take Aways to keep in mind when doing my 23/24 Marketing Strategy:

- Events are the key driver to new visitation and must be a key part of our strategic marketing strategy
- DINKS (Double income no kids) are a major emerging market
- Cash cow markets are boomers and group travelers (people travelling in a group of friends)
- With cost of living and interest rates high, families will be looking at holidaying closer to home; make sure marketing cost effective options to families
- Focus on our strengths and points of difference

## LGNSW Destination and Visitor Economy Conference 2023



The 2023 LGNSW Destination and Visitor Economy Conference was held from 29-31 May in Manly, Sydney.

The event was held over three-days bringing together local government staff and Councilors, key industry stakeholders and local operators to discuss insights and the ever-changing world facing future visitors.

Over the three days, local councils came together looking for ways to renew tourism opportunities; to find new innovations to attract visitors and showcase local businesses, all while supporting their local communities. This annual conference is aimed to equip councils with the right tools to achieve these goals including ways to increase total volume of international and domestic overnight and day trip visitors, nights and expenditure.

Presenters included Peter Lipman (Sydney Opera House Tourism Sales and Marketing Executive), Anthea Hammon, the Managing Director of Scenic World, Steve Cox (Chief Executive Officer of Destination NSW) and Layne Beachley AO.

Also announced at conference were the NSW Top Tourism Town Award Winners for 2023; Moama, Barham and Mathoura all nominees.

Tourism Officer Kristy Hayes represented Murray River Council at the three -day conference along with Councilors Nikki Cohen and Tom Weyrich.

#### Day 1

The day started at 1pm, after attendees were welcomed Cr Darriea Turley AM LGNSW President, Todd Wright from Threesides Marketing spoke about basic concepts and case studies including: Segmenting your audience, redefining the tourism market for councils, travel preference trends and how to target new and emerging marketing channels and how can metro and regional councils attract new visitors. After a short break he went into topics such as destination marketing on a shoestring budget, how to use social media effectively, tips and tricks for digital marketing, trends and examples on creative thinking and innovative marketing techniques.

At 4.45pm we departed via bus to the International College of Management, Sydney (ICMS) for the official welcome reception. Official Proceedings included;

- Introduction by LGNSW
- Acknowledgment of Country
- Welcome from Northern Beaches Council
- Premier Sponsor Address by Shannon Lakic, Caravan & Camping Industry Association NSW

At 7.30, upon her invitation, we then joined Destination Riverina Murray, General Manager Yvette Myhill for dinner at Sushi Waka. We were also joined by other Tourism Managers, Mayors and Councilors across the Riverina Murray region.



## LGNSW Destination and Visitor Economy Conference 2023

**Day 2**

Day 2 kicked off with a panel session Q & A: Reimagining Tourism in your LGA and leveraging the 24-hour Economy. The Panel included;

24-hour Economy – Michael Rodrigues, NSW 24-hour Economy Commissioner

Michael was announced as NSW's inaugural 24-Hour Economy Commissioner in February 2021. Prompted by the challenges facing Sydney's night-time economy, he launched and chaired the Night Time Industries Association, which was instrumental in lifting the lockout laws and shaping the State of NSW's 24 Hour Economy Strategy. Michael provided us with a current update on the strategy, resources and a toolkit for Councils.

24-hour Airport – Anthea Hammon, Board member Western Sydney Airport and MD Scenic World

Anthea spoke about the latest developments and opportunities on Sydney's new international 24-hour airport due to open in late 2026.

Sustainable Tourism – Stewart Moore, CEO, EarthCheck

Stewart is the founder and CEO of EarthCheck, the world's leading certification, consulting and advisory group for sustainable destinations and Tourism organisations. With over 30 years' experience in a wide range of disciplines, including business and strategic planning, policy development, tourism destination management and marketing, sustainability, risk management and corporate and social responsibility, Stewart shared his view on reimagining tourism and leveraging the 24-hour economy.

After morning tea, another Panel session Q & A What's the secret to successful and sustainable events tourism? Speakers and topics included;

Mid-Western Regional Council's engagement with Sports Tourism ; Alina Azar spoke on behalf of Mid-Western Regional Council

Parkes Shire Council's Elvis Festival – Attracts metro and regional visitors, Tiffany discussed key learnings over 30 year of the event Tiffany Steel, Parkes Shire Council

Northern Beaches Council –Lisa Dowse from Northern Beaches Council spoke about creating sustainable

Marquee Events - showcasing Play Manly and Taste of Manly

Sydney WorldPride Human Rights Conference – We heard from Kate Wickett (Event Manager Sydney WorldPride 2023) how this event attracted worldwide attention

This was probably my biggest learning of the Conference (refer to Key Learnings on page 16)



## LGNSW Destination and Visitor Economy Conference 2023

**Day 2 (Cont)**

At 11.45, the announcement we'd all been waiting for.... The Award Presentation for NSW Top Tourism Town Awards! Moama (Top Town Award), Barham (Top Small Tourism Town) and Mathoura (Top Tiny Town) were all nominated, unfortunately none of our towns came in the top 3. Winners included;

**TOP TINY TOURISM TOWN (POPULATION UNDER 1,500 RESIDENTS)**

Judges' Commendation - Milparinka

Bronze - Kangaroo Valley

Silver – Tilba

WINNER – HUSKISSON

**TOP SMALL TOURISM TOWN (POPULATION BETWEEN 1,500 AND 5,000 RESIDENTS)**

Judges' Commendation - Bulahdelah

Bronze – Gulgong

Silver – Eden

WINNER – BERRY

**TOP TOURISM TOWN (POPULATION OVER 5,000 RESIDENTS)**

Judges' Commendation – Picton

Hall of Fame - Mudgee

Bronze – Wollongong

Silver – Ulladulla

WINNER – NEWCASTLE

Takeaway from this was all the towns did an excellent job with their nomination, some spending \$100,000 on their video submission (<https://youtu.be/Hnyr-fTksaM>). And all winners were also beach destinations.

# LGNSW Destination and Visitor Economy Conference 2023



## LGNSW Destination and Visitor Economy Conference 2023

**Day 2 (Cont)**

We then spent the afternoon participating in a site visit of our choice. Our choices included;

SITE VISIT 1 Destination Manly Walking Tour

SITE VISIT 2 Arts and Ales

SITE VISIT 3 Nature and History - Connection to Country

SITE VISIT 4 Inclusive Tourism

SITE VISIT 5 Wellness Immersion

I chose to join the walking tour of Manly to discover more about this iconic destination at the gateway of Sydney's Northern Beaches. Visits included Manly Wharf, Manly Corso, Shelley Beach and Cabbage Tree Bay to learn about the place-making and events strategies that have put Manly on the map as a leading destination for domestic and international visitors. This visit also showcased; Place-making, Eco Tourism and Events, Manly Place Plan, Taste of Manly and PLAY Manly.

Nikki chose site Visit 4 to learn more about inclusive tourism offerings on the Northern Beaches. Tour award-winning Sargood on Collaroy, a world-first specialist accommodation facility purpose-built for people living with a spinal cord injury and their families as a place to refresh, learn and connect. Collaroy Beach is a leading accessible tourism precinct development with facilities including an all-abilities playground, accessible picnic areas, paths and a rockpool. They also enjoyed a short walk around part of Narrabeen Lagoon's multi-use trail.

Site visits concluded at 5.30PM and straight into the Conference Dinner at 6.30PM, this gave an opportunity to unwind and network with other Tourism Managers, Mayors and Councilors across NSW.



## The Destination & Visitor Economy Conference 2022



### Day 3

The day kicked off with an International Market update from Tourism Australia's Dominic Mehling. Dominic joined Tourism Australia in 2017 and acts as the primary link between domestic tourism product and the Australian Government agency responsible for promoting Australia to the world as a destination for leisure and business travel. Dominic spoke about the recovery of international markets, Tourism Australia's campaigns, and the latest consumer insights.

Clarence Slockee from Jiwah Pty Ltd spoke about Sharing the Journey – developing and delivering unique cultural tourism experiences. Clarence Slockee is a Cudgenburra/Bundjalung Aboriginal man with a long family history of bushmen, farmers and fishermen growing up in the lush Tweed Valley. Clarence intertwines his love of plants, education, culture, design and the arts into his role as Director and founder of Jiwah, a 100% Aboriginal-owned company that delivers a range of collaborative projects including urban native species green space. We learnt about recent projects with metro and regional councils in NSW, including bike and nature trails, rooftop gardens and creation of tourism experiences throughout NSW and how Murray River Council may benefit from Cultural experiences.

Destination NSW CEO Steve Cox is the lead agency, champion and voice for the NSW Visitor Economy. Destination NSW owns, manages and produces Australia's largest event, VIVID Sydney. Steve spoke about being a passionate and energetic champion for Sydney and regional NSW. He drives the strategic direction of Destination NSW, including the delivery of the Visitor Economy Strategy 2030 to ensure NSW is the premier visitor economy of the Asia Pacific by 2030. Steve also gave an update about the Destination NSW partnerships with Local Councils throughout NSW.

Adele Labine-Romain from Deloitte Access Economics then spoke about the "Visitor Economy on the other side". Adele is passionate about the potential for tourism to create stronger economies and better lives. She has supported the development of state, territory and destination tourism strategies, delivered the national regional tourism satellite account model, and undertook a year-long look at how to encourage visitor regional dispersal. She shared her deep understanding of the tourism landscape, trends impacting her government and private sector clients across the tourism spectrum, including aviation and transport, hotels, business events, sports and major events and attractions.



# The Destination & Visitor Economy Conference 2022



## Day 3 (Cont)

The afternoon started with a Panel Session and Q&A about Technology Trends and Tourism- The Future of visitor servicing.

Mark Greaves (The Tourism Group) shared his future vision for Visitor Information Centres, trends and future “Gold Standard” for VICs, Accreditation and Visitor Centre apps. Catherine Shields (Destination Sydney Surrounds South) presented a case study on the Southern Highlands Pilot Project on Futureproofing Visitor Servicing in NSW. Clair Mudaliar (Eden Visitor Information Centre) presented a case study on Eden Visitor Information Centre’s success moving to a not-for-profit and volunteer model. And Lee Hickin (Microsoft Australia & New Zealand) shared the latest technology trends in artificial intelligence, including ChatGP.

Refer to Key Takeaways on page 16; all had the same opinion **VIC’s are essential in any successful Tourism Destination.**

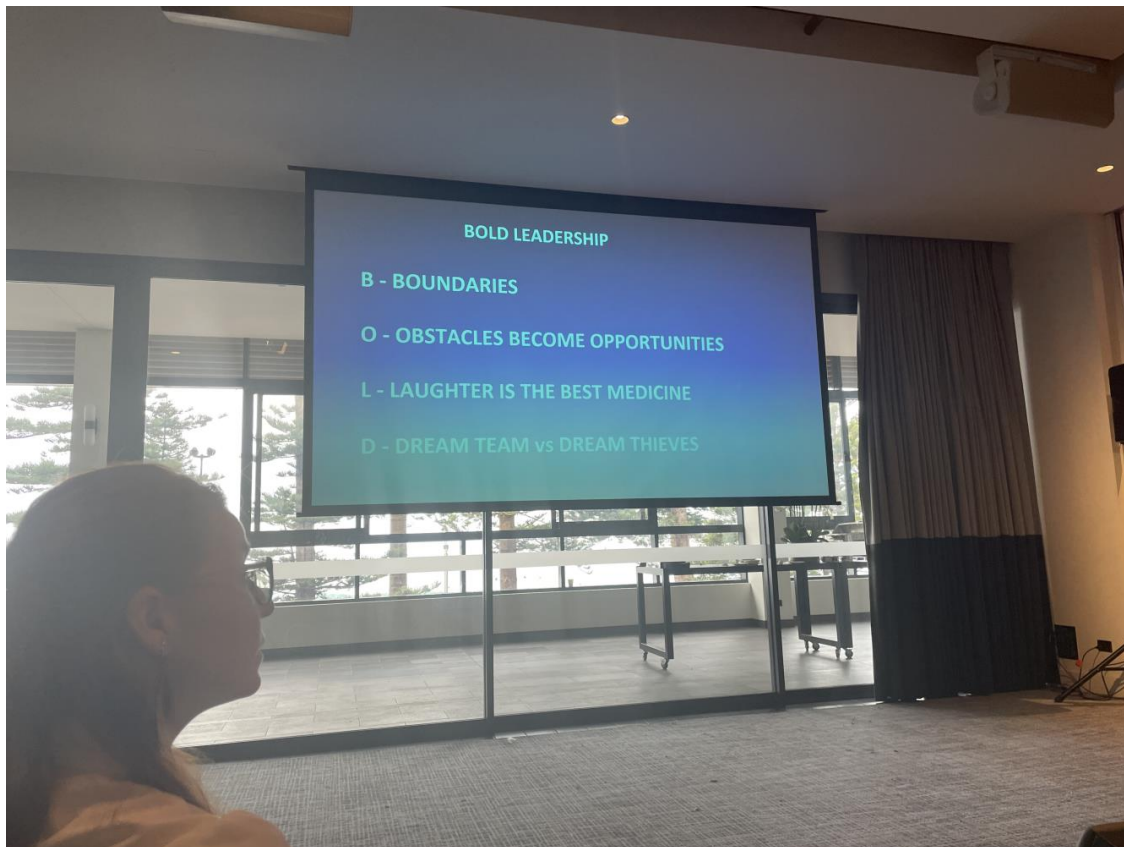


# The Destination & Visitor Economy Conference 2022



## Day 3 (Cont)

The conference ended with Layne Beachley AO; one of the most successful female surfers in history. Her dedication to success led her to be the only surfer, male or female, to claim six consecutive world titles between 1998 and 2003. Layne went on to win a 7th world title in 2006 before retiring from the World Tour in 2008. She is an ambassador for various charities, a passionate environmental campaigner, and chairperson of Surfing Australia and champion of mental wellness. Layne spoke about trends on wellbeing and wellness tourism, her model of sustainable success (BOLD Leadership), mental health and wellbeing, and tips and tools to turn ideas and intentions into actions.



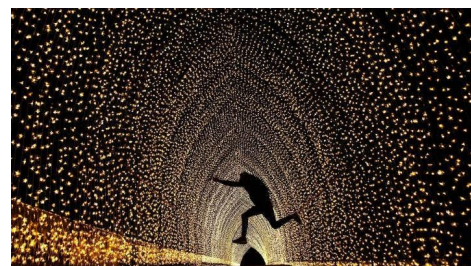
# The Destination & Visitor Economy Conference 2022



## Day 3 (Cont)

At the conclusion of the Conference Wednesday afternoon, I also took the opportunity to visit Vivid while before my trip home Thursday morning. I was particularly interested in speaking to local businesses in the vicinity about how they get involved and take back these learnings for Moama Lights. I spoke to a number of local businesses about where their visitors are coming from and how they attract people to their business, I spoke to people attending the event to see if where they were from and if they travelled to Sydney just to see Vivid and looked at what other attractions were in the vicinity of the event that added to the visitor experience.

(Refer to Key Opportunities on page 18)





## The Destination & Visitor Economy Conference 2022



### Key Learnings:

- Mudgee Tourism Strategy (see below), as mentioned Mudgee are a similar destination to us (demographic, population, 2.5 hours from major City), what can I take away from their success and implement in VRC strategy?
- Event Management: Tiffany Steel (Event Director from Parkes Elvis Festival), Lisa Dowsett (Events Manager Northern Beaches Council), Kate Wickett (Sydney Gay Pride events Manager) and Alina Azar (Mudgee Sports Tourism) all spoke about the importance of events in their region. Mudgee and Parkes events strategy was of particular interest as these are a similar demographic and population to River Country. See overview below;

**Mudgee** had secured the reputation as a premium Tourism destination for Food and Wine the last 5 years, realising their Tourism was mainly repeat visitors they set a strategy to attract new people to the area and decided on Sports Tourism. They built a state of the art Stadium and set out a events calendar around this including rodeos, Horse Races and secured 2 x NRL games per year for the next 5 years at the Stadium. They work with local businesses including pubs, taxis, bus services and accommodation businesses to ensure when these events are on the are giving their visitors a premium experience all round.

**Parkes Elvis Festival** started in 1993 by 2 local Café owners who loved Elvis and wanted to do “something fun” so organised an event for locals on Elvis’s Birthday at their Café. It attracted 195 people (all local) and went for 2 days, now they attract 5000 people per year who travel from all over the world and it goes for 5 days. They have to continually evolve; one of their challenges is as there is not a lot to do in Parkes they have to ensure they are giving people things to do while they are there so they don’t get bored to ensure repeat visitation. They have a brainstorming session after each festival to see how they can freshen it up next year, for example they had a Dog Show this year; not related to Elvis but they noticed so many people bought their dogs so added that into the agenda.

Takeaways from the above are:

- Have an all year round events calendar no matter how big or small
- Events are the best way to attract new visitors
- All big events took a few years to grow so stick with the and learn from the first year
- Sometimes it’s a really simple idea, don’t think too much into it

## The Destination & Visitor Economy Conference 2022



### Key Learnings (Cont)

- The importance of VICS. With evolving technology, many people think VICS are no longer relevant however Manly and Eden both spoke about the importance of having a Visitor Information Centre in their areas.

Manly spoke about the importance of their Visitor Centre, situated right on Manly Ferry Wharf as to catch people getting off the Ferry. As people are coming over on the Ferry are often just planning a short hour or 2 visit to look around, the VIC ensures that people getting off the ferry are aware the range and diversity of tourist attractions and activities in Manly to encourage them to either stay longer or return. They offer multiple attractions, such as beaches, historic sites, walking trails, or cultural experiences, and the VIC assists tourists navigate and make the most of their visit. It also helps capture the volume of tourists and evaluate feedback and recommendations directly from visitors.

Eden recently opened a brand new VIC after they realised their old one was “old fashioned” and they needed to evolve and modernise. The new facility is in prime position on the wharf (previously located on the Main St) showcasing local arts, crafts and produce and includes a café and local wine tasting.



## The Destination & Visitor Economy Conference 2022



### Key Opportunities:

- **Aboriginal Culture:** Clarence Slokee from Jirah Pty Ltd spoke about developing and delivering unique cultural tourism experiences. Clarence is a Cudgenburra/Bundjalung Aboriginal man with a long family history of bushmen, farmers and fishermen growing up in Tweed Valley. Clarence intertwines his love of plants, education, culture, design and the arts into his role as Director and founder of Jiwah, a 100% Aboriginal-owned company that delivers a range of collaborative projects including urban native species green space. He is currently regional councils in NSW to help grow Tourism opportunities including bike and nature trails, rooftop gardens and creation of tourism experiences throughout NSW. Given our towns Indigenous history and population, and the opening of the Bridge Arts Project, can we leverage of this?
- **Learning from Vivid for next years Moama Lights:** the main thing I noticed is how the businesses were really knowledgeable about the event so maybe next year hosting an information session with times, FAQs etc? I think the biggest take away was that the City was saturated in the Vivid theme and they kept it really simple like just having the Vivid flags and posters everywhere and supplied the businesses with decals to put in their windows. Some good ideas for next year!

### Take Aways to keep in mind when doing my 23/24 Marketing Strategy:

- "Fish where the fish are"
- Don't overwhelm your visitor, less but better choices
- Don't focus on long term too much, focus on here and now and what's going to get people here sooner
- Consistency is the key
- As reiterated in Visit Vic Conference, don't reinvent the wheel, just focus on our strengths and points of difference
- Events, events, events!

### Overview

- Events are crucial in maintaining and growing tourism
- Commonwealth Games 2026 is a major opportunity for us and we must start preparing now
- Look at other Tourism destinations that are successful (eg, Bright, Mudgee), what are they doing that is making their brand so successful and how can I implement that into my marketing strategy?
- Don't think too much into it! If you know your product it's easy, just focus on our strengths and points of difference

<b>9.5.2 MURRAY RIVER COUNCIL COMMUNITY GRANTS PROGRAM - APPOINTMENT OF ASSESSMENT PANEL, ROUND 1, 2023-24</b>
--

**File Number:** -

**Author:** Tiana Cronin, Grant Officer

**Authoriser:** Sarah Ryan, Director Community and Economic Development

### RECOMMENDATION

That Council:

1. Endorse the Chief Executive Officer, or his nominee, as a member of the Murray River Council Community Grants Program Assessment Panel.
2. Appoint three (3) Councillors to the Murray River Council Community Grants Program Assessment Panel to assess applications under Round 1, 2023-24.

### BACKGROUND

Council runs two rounds of the Community Grants Program each financial year, allocating \$30,000 to each round.

The recent Community Grant assessment panels have been made up of the following Councillors:

<b>Round 1 2020/21</b>	<ul style="list-style-type: none"> <li>• John Harvie (delegate for Des Bilske, General Manager);</li> <li>• Cr Tony Aquino;</li> <li>• Cr Geoff Wise</li> <li>• Cr Alan Mathers</li> </ul>
<b>Round 2 2020/21</b>	<ul style="list-style-type: none"> <li>• John Harvie (delegate for Terry Dodds, CEO);</li> <li>• Cr Nikki Cohen;</li> <li>• Cr Chris Bilkey; and</li> <li>• Cr Neil Gorey</li> </ul>
<b>Round 1 2021/22</b>	<ul style="list-style-type: none"> <li>• John Harvie (delegate for CEO);</li> <li>• Cr Tony Aquino</li> <li>• Cr Ann Crowe; and</li> <li>• Cr Geoff Wise;</li> </ul>
<b>Round 1 2022/23</b>	<ul style="list-style-type: none"> <li>• Sarah Ryan (delegate for CEO);</li> <li>• Cr Neil Gorey</li> <li>• Cr Nikki Cohen; and</li> <li>• Cr Kron Nicholas;</li> </ul>
<b>Round 2 2022/23</b>	<ul style="list-style-type: none"> <li>• Sarah Ryan (delegate for CEO);</li> <li>• Cr Dennis Gleeson</li> <li>• Cr Nikki Cohen; and</li> <li>• Cr Thomas Weyrich;</li> </ul>

Round 1 of the 2023-24 Murray River Council Community Grants Program opened on 1 July 2023. The timeline for this round (see table below) will require the Assessment Panel to assess applications between 18 September and 6 October 2023. Assessment of the applications will be undertaken both online and via a meeting (Friday 6 October 2023).

<b>1 July 2023</b>	Applications open
<b>4pm, 15 September 2023</b>	Applications close

<b>6 October 2023</b>	Assessment of applications
<b>24 October 2023</b>	Council to approve funding for recommended projects
<b>Early November 2023</b>	Applicants notified of outcome
<b>By 15 December 2023</b>	Successful applicants to submit invoice for payment
<b>By 15 December 2024</b>	Projects completed and funding acquittal submitted

## DISCUSSION

The grants are competitive in nature as Council may receive applications with a total value more than the \$30,000 allocated for the round. Therefore, it is necessary that Council form an assessment panel to review the grant applications and make recommendations in relation to which applications should be funded and to what amount. Should Council receive applications totalling under the \$30,000 that are deemed eligible and appropriate to fund, panel members will be notified via email (as occurred in 2022-23 Rd 2), providing an option to streamline the assessment process.

Council's Grants Officer, Tiana Cronin, manages the grant program and will advise the panel on the process once eligible applications have been confirmed.

## STRATEGIC IMPLICATIONS

4. Strategic Theme 4: A place of inclusion, culture & wellbeing

4.10 - Support existing and new art projects and diverse community events - Regional Events.

## BUDGETARY IMPLICATIONS

Council has allocated \$30,000 per round for each of the two community grant rounds per year, (as per 27 November 2018 resolution of Council).

## POLICY IMPLICATIONS

The Community Grants program sits within Council's Financial Assistance Policy (and Framework), adopted July 2018.

## LEGISLATIVE IMPLICATIONS

Council can financially assist others under s356 of the Local Government Act 1993 (LGA), for the purpose of exercising its functions.

## RISK ANALYSIS

- **What can happen?**  
N/A
- **How can it happen?**  
N/A
- **What are the consequences of the event happening?**  
N/A
- **What is the likelihood of the event happening?**  
N/A
- **Adequacy of existing controls?**  
N/A

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

N/A

**CONCLUSION**

Council needs to appoint Councillors to the Murray River Council Community Grants Program Assessment Panel, to enable the assessment process to proceed smoothly and on time.

**ATTACHMENTS**

Nil



**9.5.3 KYALITE PROGRESS & RECREATION RESERVE ASSOCIATION AGM**

**File Number:** -

**Author:** Karen Buckley, Manager of Local Connections

**Authoriser:** Sarah Ryan, Director Community and Economic Development

**RECOMMENDATION**

That That Council:

1. Revoke existing members of the Kyalite Progress and Recreation Reserve Association Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

**BACKGROUND**

At its Section 355 Annual General Meeting held on 22 June 2023, Elections were held to elect all committee positions and office bearers.

**DISCUSSION**

Present at the meeting were Simone Carmichael, John Standen, Andrew Bowring, Marg Bruton, Neville Bruton, Sally Rae, Greg Rae, Paul Haley, Max Dillon, Stuart Carmichael, Gavin Spinks.

A motion was carried for the following election:

President: Gavin Spinks

Secretary/Treasurer: Simone Carmichael

General Committee: Andrew Bowring, John Standen, Greg Rae, Sally Rae, Brad Rae, Stuart Carmichael, Gavin Howley, Craig Hoare, Margie Bruton, Neville Bruton, Max Dillon, Jenny Brooks

Council Delegate: Ann Crowe

Advice of committee members has been received and should be endorsed by Council.

**STRATEGIC IMPLICATIONS**

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

5.7 - Continue to develop strong and resilient communities - Development of a resilient economy.

**BUDGETARY IMPLICATIONS**

Scope of committee financial transactions low.

**POLICY IMPLICATIONS**

Nil.

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 fail to meet obligations.

- **How can it happen?**

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

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.

- **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 and Karen Buckley has been seconded from the Community Services team 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 new committee members nominated at the June 2023 AGM.

## ATTACHMENTS

1. **Kyalite Progress and recreation Reserve Association Committee AGM Minutes - June 2023**  
2. **Kyalite progress Association and Recreation Reserve Association Committee Members 20/24 - Confidential - Confidential**

## Annual General Meeting Minutes Kyalite Progress & Recreation Reserve Association Tuesday 20<sup>th</sup> June 2023

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**Location:** Kyalite Hotel

**Time:** 6:00pm

**Chair:** Gavin Spinks      **Minutes Officer:** Simone Carmichael

1.      **Opening of Meeting:** 6:15pm

**Attendees:**

Simone Carmichael  
John Standen  
Andrew Bowring  
Marg Bruton  
Neville (Bimbo) Bruton  
Sally Rae  
Greg Rae  
Paul Haley (new resident)  
Max Dillon  
Stuart Carmichael  
Gavin Spinks

2.      **Apologies:** Brad Rae, Ryan Standen, Josh Standen, Joel Butcher (outgoing president), Jodie Butcher.

3.      **Minutes of AGM held on Wednesday 27th July 2022**

Acceptance of minutes as true & correct, Moved Andrew, 2<sup>nd</sup> Stuart. No matters arising.

4.      **Chairperson's report – Joel B / Gavin S**

No report tabled due to Joel working interstate, Gavin caretaker president

5.      **Secretary/Treasurers Report – Simone C**

Correspondence:

- 23 Feb 2023, Murray River Council, Re: Council delegate to Section 355 Committee, Cr Anne Crowe.

Discussion held around S355 status and the fate of the Kyalite Hall. The association currently more involved in activities on the Pub side of the river. Should we become an incorporated group with S355 a sub-committee? Should we relinquish responsibility for the Hall given its derelict condition and relevance. All agreed it depends on the condition report for the Hall.

**Action:** Gavin contact Anne Crowe to get a copy of the Kyalite Hall Condition Report completed by MRC.

- 23 May 2023, Murray River Council, Re: Section 355 committee audit 2022/2023.
- 6 June 2023, Burrawong Wind Farm, Re: Successful grant application. \$20K for village water supply consultant.

**6. Election of Office Bearers**

Positions were declared vacant and nominations called for office bearers.

President: Outgoing president Joel Butcher, stepping down. Simone nominated Gavin Spinks, Gavin accepted.

Moved Greg, 2<sup>nd</sup> John. Carried unanimously.

Secretary/Treasurer: John nominated Simone Carmichael, Simone accepted.

Moved John, 2<sup>nd</sup> Sally. Carried unanimously.

**7. Election of Committee**

2023 Committee Members; -

Name
Andrew Bowring
John Standen
Josh Standen
Greg Rae
Sally Rae
Brad Rae
Stuart Carmichael
Gavin Howley
Craig Hoare
Margie Bruton
Neville Bruton
Max Dillon
Jenny Brooks

Action: Those not in attendance to confirm their membership.

**8. General Business**

Current projects discussed.

Riverside Park Project – Most elements in the original plan have been completed including stairs, lighting, car park & info shelter.

The signage design for the shelter has been finalised and panels are due to be delivered late July.

Andrew asked how much funding is left from donations to complete some of the unfinished elements.

Action: Mon to report on unallocated donor funds for the Riverside Park Project.

Balranald Shire Council have allocated \$101,200.00 from the Stronger Country Communities Fund Round 5 (SCCF5) towards the Kyalite Memorial Park Rest Area project. This is possibly going towards a public amenities block, the BSC will put together a project plan.

Those present expressed the need to meet with relevant BSC staff to discuss this project.

Action: Gavin to contact Balranald GM to arrange a site meeting at Kyalite to discuss the SCCF5 project

Town Water Feasibility Study – We have been successful in getting \$20K through the Burrawong Wind Farm Community Benefits Pilot Program to engage a consultant to prepare a Kyalite Village Raw Water Supply Feasibility Study.

Simone tabled a draft 'Statement of requirements' which outlines what consultants' need to quote on and what to include in their report. This study will include;

- A review of current domestic water situation
- A plan for a single-source water delivery system
- An equitable ownership, management, and payment structure
- Water licensing requirements for the provider & end users
- Possible funding options to implement the agreed supply design

Discussion was held around the current plan to provide water to residents on the Pub side of the river. Greg has made enquiries regarding the possible design, Andrew has made some enquiries regarding the State Water requirements. Max explained some of the issues on the Hall side of the river.

Simone explained the funding is for a feasibility study to cover off on the governance side of things and it is up to the progress association to brief any prospective consultants on what is required.

Action: Simone & Andrew to compile a list of possible consultants. Simone to contact each stipulating a pre-quote meeting to familiarise prospective consultants with the current and proposed water requirements.

9. **Meeting Closed; 8pm**

**POST-MEETING AMENDMENT: CHANGE TO BANKING SIGNATORIES.**

Currently there is a requirement for two signatories on bank payments. The signatories are Joel Butcher, Simone Carmichael and Andrew Bowring. It is proposed that Joel be removed from the list of authorised signatories and Gavin Spinks be added as the new president.

Action: Contact Westpac. Joel to be removed and Gavin to be added as an authorised signatory

Active signatories on the account will be; Simone Carmichael (secretary/Treasurer)  
Gavin Spinks (President)  
Andrew Bowring (Committee Member)

Moved Simone, 2nd Sally Rae. Carried by majority.

Approved:

Simone Carmichael	Stuart Carmichael – Email 06 July 2023 07:31
Gavin Spinks	Andrew Bowring - Email 06 July 2023 10:05
Max Dillon – Email Wed 05/07/2023 14:21	Margie Bruton – Pers. Com. 06 July 2023 14:15
Greg & Sally Rae – Email 05 July 2023 15:21	Jenny Brooks – Email 06 July 2023 14:17

**9.5.4 WOMBOOTA SCHOOL OF ARTS HALL COMMITTEE AGM**

**File Number:** -

**Author:** Karen Buckley, Manager of Local Connections

**Authoriser:** Sarah Ryan, Director Community and Economic Development

**RECOMMENDATION**

That Council:

1. Revoke existing members of the Womboota School of Arts Hall Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

**BACKGROUND**

At its Section 355 Annual General Meeting held on 19 June 2023 a motion was called for a block re-election of all committee positions and office bearers.

**DISCUSSION**

Present at the meeting were:

Stephen Holschier, Victoria Starritt, Amos Ferguson, John Stewart, Ian Starritt.

Apologies: Bernard James, Geoff Wise, Kron Nicolas

A block motion was carried for the following re-election:

President: S Holschier

Vice President: B James

Secretary/Treasurer: Victoria Starritt

General Committee: John Stewart, Amos Ferguson, Ian Starritt

Council Delegate: Geoff Wise

Advice of committee members has been received and should be endorsed by Council.

**STRATEGIC IMPLICATIONS**

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

5.7 - Continue to develop strong and resilient communities - Development of a resilient economy.

**BUDGETARY IMPLICATIONS**

Scope of committee financial transactions 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?**

Committees fail to meet obligations.

- **How can it happen?**

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

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.

- **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 and Karen Buckley has been seconded from the Community Services team 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 new committee members nominated at the June 2023 AGM.

## ATTACHMENTS

1. **Womboota School of Arts AGM Minutes - June 2023**  
2. **Womboota School of Arts Committee Members 23/24 - Confidential**

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## WOMBOOTA SCHOOL OF ARTS / HALL COMMITTEE

A.G.M. 19/6/2023 7.30 pm

Attendance; Stephen Holschier, Victoria Starritt, Amos Ferguson, John Stewart, Ian Starritt.

Apologies; Bernard James, Geoff Wise, Kron Nicholas.

Moved by A.Ferguson apologies received, Seconded J. Stewart. Carried.

Minutes of last A.G.M. Moved I.Starritt, Seconded S. Holschier. Carried.

Business arising. (deffered to the General Meeting).

President's Report read and received. S.Holschier. Seconded V.Starritt.

Treasurer's Report as circulated. Moved V.Starritt, Seconded A. Ferguson.

Election of office bearers; Moved by A.Ferguson a block that existing office bearers positions remain unchanged. Seconded by J.Stewart.

President; S.Holschier. Vice President; Bernard James, Secretary; Victoria Starritt. Committee; John Stewart, Amos Ferguson, Ian Starritt.

Review of Hall Charges, (an indication.....Large groups \$300. Smaller \$100. Kitchen only for meetings \$10.00). Charges are at the committee's disgression).

Meeting closed at 7.45 pm.

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GERERAL MEETING 19/6/2023 7.46 pm

Attendance and apologies as above.

Minutes of previous general meeting read and approved. M. S. Holschier, S. I.Starritt. Carried.

Correspondence IN; Received OUT Approved M. A.Ferguson, S. J.Stewart.

General Business; Some maintaince now completed, i.e. Kitchen water, leaking toilets, Spotlight replaced, New door locks and 3 keys issued.

(the hall had 22 bookings in 2022). 5 functions so far this year. Heather Stewart concert a great success, and maybe another scheduled for April 2024. Christmas Tree well attended. No Community B.B.Q. last year due to floods.

5 weekly table tennis get together is in progress at the moment. (This is also of community health importance).

Secretary to contact Geoff Wise re. exterior painting. 11 years since last painted, and it will possibly be some time for it to be organized and if left too long the cost will increase and become a much greater job.

Discussion re. future concerts. A community B.B.Q. will be held on Sunday 5<sup>th</sup> November 2023.

Meeting closed at 8.25 pm.

2023

19/JUNE/23

## CHAIRMAN'S REPORT

FOR THE WOMBOSTA SCHOOL OF ARTS.

It is with great pleasure that I present my annual report for 2023.

The hall has been used on twenty two occasions in the past twelve months.

The Murray River Council has started, in the past twelve <sup>MONTHS</sup> paying the quarterly electricity charges to the Wombosta hall.

Hall maintenance for the year includes as follows

- New door locks installed.
- stage spotlights replaced.
- toilet cistern taps installed.
- Kitchen water infrastructure overhaul.

I would like to thank our Murray River Council representative Geoff Wise, for coordinating our concerns back to council.

A big thankyou to the local community or there on going support, & to Vic Starriff or coordinating events & activities.



**9.5.5 APPOINTMENT OF COUNCIL DELEGATES TO: COMMITTEES OR SUB-COMMITTEES OF COUNCIL; SECTION 355 COMMITTEES OF COUNCIL; GOVERNMENT OR INDUSTRY ORGNISATIONS; AND COMMUNITY COMMITTEES OR GROUPS**

**File Number:** -

**Author:** Karen Buckley, Manager of Local Connections

**Authoriser:** Sarah Ryan, Director Community and Economic Development

**RECOMMENDATION**

That the Council appoints Councillor delegates, alternate delegates and representatives to the various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups, as attached to the report, for the period 22 September 2023 to September 2024, subject to any changes to delegates/representatives made at the meeting.

**BACKGROUND**

It is usual practice that at the annual September meeting of the Council, at which the Mayor and/or Deputy Mayor are elected, the Council would also review the Council's delegates to various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups.

**DISCUSSION**

It is required that the Council appoint Councillor delegates (and/or a staff representative in some instances) to committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups for the period up to September 2024. All appointments are for a one-year term, except where advised.

Attached is the list for the 2023/2024 committees of Council, Section 355 Committees of Council, government of industry organisation community committees of groups.

Manager of Local Connections, Karen Buckley, is in the process of detailing the requirements Council delegates have when attending each of the committees of Council, Section 355 Committees of Council, government of industry organisation community committees of groups. It is noted that in most cases (unless otherwise stated) all delegates are present in an observatory role only and are unable to vote on matters of the committee or be involved in operational decisions and actions.

**STRATEGIC IMPLICATIONS**

2. Strategic Theme 2: A Place of Progressive Leadership

2.8 - Achieve community driven results through collaboration and engagement (community and stakeholders) - Community and Council collaboration.

**BUDGETARY IMPLICATIONS**

Reimbursement of travel expenses for Councillors to attend the meetings of the various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups (as listed and adopted by the Council) is factored into Council's budget.

**POLICY IMPLICATIONS**

Murray River Council Section 355 Committee Policy (POL119)

**LEGISLATIVE IMPLICATIONS**

Local Government Act 1993

**RISK ANALYSIS**

- **What can happen?**  
N/A
- **How can it happen?**  
N/A
- **What are the consequences of the event happening?**  
N/A
- **What is the likelihood of the event happening?**  
N/A
- **Adequacy of existing controls?**  
N/A
- **Treatment options to mitigate the risk?**  
N/A

**CONCLUSION**

It is required that Council appoint delegates to various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups for the ensuing 2023/24 year. All appointments are for a twelve-month term up to September 2024, except where advised.

**ATTACHMENTS**

1. **Council Delegates to Sub Committees - 355 Committees 2023-2024** [!\[\]\(e548a391c65118ac2476924cdb5db38c\_img.jpg\) !\[\]\(6fc1fda334fce799e3b50f6cf68d70a8\_img.jpg\)](#)

<b>2023/24 COUNCIL DELEGATES</b>		
<b>Committee/Organisation/Group</b>	<b>Delegate/s</b>	<b>Alternate Delegate/s</b>
<b>Committees or Sub-Committees of Council</b>		
Murray River Council Audit Committee		
Murray River Council ClubGRANTS Committee		
Murray River Council Heritage Advisory Committee		
Murray River Council Local Traffic Committee		
<b>Section 355 Committees of Council</b>		
Barham Recreation Reserve Management Committee		
Barham School of Arts/Hall Committee		
Bunnaloo Recreation Reserve Management Committee		
Caldwell Hall Management Committee		
Friends of Old Moama		
Goodnight Recreation Reserve & Hall Management Committee		
Koraleigh Hall & Recreation Reserve Committee		
Kyalite Progress Association & Recreation Reserve Management Committee		
Mallan Recreation Reserve & Hall Management Committee		
Mathoura Recreation Reserve Management Committee		
Mathoura Retirement Village Management Committee		
Murray Shire Hall Mathoura Management Committee		
Meninya Street Precinct Committee		
Moama Lions Community Village Committee		
Moama Recreation Reserve Management Committee		

<b>Committee/Organisation/Group</b>	<b>Delegate/s</b>	<b>Alternate Delegate/s</b>
<b>Section 355 Committees of Council continued..</b>		
Moulamein Centenary Recreation Reserve Committee (Racecourse)		
Moulamein Hall Committee		
Moulamein Lake Committee		
Moulamein South Recreation Reserve Committee		
Murray Downs Riverside Park Management		
Noorong Community Centre Committee		
Old Moulamein Courthouse Committee		
Tooleybuc/Piangil & District Action Group / Tooleybuc Bridgekeepers Cottage Management Committee		
Tooleybuc Recreation Reserve & Hall Committee		
Wakool Memorial Hall Committee		
Wakool Recreation Reserve Committee		
Womboota School of Arts/Hall Management Committee		
<b>Other Government or Industry Organisations</b>		
Campaspe Murray Mental Health Network		
Echuca Moama Torrumbarry Flood Study Project Reference Committee		
Riverina and Murray Joint Organisation		
South West Arts Inc.		
Western Joint Regional Planning Panel		
<b>Community Committees/Groups</b>		
Mathoura Preschool Management Committee		
Moama & District Preschool Centre Inc. Committee		
Murray River Council (Southern) Liquor Accord		



**9.5.6 SECTION 355 COMMITTEE REPORT - MEETING MINUTES AS AT AUGUST 2023**

**File Number:** -

**Author:** Karen Buckley, Manager of Local Connections

**Authoriser:** Sarah Ryan, Director Community and Economic Development

**RECOMMENDATION**

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

**BACKGROUND**

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

**DISCUSSION**

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

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

Karen Buckley has joined the Economic Development team on a secondment from the Community Services team. Karen's new role as Manager Local Connections, will be responsible for working collaborative 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**

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

5.7 - Continue to develop strong and resilient communities - Development of a resilient economy.

**BUDGETARY IMPLICATIONS**

Scope of committee 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 and Karen Buckley has been seconded from the Community Services team 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

He has received a quote from Swan Hill Curtains and Blinds to replace a broken blind (\$774.00) in Reception Room, but they are doubtful whether the new blind can be colour matched to the existing. They deal with a different manufacturer to the existing blind manufacturer. They have quoted also to replace the two blinds on that window, for a total cost of **\$1,548.00**.

### Friends of Old Moama

Grants for replacement of flood damaged items; awaiting MRC report.

### Murray Shire Hall Committee






Hall Booking Procedure; Heidi advised that Council staff are still unaware of the booking procedures for the Hall. Sarah apologised for Council's breakdown in communication and lack of action regarding the booking procedures, however with Karen's recent appointment to the role of coordinating all the Section 355 Committees, she hopes that the booking issue will be resolved in the near future. The process will include identifying booking procedures

at other hall and similar facilities within the Shire, and endeavouring to find a common methodology that will streamline the process for all facilities.

Wakool Recreation reserve Committee

We would like to ask MRC if a mushroom for power could be placed on the Men's shed area instead of them using the old power system on the power pole.

**ATTACHMENTS**

1. **Barham School of Arts Hall Meeting Minutes - August 2023** [↓](#) 
2. **Friends of Old Moama Meeting Minutes - August 2023** [↓](#) 
3. **Murray Downs Riverside Park Committee Meeting - August 2023** [↓](#) 
4. **Murray Shire Hall Committee Meeting Minutes - June 2023** [↓](#) 
5. **Wakool Recreation reserve Meeting Minutes - August 2023** [↓](#) 

**BARHAM SCHOOL OF ARTS AND RIVERSIDE RECEPTION ROOM COMMITTEE  
REPORT****Section 355 LGA School of Arts Hall Report:****MEETING OF 14<sup>th</sup> August 2023****Meeting commenced about 8.10 pm.****PRESENT: CHAIR:** T Barker.

G Barker, J Boyd, (Hall Committee)

B Campbell, G Minnis, A Mathers, R Millar, A Millar, L Sheldrick, B Rash, R Daws, J Whelan,

P Williamson.

**Guests:** Desi Agelakis

**John Boyd** \*He has received a quote from Swan Hill Curtains and Blinds to replace a broken blind (\$774.00) in Reception Room, but they are doubtful whether the new blind can be colour matched to the existing. They deal with a different manufacturer to the existing blind manufacturer. They have quoted also to replace the two blinds on that window, for a total cost of **\$1,548.00**.

\* Reception Room carpet desperately needs replacing due to ingrained stains. The cleaning contractor has advised that she cannot get the carpet any cleaner

\* Carpark driveway at rear of Hall needs repairs. The restoration carried out after drainage works was not done properly, and the concrete has failed, **It is now quite dangerous.**

\* The main Hall was used for a Council Training Course, and a comment made by a staff member present that it is the only venue in Council's area that has the capacity to cater for all Council attendees.

**G Barker\*** Has had Koondrook Carpets and Blinds attend the Reception Room to give an alternate quote to replace the broken blind. Their representative was going to attempt to contact the original manufacturer. If successful, they may be able to just replace the one blind.

**FINANCIAL REPORT: Not available as at date of preparation of Lions Club monthly report.****Meeting concluded about 8.20 pm.**

## Friends of Old Moama

### MINUTES

**Date:** Tuesday August 1<sup>st</sup> 2023 at old Council Building 6 Meninya St Moama

**TIME:** 10.00 AM

**PRESENT:** Mary Ledwidge, Eric McConachy, Brian Ellis, Shirley Durrant, Judy McCleary, Sue Shaw

**APOLOGIES:** Nikki Cohen, Beck Hayward, Kim Biggs, Karen Buckley

**MINUTES OF THE PREVIOUS MEETING:** The minutes of the previous meeting held on **Tuesday July 4<sup>th</sup> 2023** as circulated were taken as read.

**Moved by** Shirley and **Seconded by** Eric **Carried**

#### **BUSINESS ARISING :**

1. Grants for replacement of flood damaged items; awaiting MRC report. Nothing from the council. Mary will contact Beck for an update.
2. Border Police Project research ongoing: discussion around finding more information to be compiled in a series of stories or a book.
3. MRC annual audit letter- Books, receipts, bank statements, investments for the financial 01.07.2022-30.06. 2023 required to be submitted to the MRC office by 14.07.2023. It was decided we would deliver our Meeting minutes and the AGM report electronically and was done by Judy on the 14.07.23. Vanessa Duncan confirmed receipt of the documents.
4. No reports on the condition of the Captains Cottage and the OTS.
5. Sue submitted a notice for the Community billboard in the Riverine Herald advertising FOOM and inviting new Membership. Another possibility for new membership is to set up a Face book page
6. An item for the July meeting was to discuss the timing of the AGM. Ideally it should be held at the end of the financial year in July. Everyone agreed so that in the future it will coincide with the annual audit.

**Motion:** that the AGM be held in July so as to coincide with the end of the financial year.

**Moved** Judy and **Seconded by** Brian **Carried**

7. Last month Sue and Mary met Kim Biggs at the OTS to see what the state of the building was. Kim is a museum advisor, and can provide guidance on setting up a museum display as well as give advice on seeking grants. She gave Sue and Mary a mission statement and collection policy document and arranged to come to our August 1<sup>st</sup> meeting. Kim was an apology for this meeting.
8. Mary did an historical talk at the Captains Cottage and the OTS for four members of the Flash Fair Laine group. Basically the group looked through the windows and the doors. Some donations were left in the letterbox.
9. There was some discussion about the new Arts Studio Gallery to be built in Moama. C4EM is driving this project.

**FINANCIAL STATEMENT FOR JUNE 1 July 2023 to 31<sup>st</sup> July 2023**

Opening balance: 01.07.2023 \$ 2992.16

**Income:**

Interest: \$ 0.03

Red Mail Box

Membership

Total Income \$ 0.03

Bank Statement: Closing balance 31.07.2023 \$ 2992.19

**Moved by** Shirley Durrant **and seconded** Mary *Carried*

**CORRESPONDENCE: July 2023 - Secretary*****Inward correspondence:***

1. The MRC is developing a Community Connections role with Karen Buckley being the new contact for 355 Committees. This role will commence from July 30<sup>th</sup> 2023. Karen will be contacting our group to discuss opportunities for Council to better support our committee in the future. This information was detailed in an email to Mary from Melinda Barrett the Business Unit Support Officer on the MRC.
2. Melinda also asked Mary to send her a list of our meeting dates.

***Outward Correspondence:***

1. Kim Biggs apology for the meeting
2. Sue's notice to the Riv

**Moved by** Mary **and Seconded by** Brian

**REPORTS:** None

**GENERAL BUSINESS**

1. Brian presented his research on some local policemen that he found in one of Helen Coulson's books. There was some discussion about William Barber a local police sergeant in 1886. The information was given to Sue.

**MEETING CLOSED at 10.56 am.**

**NEXT MEETING Tuesday September 5<sup>th</sup> at 10 am**

**AGENDA****16<sup>th</sup> of August 2023****Venue****Murray Downs Community Centre/Fire Shed****6.00 PM****Opening and welcome: Brenten Hogan – Chairperson****PRESENT: Brenten Hogan – Chair, Haydn Downes - Secretary,****APPOLOGIES: Karen Buckley (MRC)****MINUTES OF THE PAST MEETING:**

Resolved that the Minutes of the previous committee meeting held on Wednesday 19<sup>th</sup> of July 2023 at the Murray Downs Gold and Country Club (John Mayer Pavilion) be approved as a true and accurate record of the meeting.

**Moved:****Seconded:****CORRESPONDENCE:****Outwards:****Inwards: Ken Smith – Volunteer Hours & Egg Money****Moved:****Seconded:****TREASURERS REPORT:****Monthly Treasurer Report – Nil****INCOME****TOTAL****EXPENSES – Nil at this stage****Moved:****Seconded:****TOTAL****Closing Balance**



As per Transaction listing Bendigo Bank A/C No. 187012646

**Moved:**

**Seconded:**

**BUNSINESS ARISING/TASK TO BE DONE FROM PREVEIUOS MEETING:**

1	<p>Speed zones between the bus stops on Murray Downs Drive: The Committee forwards a letter to council requesting the following:</p> <ul style="list-style-type: none"> <li>• Signs to be installed notifying drivers of the times of that the school bus will picking and dropping off school children. This has been deemed as an OH&amp;S issue for the children.</li> <li>• A barrier or railing to be installed near the bus shelter to assist with restricting children from getting too close to the road.</li> </ul> <p>Seeking a permanent speed reduction from 80km/h to 50km/h</p>	<p>14/02/2021 Anne has assisted with forwarding on a letter to Ken Spence the Road Safety Officer and Murray River Council to contact New South Wales Transport. 17/3/2021: We are waiting for a response. 15/4/2021: We are waiting for Ken Spence Murray River Council – Road Safety Officer, to come and lay the traffic classifiers. They will give us an idea of the speeds, volumes of vehicles and times of the day of usage. From this information we will be able to make decisions in conjunction with Ken about how to address the problems. It was also noted that Councils in NSW are not delegated to change speed limits. 19/05/2021: Brenten Hogan contacted Ken Spence to discuss this matter. Ken informed Brenten that any changes in speed zones along that straight stretch of road will not be considered for change until there are more intersection created along that road. The speed will remain 80km zone until there are new developments on either side of the road. 16/06/2021: Ongoing 21/07/2021: Brenten will contact Ken Spence to see how this is progressing. 18/08/2021: Brenten has contacted Ken Spence several time but has not yet received a response. 15/09/2021: Brenten has contacted Ken Spence and is waiting for a reply. The speed zones may not change in the immediate future, but the possibilities of barriers be installed for our children’s safety around the bus stops. 27/10/2021: Brenten and Luke will be discussing this matter within their meeting. Brenten update John on communications that he had previously with Ken Spence and that he was meeting with Luke to discuss this matter further. John agreed that he will also follow this up. 17/11/2021: John Harvie was to contact Ken Spence regarding this matter. Brenten contacted John but has not yet received a response. 15/12/2021:</p>
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	<p>A YES response was received soon after.  18/08/2021:  Pauline resubmitted a request for service application.  A YES response was received soon after.  19/08/2021: Brenten contacted Onesimo with the concerns the entire community shared about the lack of line marking and signage at the Kidman Reid Drive and Cygnet Lane Intersections and the potential of an incident happening.  1/09/2021: Pauline received a response from Jan Donald (Executive Administration Officer, MRC Moama) she had requested that a works coordinator attend these sites to review the intersections and provide some feedback on a solution.  15/09/2021: Pauline sent a follow up email to Jan Donald regarding the line marking and signage.  16/09/2021: Pauline sent Jan Donald a email requesting an update on these matters.  20/09/2021: Pauline received a response from Jan Donald and some of the line marking had been completed but the signage is yet to be installed in the coming weeks.  27/10/2021:  Pauline informed the committee that the line marking at the intersections of Cygnet Lane and Swan Hill Road and Swan Hill Road and Murray Downs Drive have been completed but the Murray Downs and Kidman Reid Drive intersection has had no works of signage put in place.  Brenten and Luke will be discussing this matter within their meeting.  17/11/2021:  Brenten and Luke Hartshorn discussed the line marking on the roads in these locations.  Luke said that this was not something that he usually takes care off and that there are roads crew the council employees that will be responsible for these tasks.  Luke said to Brenten that he will look into this.  Brenten will contact Luke for an update.  15/12/2021:  Ongoing  19/01/2022  Pauline Dorigo and Jack Bond have spoken about possible solutions for the intersection of Murray Downs Drive and Kidman Reid Drive at Murray Downs. The suggestion was made to install a temporary sandbag island .  16/02/2022:  Pauline Dorigo sent an email to Jack Bond requesting an update.  23/03/2022: Ongoing  20/04/2022: Ongoing  25/05/2022: Ongoing  15/06/2022: Ongoing  05/10/2022: Ongoing</p>
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	<p>Vehicle Speed within Kidman Reid Estate</p>	<p>31/05/2023: Ongoing  <b>19/07/2023: Ongoing</b></p> <p>18/02/2021: Ongoing  Brenten Hogan wrote a letter to Ken Spence out laying the concerns that the residents had about the speeding vehicles in the area.  Ken responded letting Brenten know that there will be tapes placed across the road to obtain information and patterns of the vehicles entering. A recommendation will be made once the data has been collected.</p> <p>15/04/2021:  Brenten Hogan to follow up with Ken Spence once again.</p> <p>19/05/2021:  Ken Spence discussed this matter with Brenten Hogan and was informed that until last week Kidman Reid Drive was considered a 100km zone.  This will be altered to a 50km zone and sign will soon be displayed.  Ken informed Brenten that the speed of some vehicles driving in this is more of a Police matter not that of Council. Brenten explained that if we had the strips laid in Kidman Reid Drive we can then show the results to the Police as evidence of speeding vehicles.  Ken informed Brenten that there will be traffic strips laid on Kidman Reid Drive once they become available. They are being utilized elsewhere at the moment.</p> <p>16/06/2021:  The traffic strips are still being utilized elsewhere so they have not yet been laid on Kidman Reid Drive.</p> <p>21/07/2021:  Ongoing</p> <p>18/08/2021:  Brenten is waiting for a response from Ken Spence.</p> <p>15/09/2021:  Brenten is waiting for a response from Ken Spence.</p> <p>15/09/2021:  Brenten is waiting for a response from Ken Spence.</p> <p>27/10/2021:  Ken Spence informed Brenten that the tapes are currently being used elsewhere and that the council are aware of the residents' concerns and they will tend to the area at a later date.  John mentioned that he was a little disappointed that nothing had eventuated  Ken responded letting Brenten know that there after all the request that had been made by the committee. He will speak to Ken Spence for an update on this matter. Brenten will discuss this with Luke.</p> <p>17/11/2021:</p>
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	<p>John Harvie was to contact Ken Spence to discuss the community concerns with the speeding vehicles. We have not yet received an update from either Gentlemen. Brenten will contact John Harvie for an update.</p> <p>15/12/2021: Anne suggested that if we can indicate any reoffending speeding vehicles, we should notify the police.</p> <p>19/01/2022: Jack Bond organised the installation of traffic counter strips in two locations in Kidman Reid Drive at Murray Downs for data collection. The strips provide information of the type, amount and speed of the vehicles entering these areas. Once the results were analysed, Jack suggested that by installing temporary sandbags and signs this may reduce speeding vehicles. This would only be until funding is available to install kerbs and infill becomes available.</p> <p><b>Action:</b> To proceed with Jack Bonds suggestion to install temporary sandbags and signs in the hope to reduce speeding vehicles in Kidman Reid Drive Murray Downs.</p> <p><b>Suggestion/Action:</b> To send an email to the residents in Kidman Reid Drive Murray Downs in regard to the speed in which some vehicles are entering.</p> <p><b>Moved:</b> Ken Smith <b>Seconded:</b> Nonie Domaille and Cr. Anne Crowe</p> <p>Pauline sent an email to Jack Bond on Thursday 20<sup>th</sup> of January 2022 requesting that the council proceed with this. Jack and Pauline discussed by placing a temporary sandbag island at the intersection of Kidman Reid Drive and Murray Downs Drive might be enough to slow entering vehicles. Without inconveniencing and disrupting the residents.</p> <p>16/02/2022: Pauline Dorigo sent an email to Jack Bond requesting an update.</p> <p>18/02/2022: Jack Bond responded and had passed the request onto his roads team to implement so he will follow it up and let me know.</p> <p>23/02/2022: A temporary speed hump was installed near to the entrance of Kidman Reid Drive.</p> <p>23/03/2022: The committee spoke about the temporary speed hump that was installed in Kidman Reid Drive. At the time of installation some local residents were concerned. They now understand why the temporary speed hump is necessary and see that it has slowed down the speed of the vehicles entering. We look forward to the installation of a traffic island at the intersection of Kidman Reid Drive and Murray Downs Drive.</p> <p>20/04/2022: Ongoing</p>
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	<p>They will also consider the schedules within our Operational Plan such as the screening trees on the neighbouring fences and the locations of the path so these areas will fit within the stages of the planned for the reserve.</p> <p>Luke has spoken to Rod Croft and Luke Hartshorn about the box thorn problem in the reserve and have given the committee permission to proceed with their removal.</p> <p>Ann Crowe mentioned that she had read an article in the local land services newsletter about the removal of box thorns in the district and that the Murray River Council did own a box thorn puller.</p> <p>Anne will provide the committee with additional information about the procedures and equipment necessary.</p> <p>Brenten will be contacting Rick Harding to have a lock put on the access gate so we can gain access to the reserve.</p> <p>21/07/2021: Ongoing</p> <p>Brenten and Luke spoke about how best approach the removal of the saplings. The marking of the tree that are to remain, when this will be done and the method of removal and disposal.</p> <p>The committee is hoping that this matter be finalised before the fire season and the hot weather starts.</p> <p>18/08/2021: Brenten Hogan has contacted Luke Keogh to inform him about the quotes he has received from Anthony Foote for approximately \$11,500 to remove the saplings trees and level the land off. Daniel Crowe has been assisting Brenten with suggestions to how best successfully remove the trees. Brenten can get a quote for \$4,900 for a tractor come in and cut off the trees but this may be a struggle with the skinner trees. The members of the community are wanting to assist to save costs, but we will still need to do further works to get this sorted. Ideally a dozer would be the best bet.</p> <p>The committee have planned that after the bulk of the clearing has been done and piled members of the Murray Downs CFA will assist us with burning them. We are hoping that we can have this project completed before the fire restrictions come in October.</p> <p>The council's assistance would be appreciated in this matter. Neil mentioned that there is currently a change of staff positions within council soon so to be patient.</p> <p>15/09/2021: Brenten spoke to Luke Keogh to arrange a time for him to come to the reserve and mark the trees to remain on site.</p> <p>Mark Robinson, Tony Frankel, Chris Hulland and Jim Crowe have offered to give us some assistance with the removal of the sapling trees.</p> <p>An excavator will give us the best result.</p> <p>We will need at least two to complete the project.</p> <p>Christian Devlin has offered his.</p> <p>27/10/2021:</p>
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		<p>Brenten has been informed by Onisimo that the council will need to conduct a REF (Review of Environmental Factors) of the reserve area before any work can commence.</p> <p>Onisimo also informed Brenten that the scheduled time for Stage 1, the boat ramp was intended to commence construction in November will most likely be postponed as they have not yet secured a contractor to take on the project. Onisimo will update Brenten in the following months with further news on the project.</p> <p>17/11/2021: Brenten Hogan has contacted Onisimo for an update on the progress of the REF and has not yet received a response.</p> <p>15/12/2021: Onisimo provided Brenten with an update on the progress of the REF. The REF should be completed by the end of January.</p> <p>19/01/2022: Brenten has discussed the progress of the REF, the removal of the saplings and the boat ramp with John Harvie and Jack Bond.</p> <p>Brenten has been informed that the boat ramp is scheduled to be completed by June 30<sup>th</sup> 2022.</p> <p>Brenten will continue to contact all for the progress on these matters and keep the committee updated.</p> <p>We discussed the signage displayed to the entrances of the reserve. Naming the reserve Murray Downs Park.</p> <p>16/02/2022: Luke Keogh has informed Brenten that the REF studies will be completed soon.</p> <p>23/03/2022: Ongoing.</p> <p>Luke Keogh informed Brenten that the preliminary REF Studies have been completed and he will continue to inform Brenten on the progress.</p> <p>20/04/2022: Ongoing</p> <p>25/05/2022: Ongoing</p> <p>16/05/2022: Brenten Hogan has spoken to Luke Keogh about the progress of the REF completion at the Murray Downs Reserve area and Luke Keogh will follow this up with Onisimo Mukodi.</p> <p>31/05/2023:  <ul style="list-style-type: none"> <li>As per briefing provided by Trev Willis removal will be part of phase 1 which is due to commence about 03/06/2023.</li> </ul> </p> <p><b>19/07/2023: Ongoing</b></p>
3	Possible Treasurer for the MD Riverside Park Committee	<p>15/04/2021: The transfer of funds from Murray Downs Advancement Group will be happening very soon.</p> <p>Ann asked if we could have a Secretary/ Treasurer as she felt there would not be many transactions in the coming months.</p> <p>Ann will be happy to do Treasurer when there are regular transaction's to be managed.</p>

		<p>19/05/2021: A treasurer will be decided once a decision are made on the final naming of the Murray Downs Riverside Park.</p> <p>16/06/2021: Ongoing</p> <p>21/07/2021: Ongoing</p> <p>18/08/2021: Ongoing</p> <p>05/09/2021: Ongoing</p> <p>27/10/2021: Ongoing</p> <p>17/11/2021: Ongoing</p> <p>31/05/2023: Ongoing</p> <p>Anne can access through her internet banking the bank knew bank account. There are funds from a previous committee (Murray Downs Advancement Group) that will need to be transferred over into the new bank account.</p> <p>The committee will make contact with the previous members to organise change over and finalise any unresolved matters. Outstanding Funds will need to be transferred to the new Section 355 Committees bank account.</p> <p>Anne will look into this for on the new committee's behalf.</p> <p>15/12/2021: Anne volunteered to become the committee's treasures. The previous members on the Murray Downs Advancement Group have been publicly notified and a meeting has been scheduled in January to finalise any outstanding matters. Funds from this group will be transferred into the Murray Downs Riverside Park Management Committee bank account. Proceeds from the Monster garage Sale recently held by the member of the Community Garden will also be deposited.</p> <p>19/01/2022: Anne Crowe will provide a transaction listing for the Murray Downs Riverside Park bank account including the Community Garden Takings and will provide the committee with a treasurers report each meeting.</p> <p>The Community Garden has set up an account at Swan Hill Chemicals for future purchases.</p> <p>16/02/2022: Ongoing. Once we resolve the Murray Downs Advancement Group additional funds will be deposited into the Murray Downs Riverside Park bank account.</p> <p>23/03/2022: Anne Crowe has completed and submitted an application to Consumer Affairs NSW to resolve the Murray Downs Advancement Group. Council notified Anne that they had received this information.</p> <p>When the Consumer Affairs NSW finalizes the paperwork, the available funds from the Murray Downs Advancement Group will then be transferred.</p> <p>15/06/2022: Anne will make enquiries on the progress of the submitted application to Consumer Affairs NSW.</p>
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		<p><b>Closing Balance: 29/05/2023                      \$4066.70</b></p> <p>31/05/2023: - New Treasurer – Ongoing</p> <ul style="list-style-type: none"> <li>Given Ann Crowes position on Council it is not appropriate that she holds the Treasurer portfolio. Brenten Hogan advised he may have someone in mind that may be interested when they move in to the estate, Brenten will follow up.</li> </ul> <p>31/05/2023:</p> <ul style="list-style-type: none"> <li>Pauline Dorigo to be removed from signatory and replaced by Haydn Downes</li> </ul> <p><b>19/07/2023: Joanna Hulland may be a possibility, Brenton to approach same.</b></p>
4	The Old Wakool Shire Sign	<p>19/05/2021: Anne Crowe has suggested that the committee address the possible refurbishment or redesign of the old Wakool Shire sign between The Federal Hotel and Anne’s driveway. The signage displays the facilities and distance of facilities available in the Murray Downs area.</p> <p>Action: Brenten Hogan will contact Luke Keogh to discuss possible solutions.</p> <p>16/06/2021: Brenten has spoken to Luke Keogh but has not yet provided photos of the sign.</p> <p>Action: Anne Crowe will apply for request for service to have the sign assessed for future improvements.</p> <p>21/07/2021: Anne sent off a request for service to council. She hasn’t received a response.</p> <p>18/08/2021: Anne submitted a request for service in June. Anne received a response from Courtney Dean apologizing for the delayed response and informing her that the tourism team will be replacing all of the town signs and the Murray Downs will be included. Beck Heywood also contacted Anne to inform her that the council is in the process of updating and finalising the designs and will send these designs through to Anne for her approval.</p> <p>15/09/2021: Ongoing</p> <p>27/10/2021: Anne received a message from council about the industrial signage and Wakool signage. Anne discussed that two signs were not necessary and that all the areas information could be displayed on one sign.</p> <p>Anne questioned John to see if he had been consulted on signage for the area. John said that there have also been requests made from Greg Roberts the CEO of the Murray Downs Golf and Country Club for the signage be updated for the Club, Golf Club and The Resort.</p> <p>Anne will follow this up with council to see what they decide.</p>



	<p>15/09/2021: Brenten spoke to Cayle McLean and they are more than happy for us to place a defibrillator unit at the Community Centre alongside the Murray Downs Fire Shed. Brenten will make enquiries to where and how it will cost to purchase a unit. Jo suggested to contact St Johns Ambulance. Anne suggested to contact John Harvie to enquire where we could obtain a unit from.</p> <p>Jo suggested to call Judy Cameron who had previously purchased a unit for a local football club.</p> <p><b>Action:</b> Brenten will research the purchase of a defibrillator unit to be based at the Murray Downs Fire Shed/Community Centre.</p> <p>27/10/2021: Brenten asked Anne who he should contact within council make an enquiry. Anne said we could ask John as it is on his Economic Development Report. Anne will speak to John.</p> <p>17/11/2021: Anne has contacted John Harvie in regards to purchasing a defibrillator unit to be locate at the Murray Downs Fire Shed. John Harvie and Sarah Ryan contacted Julia Druitt to discuss the purchase of a defibrillator unit for the Murray Downs Community. Julia then contacted Anne relating to funding available. Julia informed Anne that there had recently been a purchase made by a funding body for another organisation and she will look into available funds or alternatives. Anne will contact Julie for an update.</p> <p>15/12/2021: Anne is waiting for a response from Julia Druitt.</p> <p>19/01/2022: Ongoing</p> <p>16/02/2021: 09/02/2022 Jackie Blaswick contacted Pauline Dorigo to inform her that she has spoken to Julia Druitt and she will advise us if any grant opportunities become available for defibs. Jackie informed Pauline that in July there will be grants available for submission through council for requests such as this and suggested grant guru be a possible alternative for us to apply for a grant and supplied a link to Pauline to do so. <a href="https://murrayriver.grantguru.com.au/">https://murrayriver.grantguru.com.au/</a> Pauline registered the committee for updates.</p> <p>16/02/2022: Pauline gave the committee an update and suggested when we receive notice of available grants that we consult Jackie Blaswick or a council employee with assistance on writing a grant submission.</p> <p>24/03/2022: Pauline emailed Jackie Blaswick for information on any grants available.</p>
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Maintenance	3.0
Digging	1.5
Admin	6.0
Pruning	1.0
Recycling	3.5

Total: 81.75

#### AGENDA ITEMS:

##### Boat Ramp Update:

##### Park Update:

##### RMS Agency at the Mobile Library and Service Centre:

Pauline Dorigo emailed Sarah Ryan and John Harvie requesting information on the progress of an RMS Agency and a council representative attend site when the Mobile Library and Service Centre attend to our area to assist the Murray Downs and surrounding residents with Murray River Council matters.

15/06/2022: Has not yet received a response.

31/05/2023: Ongoing

16/08/2023:

**16/08/2023: From Onisimo**

##### Community Grants

16/08/2023: Brendan Yu.

**19/07/2023: From Bec Haywood – the community grants officer for MRC is:**

**Tiana Cronin**  
**Grants Officer**  
**m 0459 498 551**  
**e [tcronin@murrayriver.nsw.gov.au](mailto:tcronin@murrayriver.nsw.gov.au)**

**Brendan Yu will follow up for possible grants**

##### **The overgrowth in the Murray Downs Reserve area close to neighbouring homes.**

Several locals have shared their concerns to the committee with the state of the overgrown grass, weeds, prickles, and tumble weeds in the reserve area.

They are concerned the area poses a risk for fire, security, snake, and other vermin.

Attempts have been made to contact council employees responsible for this area, but there has been no response. Requests for service on the Murray River Council website have also been made, and there has been no response received.

**15/06/2022: Luke Keogh:** After receiving Requests for Service via Council's website, Council officers have visited the site (week beginning 6<sup>th</sup> June) to visually inspect the area in question to enable an appropriate response. Based on this inspection a response has been given to both residents.

At the time of inspection multiple infestations of Priority weeds (Horehound & Boxthorns) were identified and treated with appropriate chemical. Further to this Council has scheduled mowing of the buffers (only) in the coming weeks after other works are completed in Murray Downs. As this is not fire season the works are considered low priority/risk, but will be completed in coming weeks and scheduled for mowing in accordance with Councils current service delivery plan for this type of area, Bi-monthly on going.

31/05/2023: Ongoing:

**16/08/2023:**

- Not discussed, to be discussed at the August Meeting

**19/07/2023: Ongoing**

**21/06/2023:**

**Ken Smith: Money left over from the Swan Hill House and land Package, some 30 years ago.**

Ken Smith will contact Neville Brady to find out more information.

31/05/2023: Ongoing –

- Brenten to follow up with Neville Brady

**19/07/2023: Brenten spoke to Neville Brady in relation to this and further enquiries are being made in relation to the location of the funds and the process to gain access to same.**

**Ongoing**

**16/08/2023:**

**Community Garden**

Account application from Swan Hill Chemicals for products and equipment.

Ken Smith will draw up a business plan and provide the committee with a budget for the Community Garden. Fencing will be a priority as there are several rabbits in the area.

**31/05/2023: Ongoing –**

- discussion took place in relation to charges provided by Swan Hill Chemicals and how savings could be made.
- Any purchasing needs to following MR Council rules.
- All monies coming in and out must be declared.
- Purchases must have a detailed receipt identify items purchased and the cost of each item.

**19/07/2023: Discussion took place in relation to allocating a budget, Brenten and new treasurer to follow up.**

**16/08/2023:**

**Renaming of the Reserve**

Brenten sent a letter to John Harvie from MRC requesting the reserve be renamed to Yellymong Park Murray Downs.

John Harvie contacted Brenten Hogan to request more information about the survey results the Murray Downs community had partaken in the decision for Re-Naming the reserve area.

Brenten provide John with the requested information.

**19/07/2023: Completed and Closed**

**16/08/2023: Remove from agenda**

**Moved:                      Seconded:**

#### **Mobile Library and Service Centre**

The Mobile Library and Service Centre Bus is currently looking at possible new locations and further future dates for attendance to the Murray Downs area.

**31/05/2023: Completed –**

- **library is now based at MD Fire Shed/Community Centre**

**16/08/2023: Remove from agenda:**

**Moved:                      Seconded:**

#### **New Committee Members:**

Mark Robertson, Joanna Hulland and Brendan Yu are possible contenders for positions.

31/05/2023: Complete?

**19/07/2023: COMPLETED & CLOSED**

**16/08/2023 – Remove from agenda**

**Moved:                      Seconded**

#### **Expression of Interest**

Brenten Hogan will contact Sarah Ryan to work together on creating interest for possible new committee members for the Murray Downs Riverside Park Management Committee.

31/05/2023: Complete?

**19/07/2023: COMPLETED & CLOSED**

#### **GENERAL BUSINESS:**

##### **Bins:**

July 1<sup>st</sup> 2022 marks the beginning of Food Organics Garden organics or FOGO collection for our 7 townships.

31/05/2023: Complete

**19/07/2023: COMPLETED & CLOSED**

**16/08/2023: Remove from Agenda**

**Moved:****Seconded****Pauline Dorigo's Resignation**

Pauline Dorigo announced that she will be resigning from her duties as the Secretary and a member of the Murray Downs Riverside Park Management Committee.

Pauline thanked the committee for giving her the opportunity to work in this position for the past 18 months. And said that she had thoroughly enjoyed the work and appreciated all the opportunities she had been given.

As the family business, family and other commitments have become too great for her to be able to fulfill the requirements of the position on the committee, she felt it best for her to make room for someone with the time and energy to devote to the committee.

She thanked the committee for the opportunity and wished them all the best for the future.

31/05/2023: COMPLETED & CLOSED

16/08/2023: Remove from agenda

**New Agenda Items:**

16/08/2023 – Murray Downs Facebook Page – Ken Smith

16/08/2023 – From Rob Croft MRC - Can I please suggest that the committee refine the invitees from an MRC perspective to staff that a relevant to either the issues or what is occurring at the site? There is currently 8-9 staff and 2 Councillors from MRC on the invite list.

I suggest 1-2 MRC reps max. (Karen and one other) and information can be disseminated back to other staff within MRC for any issues that require addressing.

**Moved:****Seconded****NEXT MEETING:**

Wednesday 20<sup>th</sup> of September Venue TBA.

**MEETING CLOSED: hrs**

**CONTACT LIST:**

Name	Address	Email	Phone
Brenten Hogan	32 Kidman Reid Drive Murray Downs NSW 2734	<a href="mailto:brentenhogan@gmail.com">brentenhogan@gmail.com</a> brenten.hogan@gmwwater.org.au	0429 944 534

Haydn Downes	12 Sandpiper Drive Murray Downs NSW 2734	<a href="mailto:hpdwnz@bigpond.com">hpdwnz@bigpond.com</a>	0484 139 952
Glenys Smith	16 Goldfinch Court Murray Downs NSW 2734	<a href="mailto:kgsmith@iinet.net.au">kgsmith@iinet.net.au</a>	0427 569 652
Ken Smith	16 Goldfinch Court Murray Downs NSW 2734	<a href="mailto:kgsmith@iinet.net.au">kgsmith@iinet.net.au</a>	0418 500 093
Joanna Hulland	1027 Moulamein Road, Swan Hill 3585	<a href="mailto:joanna@advanceturf.com.au">joanna@advanceturf.com.au</a>	0439 889.323
Brendan Yu		<a href="mailto:Brendan.yu1@icloud.com">Brendan.yu1@icloud.com</a>	0428 532 899
Cr. Anne Crowe	51 Swan Hill Road Murray Downs NSW 2734	<a href="mailto:thecrowefamily1@gmail.com">thecrowefamily1@gmail.com</a>	0438 331 733
Cr. Neil Gorey	52 Perricoota Road Moama NSW 2731	<a href="mailto:ngorey@murrayriver.nsw.gov.au">ngorey@murrayriver.nsw.gov.au</a>	0428 536 513
John Harvie Director Community and Economic Development	52 Perricoota Road Moama NSW 2731	<a href="mailto:jharvie@murrayriver.nsw.gov.au">jharvie@murrayriver.nsw.gov.au</a>	1300 087004 0448 029 352
Onesimo Mukodi Manager Design, Capital Works & Projects	52 Perricoota Road Moama NSW 2731	<a href="mailto:omukodi@murrayriver.nsw.gov.au">omukodi@murrayriver.nsw.gov.au</a>	0419 210 073
Luke Keogh Manager Parks, Open Spaces and Bio Security	52 Perricoota Road Moama NSW 2731	<a href="mailto:lkeogh@murrayriver.nsw.gov.au">lkeogh@murrayriver.nsw.gov.au</a>	0418 544 230
Rodney Croft Director Planning and Environment	52 Perricoota Road Moama NSW 2731	<a href="mailto:rcroft@murrayriver.nsw.gov.au">rcroft@murrayriver.nsw.gov.au</a>	
Luke Hartshorn	52 Perricoota Road Moama NSW 2731	<a href="mailto:lhartshorn@murrayriver.nsw.gov.au">lhartshorn@murrayriver.nsw.gov.au</a>	
Ken Spence	21-25 Conargo St Mathoura NSW 2710	<a href="mailto:kspence@murrayriver.nsw.gov.au">kspence@murrayriver.nsw.gov.au</a>	0428 597 049
Jack Bond Director Infrastructure	52 Perricoota Road Moama NSW 2731	<a href="mailto:jbond@murrayriver.nsw.gov.au">jbond@murrayriver.nsw.gov.au</a>	0418515475
Kris Kershaw Project Manager		<a href="mailto:admin@murrayriver.nsw.gov.au">admin@murrayriver.nsw.gov.au</a>	1300 087 004
Rick Harding Enterprise Resources Planning Specialist			

Lindy Leyonhjelm		<a href="mailto:lleyonjelm@murrayriver.nsw.gov.au">lleyonjelm@murrayriver.nsw.gov.au</a>	
Jackie Blaswick Administration and Events Officer		<a href="mailto:jblaswick@murrayriver.nsw.gov.au">jblaswick@murrayriver.nsw.gov.au</a>	
Sarah Ryan		<a href="mailto:sryan@murrayriver.nsw.gov.au">sryan@murrayriver.nsw.gov.au</a>	0433 304 497

# MURRAY SHIRE HALL COMMITTEE

## Minutes of Meeting held 26 June 2023

**Present;** Ian Fisher, Betty Murphy, Bronwyn Eddy, Heidi Glenn, Alison McKean, Cr Tom Weyrich, Sarah Ryan, Karen Buckley

**Apologies;** Margaret Watson

**Minutes of Previous Meeting;** Moved Bronwyn, seconded Heidi, that the Minutes of the last meeting held on the 16<sup>th</sup> May 2022 are true and correct. Carried.

**Business Arising;**

1. Replacement Trestle; still to be purchased.
2. Hall Façade; No comment from Council since the last meeting regarding our concerns. Tom expressed his concern for the future of the offices.
3. Stage Curtains; Quote not available. Karen advised that the Clubs Grants will be open soon, and also from Murrumbidgee Health Network.

**Treasurers Report;** The Bank Balance as at 26<sup>th</sup> June 2023 is \$11,747.76. Moved Heidi that the Treasurers Report be accepted, Carried

**Correspondence;** 1. Letter from Murray River Council about the new Guidelines for Section 355 Committees.

2. Letter from Mathoura Public School advising that they were charge and paid \$136 for the hire of the Hall last December, contrary to the Hall Committee policy.

3. Letter to Council advising of our meeting today and of our continuing concerns over the failure of the Hall booking procedures.

**General Business;**

1. Hall Booking Procedure; Heidi advised that Council staff are still unaware of the booking procedures for the Hall. Sarah apologised for Councils breakdown in communication and lack of action regarding the booking procedures, however with Karen's recent appointment to the role of coordinating all the Section 355 Committees, she hopes that the booking issue will be resolved in the near future. The process will include identifying booking procedures at other hall and similar facilities within the Shire, and endeavouring to find a common methodology that will streamline the process for all facilities.
2. Public School Hall Hire; Moved Betty, seconded Bronwyn, that the Hall Committee reimburse the Mathoura Public School the \$136 they were charged for the hire of the Hall for their Presentation night. Carried.
3. Water Leak; Heidi advised that there has been a water leak in the kitchen following the recent rain. Ian to contact David Dundee to investigate and attend to.



4. Mathoura Public School Production; Alison advised that the School will be holding their production “ Are We There Yet” in September and their Presentation night in early December, in the Hall.

**Next Meeting;** September 2023, date to be advised

**Meeting Closed;** 5.20pm

## Minutes of S355 Wakool Recreation Reserve Committee Held on 10<sup>th</sup> August 2023 commencing at 7.00pm, at WDSM Club.

**Meeting Opened:** 7.07pm

**Acknowledgement of Country**-The traditional custodians of the Wamba Wamba Barapa Barapa people of the land on which we meet today and pay our respects to the elders past and present.

**Present:** Genny Oggian, Robert Grant, Denis Gleeson (Counciller), Michelle Till, Annette Dow, Graham Rowland, Jean Fairchild, Michael Cattanaach

**Apologies:** Nil

**Conflict of Interest Declarations;** Nil

**Minutes of previous meeting;** Minutes from the 18 May 2023 Read

Moved; Rob Grant Seconded; Genny Oggian Carried

**Matters Arising:**

- Response regarding the plaque for Mr George Rathbone from Melinda Barrett MRC, and to explain that council is in process of developing a Community Connections role with Karen Buckley being the new contact for the 355 committees effective the 31<sup>st</sup> of July 2023.
- It was resolved that the wording we would like on the sign regarding Mr George Rathbone be "George Rathbone  
In Recognition of his contribution to the Wakool Community  
Life Member of Wakool Polo Cross Club  
Life Member of Wakool Show Society  
Australian Representative in Tent Pegging  
30 years' Service to the Wakool Recreation Reserve Committee"

Due to the Fact Mr Rathbone is in his mid-Ninety's we are hope this can be completed soon, due to the time Council has taken on responding to this item. **Please Respond to tis ASAP**

- Michelle spoke with Tom Troy (builder) regarding the work required on the old footy sheds, and he expressed we first find out who the insurance for the building is with and then work on places some claims. **We are still waiting on a response from our last meeting to answer the question on who insures the building??**

**Treasures Report:** Robert Grant reported a balance on the 30/06/2023 of \$11959.02, then with lanes electrical and power acc and Border Plumbing acc the balance on the 10/08/2023 of \$10100.46.

Moved; Robert Grant Seconded; Jean Fairchild Carried.

**General Business:**

- **Murray River Council items to be addressed.**
- Rob brought up that the bank has sent a couple of letters regarding our minutes and who is to be a signature on the account, they also are ending cheque accounts and

have suggested we have a card and internet banking. This will be addressed at our AGM to be held on the 28<sup>th</sup> of September 2023 at 7pm.

- It was resolved to have the donation box at the camping toilets upgraded so the campers can leave a donation for the use of these facilities, Men's Shed to upgrade this box.
- The Toilets near the Men's Shed are being looked after by the Men's shed. The seals are leaking and will be replaced by the Rec Reserve, Jean to contact Boyds plumbing.
- Men's shed inquired who was to pay the power bill and it was explained this is their responsibility, as the Bowling Club pay their account.
- The Men's shed is meeting on Tuesdays between 9am and 12midday, it was suggested that the put this on everything Wakool and have Rachael Brown put in paper.
- The Gazebo being built through the Men's Shedd has most trusses build and nearly ready to go up. The itemised account will be given to the Rec Reserve when it is completed, the project is to cost around \$7500.00, this was approved in meeting held in 2022.
- We would like to ask MRC if a mushroom for power could be placed on the Men's shed area instead of them using the old power system on the power pole. **Could we please have a response from MRC.**
- A request from Felicity Macauley to run a mixed Netball comp using the lights and Netball courts, it was resolved to let them go ahead with this comp.
- It has been suggested that the Rec Reserve apply for a grant to have a Tennis net and lines painted on one of the Netball courts so that if someone would like to play tennis any time of the year they can. Resolved to move on this idea.
- Michele is to write a letter to the show committee to have them removing the jumping castle from around the Netball courts, as it has been sitting in the weather for nearly two years and would most likely not meet stands anymore, also the old bar needs to go back into storage. Carried
- Resolved to apply for grants to upgrade the undercover area around the camping toilets. Michelle to look into this.
- Rob Grant has asked if there is a cupboard that he can store the old records from the Rec Reserve committee, it was explained that there is a filing cabinet and also cupboards to use.
- Genny to gain an invoice from the cleaner to pay the account for her work.
- We would like MRC to place signs regarding the security cameras around the old Footy complex.
- We would like MRC to install 2 extra locks the same as the one at the main door of the old footy complex, to be placed inside the building so we can lock off different areas.
- We would like to advise MRC that it has been brought to the Rec Reserve Committee's attention, Mr David Landini who proclaims to be running the Tennis Rec Reserve Committee, has been charging people \$10 person to play tennis on the courts. Our concern is he has no insurance and is collecting money, what if someone is to get hurt??, who will this fall back on.?? We would appreciate Councils assistance to work this out. It has been suggested that we turn a Netball court into a

tennis court and then the Grass courts court be done away with, due to not having interest people to run and care for the courts. We await your response.

**Could Council Please respond to these questions.**

Next Meeting: AGM followed by General meeting 28<sup>th</sup> September 2023 7pm Wakool DSM Club

Meeting Closed at 8.35 pm

**9.5.7 AFFIXING OF COUNCIL SEAL TO LEASE DOCUMENTS WITH MURRAY PLAINS MEAT CO-OPERATIVE LIMITED**

**File Number:** -

**Author:** Sarah Ryan, Director Community and Economic Development

**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

That Council:

1. Affix the Common Seal of Council to the lease documents between Murray River Council and Murray Plains Meat Co-operative Limited for land at Lot 1 in DP1267277 on Gonn Road Barham, also known as 71 Gonn Road, Barham
2. Authorise the Mayor and Chief Executive Officer to sign the lease documents.

**BACKGROUND**

At its August meeting in 2023, Council resolved (*Resolution 250823*) to approve a variation to the Agreement to Lease to Murray Plains Meat Co-operative Limited ("MPMC") to delay the commencement of the Lease to 1 September 2023.

The lease documents require the seal of Council.

**DISCUSSION**

At its March meeting in 2021, Council resolved (*Resolution 200321*) to enter an agreement to lease the premises to Murray Plains Meat Co-operative Limited. Under the agreement, upon the issuing of the Occupation Certificate, Council and MPMC will be under an obligation to enter the lease annexed to the Agreement.

The agreement provides that the completion date is the first day of the month immediately commencing following the issuing of an Occupation Certificate. On the completion date, Council is required to grant the Lease and MPMC is required to take up the Lease. Albeit the Agreement isn't fully executed, the Lease should commence 1 June 2023 unless a Deed of Variation is entered, by mutual agreement of the parties, to delay the commencement of the Lease.

The Lease is for the period 1 September 2023 – 31 August 2028 - \$25,000 per annum (exclusive of GST) by half yearly instalments of \$12,500.

**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 takes up the Lease and fails to operate.

**POLICY IMPLICATIONS**

Nil.

## LEGISLATIVE IMPLICATIONS

If MPMC takes up the Lease and 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.

## 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 takes up the Lease and 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.

- **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

That Council affix the common seal to the lease documents between Murray River Council and Murray Plains Meat Co-operative Limited and authorise the Mayor and Chief Executive Officer to sign the lease documents.

## ATTACHMENTS

Nil

**9.5.8 MATHOURA RETIREMENT VILLAGE LOAN**

**File Number:** -

**Author:** Sarah Ryan, Director Community and Economic Development

**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

That Council resolve to:

1. Accommodate the request made by the Mathoura Retirement Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 12 Mathoura Street Mathoura;
2. Authorise the CEO to terminate the loan and repay the balance of funds owing on the loan obtained from National Australia Bank; and
3. Retain the land known as 12 Mathoura Street Mathoura as vacant land and not undertake any disposal or development actions pending a further report to Council on how best to use this land;

**BACKGROUND**

At its Meeting held on Wednesday 2 November 2022 the Mathoura Retirement Village Committee of Management unanimously agreed that the loan for the construction of new units at 12 Mathoura Street Mathoura be returned to Council as the Committee determined that the project is not viable at the current time.

**DISCUSSION**

The Mathoura Retirement Village Committee of Management (*the Committee*) is a Committee of Council established under Section 355 of the Local Government Act 1998. Functions of the committee include but are not limited to the collection of revenue from tenants which should be used to offset outgoing expenses such as rates. The funds managed by the Section 355 Committee are funds of Council.

The Village is a registered retirement village under the Retirement Villages Act 1999.

The Committee wrote to Council in September 2020 to request the possibility of Council obtaining a low interest loan to enable the construction of two new housing units. The letter stated that the cost of the development would be in the vicinity of \$400,000 and the Committee would contribute \$175,000 to the project.

At its October meeting in 2020, Council resolved (Resolution 111020): to agree to borrow \$225,000 to construct two retirement units in Mathoura Street Mathoura on land already acquired for the purpose.

In November 2022, Council officers posted on Tenderlink the Tender for Contract MRC-2209 for construction of 2 new housing units at Mathoura. Council sought a fixed lump sum price for the works. At the close of the tender the cost for delivery of the project exceeded the available budget. A subsequent targeted tender process was undertaken and confirmed that there is not sufficient funding available for the project to proceed.

At its November 2022 meeting, by unanimous agreement, the Committee decided that the loan for construction of new units would be returned to council. Further it was noted that the committee do not have the skills or qualifications to supervise this type of capital works project.



The Committee have made by way of loan repayments to Council a total of \$24,531.95 as of 27 April 2022. Council has invoiced the Committee for loan repayments since April 2022 however the committee has not made any repayment. Interest earned on the loan has been put towards the project.

Council should consider terminating the loan.

An Economic Benefit because of early repayment of the loan has been estimated by the National Australia Bank as \$22,057. This amount is indicative as of 14 August and may change once a loan termination date is set.

The total balance of the loan to be repaid is \$150,100.

## **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**

A targeted tender process was undertaken and confirmed that there is not sufficient funding available for the project to proceed.

## **POLICY IMPLICATIONS**

Section 355 Committee Policy POL-119.V#1

## **LEGISLATIVE IMPLICATIONS**

Retirement Villages Act 1999

Local Government Act 1993

## **RISK ANALYSIS**

- **What can happen?**

To maintain the expertise and organisational capability, in what has slowly become more specialised (legal / regulatory), has meant reliance on outside legal counsel. This comes at a cost that isn't redeemable.

- **How can it happen?**

Overseeing, either directly or via a 355 Committee, a Village of this type is not council's core business.

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

Service failure, fines, reputational damage.

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

High

- **Adequacy of existing controls?**

Inadequate

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

Council has authorised the CEO to advocate for federal level advice and possible assistance to operate the Village moving forward.

**CONCLUSION**

As the committee does not intend to go ahead with the construction, it does not make sense to continue to maintain the loan and as such it is recommended that Council accommodate the request made by the Mathoura Retirement Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 12 Mathoura Street Mathoura.

**ATTACHMENTS**

1. **Mathoura Retirement Village Committee Minutes - November 2022 - Confidential**
2. **Mathoura Retirement Village - Request to Council - Confidential**

**9.5.9 MATHOURA RETIREMENT VILLAGE COMMITTEE OF MANAGEMENT**

**File Number:** -

**Author:** Sarah Ryan, Director Community and Economic Development

**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

That Council adopt one of the alternative sets of resolutions:

Alternative Resolution 1

That Murray River Council resolve to continue the operation of the Mathoura Retirement Village by way of maintaining current form and structure of delegated management functions to the Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998.

Alternative Resolution 2

That Murray River Council resolve to continue the operation of the Mathoura Retirement Village by way of:

- (a) dissolving Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998 and undertaking direct operation of the Village including operations and financial management with immediate effect;
- (b) honouring the contractual agreements with the current residents of the Village; and
- (c) engaging with the current residents or a representative committee to determine a preferred model for the continued operation of the village.

Alternative Resolution 3

That Murray River Council resolve to appoint an independent third party to undertake an evaluation on the manner in which the management of the Mathoura Retirement Village by the Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998 has been undertaken, provide an opinion on the capacity of the current Committee of Management to continue to manage the Retirement Village, and identify the risks borne by Council in continuing the current arrangements; the resulting finding and recommendations to be presented to Council.

**BACKGROUND**

It would be open for Council to form the view that Mathoura Retirement Village services are unlikely to be provided to vulnerable residents in the absence of Councils involvement, and that the continued operation of the Village is in the interests of the residents and ratepayers of the Council.

Alternatively, it would also be open to Council to form the view that the continued operation of the Village is not financially sustainable or responsible and that the costs involved in reforming the administration of the Village would not represent sound financial or risk management.

Council would need to determine its view on the above before determining which option for the operation of the Village was preferable.

## DISCUSSION

If Council determined that the Mathoura Retirement Village should continue to be operated by a Section 355 Committee, Council should put in place a thorough instrument of delegation and Terms of Reference to ensure the delineation of responsibility between the Council and the Committee for:

- (a) maintenance of the Village;
- (b) construction of the new units;
- (c) engagement with tenants including maintenance, facilities management;
- (d) onboarding and offboarding of tenant agreements;
- (e) taking of rent, charges and fees; and
- (f) any obligations of the Council which arise under the Retirement Villages Act as an operator of a Village.

The Instrument of Delegation and/or Terms of Reference should require each member of the Committee to sign a written undertaking that they have read and will adhere to Council's Code of Conduct; and that they are aware of, and agree to adhere to, the various rights and responsibilities of the Committee under the Instrument and Terms.

Council would need to satisfy itself that the incumbent Committee was willing and capable of making the above undertakings and operating the Village.

Alternatively, if the above was the preferred model but Council could not satisfy itself that the incumbent Committee was willing or able to undertake the required obligations, Council could seek interest to form an alternative Committee or a third party operator to manage the village on our behalf.

Under this model it would be appropriate that Council regularly review/reconcile the accounts of the Committee to ensure sound financial management.

If Council determined that it should directly operate the Village, Council would need to satisfy itself that it is sufficiently resourced for:

- (a) maintenance of the Village;
- (b) construction of the new units;
- (c) engagement with Village tenants as required;
- (d) onboarding and offboarding of tenant agreements;
- (e) taking of rent, rates, charges and fees; and
- (f) any obligations of the Council which arise under the Retirement Villages Act as an operator of a Village.

Alternatively, Council could determine that the responsibilities identified above could be divided between Council staff and a 'General Committee' (whether the incumbent or a new committee) to work collaboratively with a Friends of the Mathoura Village Committee to represent the interests of the residents of the Village.

## STRATEGIC IMPLICATIONS

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

5.7 - Continue to develop strong and resilient communities - Development of a resilient economy.

## BUDGETARY IMPLICATIONS

Overseeing, either directly or via a 355 Committee, a Village of this type is not council's core business. To maintain the expertise and organisational capability, in what has slowly become more

specialised (legal / regulatory), has meant reliance on outside legal counsel. This comes at a cost that isn't redeemable.

## **POLICY IMPLICATIONS**

Section 355 Committee Policy POL-119.V#1

## **LEGISLATIVE IMPLICATIONS**

Retirement Villages Act 1999

Local Government Act 1993

## **RISK ANALYSIS**

- **What can happen?**

A significant risk, which is not new, relates to the legislative and regulatory burden continually increasing: audit, compliance, operational, and reporting.

To maintain the expertise and organisational capability, in what has slowly become more specialised (legal / regulatory), has meant reliance on outside legal counsel. This comes at a cost that isn't redeemable.

- **How can it happen?**

Overseeing, either directly or via a 355 Committee, a Village of this type is not council's core business.

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

Service failure, fines, reputational damage.

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

High

- **Adequacy of existing controls?**

Inadequate

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

Council should determine which option for the operation of the Village is preferable.

## **CONCLUSION**

Council would need to satisfy itself that the incumbent Committee has sufficient resources and experience to continue to oversee the management of the Mathoura Retirement Village.

If Council could not satisfy itself that the incumbent Committee has sufficient resources and experience to continue to oversee the management of the Mathoura Retirement Village Council could seek interest to form an alternative Committee, undertake direct operation of the Village or seek a third party to operate the village on Council's behalf.

Council would also need to satisfy itself that it has sufficient resources and experience to continue to oversee the management of the Mathoura Retirement Village.

Council should consider that the Mathoura Retirement Village services are unlikely to be provided to vulnerable residents in the absence of Councils involvement, and that the continued operation of the Village is in the interests of the residents and ratepayers of the Council.

Council could consider the appointment of an external consultant to undertake an independent audit of the management of the Mathoura Retirement Village.

## **ATTACHMENTS**

Nil



**9.5.10 MOAMA LIONS COMMUNITY VILLAGE LOAN**

**File Number:** -

**Author:** Sarah Ryan, Director Community and Economic Development

**Authoriser:** Jack Bond, Acting Chief Executive Officer

**RECOMMENDATION**

That Council resolve to:

1. Accommodate the request made by the Moama Lions Community Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 10 & 12 Council Street Moama
2. Authorise the CEO to terminate the loan and repay the balance of funds owing on the loan obtained from National Australia Bank; and
3. Retain the land known as 10 & 12 Council Street Moama as vacant land and not undertake any disposal or development actions pending a further report to Council on how best to use this land;

**BACKGROUND**

At a Special Meeting held on Monday 3 July 2023, the Moama Lions Community Village Committee of Management unanimously agreed that the loan for the construction of new units at 10 & 12 Council Street Moama be returned to Council as the Committee determined that the project is not viable at the current time.

**DISCUSSION**

The Moama Lions Community Village Committee of Management (*'the Committee'*) is a Committee of Council established under Section 355 of the Local Government Act 1998. Functions of the committee include but are not limited to the collection of revenue from tenants which should be used to offset outgoing expenses such as rates. The funds managed by the Section 355 Committee are funds of Council.

At its October meeting in 2020, Council resolved (Resolution 111020): to agree to borrow \$500,000 to construct six retirement units at 10 & 12 Council Street Moama on land already acquired for the purpose.

Brandrick Architects were appointed for the design development, planning approval and construction documentation for up to eight new units at 10 & 12 Council Street Moama.

In August 2022 Consent was approved to Brandrick Architects for the construction of eight independent living units for the purposes of seniors housing subject to Deferred Commencement Provisions pertaining to the consolidation of 10 & 12 Council Street November from the War Street Road Reserve closure.

Council officers sought quotes from highly skilled project managers to oversee the project. Only one quote was received and it was confirmed that the original budget for construction of the new units was unlikely to cover the entire build. Council officers recommended a staged construction plan and obtaining a QS report to establish how many units the available funds would cover.

At a Special Meeting held on Monday 3 July 2023, the Moama Lions Community Village Committee of Management unanimously agreed that the loan for the construction of new units at 10 & 12 Council Street Moama be returned to Council as the Committee determined that the project is not viable at the current time.

The Committee thanked Council for the work done to date preparing documents and plans.



The Committee have made by way of loan repayments to Council a total of \$116,148.47 as of 30 June 2023. Interest earned on the loan has been put towards the project.

Council should consider terminating the loan.

An Economic Benefit because of early repayment of the loan has been estimated by the National Australia Bank as \$49,015.00. This amount is indicative as of 14 August and may change once a loan termination date is set.

The balance of funds owing on the loan is estimated as \$333,555.29 as at 14 August 2023.

### **STRATEGIC IMPLICATIONS**

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

5.7 - Continue to develop strong and resilient communities - Development of a resilient economy.

### **BUDGETARY IMPLICATIONS**

It is likely that the original budget is insufficient to cover the entire build. Council officers recommended a staged construction plan and obtaining a QS report to establish how many units the available funds would cover.

The Committee has determined that the project is not viable at the current time.

### **POLICY IMPLICATIONS**

Section 355 Committee Policy POL-119.V#1

### **LEGISLATIVE IMPLICATIONS**

Residential Tenancies Act 2010

Local Government Act 1993

### **RISK ANALYSIS**

- **What can happen?**

The loan was obtained for the purpose of construction of new retirement units in Moama. The committee have recommended that the project is not viable at this time. Reputational damage not proceeding with project

- **How can it happen?**

Overseeing, either directly or via a 355 Committee, a Village of this type is not council's core business.

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

Reputational damage

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

High

- **Adequacy of existing controls?**

Adequate

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

As the committee does not intend to go ahead with the construction, it does not make sense to continue to maintain the loan

### **CONCLUSION**

As the committee does not intend to go ahead with the construction, it does not make sense to continue to maintain the loan and as such it is recommended that Council accommodate the request

made by the Mathoura Retirement Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 12 Mathoura Street Mathoura.

**ATTACHMENTS**

- 1. Moama Lions Community Village Committee - Notice of intent to Withdraw - Confidential**

## 9.6 CORRESPONDENCE REPORT

### 9.6.1 CORRESPONDENCE REPORT

**File Number:** -  
**Author:** Lindy Leyonhjelm, Executive Assistant  
**Authoriser:** Jack Bond, 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.

#### OUTGOING CORRESPONDENCE:

- Letter to OLG - Mathoura Retirement Village – 7 Sept 2023

#### INCOMING CORRESPONDENCE:

- Office of Local Government re Mathoura Retirement Village Loan – 1 Sept 2023

#### ATTACHMENTS

1. 7-09-23 - Letter to OLG - Mathoura Retirement Village [↓](#) 
2. OLG re Mathoura Retirement Village Loan Ref A8487902 [↓](#) 



Murray River Council  
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7 September 2023

Mr Brett Whitworth  
Deputy Secretary  
Office of Local Government  
Locked Bag 3015  
NOWRA NSW 2541

Email: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au)

Dear Sir,

I write to acknowledge receipt of your letter dated 1 September 2023 and assure you that Council takes the concerns raised by both the Office of Local Government and the Mathoura Retirement Village Management Committee very seriously.

Officers are currently conversing with our Legal Counsel to determine the best pathway to deal with some of the concerns raised.

Council will respond to both the Office of Local Government and the Mathoura Retirement Village Management Committee as soon as practicable.

In the interim, should you require further information please don't hesitate to contact me directly on 0439 163 272 or my EA Lindy Leyonhjelm via email on [lleyonhjelm@murrayriver.nsw.gov.au](mailto:lleyonhjelm@murrayriver.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "Terry Dodds", written over a white background.

**Terry Dodds PSM**  
**Chief Executive Officer**

sr

Document ID:





## Office of Local Government

5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A848792  
Contact: Angus Broad  
Phone: 02 4428 4192

Mr Terry Dodds  
General Manager  
Murray River Council  
PO Box 906  
MOAMA NSW 2731

Via email: [admin@murrayriver.nsw.gov.au](mailto:admin@murrayriver.nsw.gov.au)

1 September 2023

Dear Mr Dodds

Thank you for your letter of 4 May 2023 responding to the Office of Local Government's (OLG) letter of 9 March 2023 about the Mathoura Retirement Village (the Village).

OLG has reviewed your response and the documents provided by you.

I remain concerned that Murray River Council (Council) may have incorrectly attributed liability for rates and loan repayments to the Village and, in turn, its residents.

I note that the Village comprises of 4 dwellings on the property known as 11-13 Mathoura Street, Mathoura (the village land). Two further dwellings are proposed to be constructed on an adjacent property, 12 Mathoura Street Mathoura (the adjacent land), upon which no building works have commenced.

A review of the information provided by Council and from the Mathoura Retirement Village Management Committee (the Committee) about the loan suggests that that the loan was taken out in the latter part of 2020 and that some preliminary work was undertaken at some time. As of 30 September 2022, \$40,243 appears to have been drawn down from the loan. This amount included \$2,799 paid to Council as a project management fee. The information provided by Council does not indicate the basis for attributing project management fees to the loan. The information also suggests that the Village had made loan repayments exceeding \$24,000 as of 30 September 2022.

Council called tenders for the construction of the dwellings on the adjacent land in November 2022. However, information provided by Council does not indicate whether any tender was accepted and, if so, the timeframe for construction of the additional units.

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 20 770 707 468



I am also concerned as to why the Committee and/or the residents of the Village were, and are, being called on to meet the loan repayments in circumstances where they are not a party to the loan, nor do they derive any benefit from doing so. This is emphasised by the fact that the Village operates as a committee formed under section 355 of the *Local Government Act 1993* (the Act), with the prime objective being 'to provide quality accommodation for aged and disabled persons of Mathoura and district'.

Part 4 of the Committee's Constitution sets out the Committee's powers by listing those things it is allowed to do (subject to delegation). The powers listed do not include the servicing of a loan by the Committee nor the residents of the Village.

In relation to the issuing of rates notices, it appears, absent of any evidence to the contrary, that Council is the owner of the land. Section 560(1) of the Act states that 'the owner for the time being of land on which a rate is levied is liable to pay the rate to the council, except as provided by this section'.

Having considered the advice from Council's lawyers, OLG regards it as providing an insufficient basis for concluding the Village, as occupier of the village land, is not entitled to the exemption from rates provided in section 556(1)(h) of the Act.

Council's response also fails to address both how and why it attributes the rates payable on the adjacent land to the Village. I am particularly concerned that there appears to be no legal basis for deeming the Village to be the occupier of the adjacent land and, in doing so, attributing responsibility for rates to it.

I ask that Council carefully reconsider the manner in which it has and continues to deem the Village responsible for the rates on the adjacent land and liability for the loan. I also ask that the Council considers whether the exemption under section 556(1)(h) applies to the Village land. In this regard, I emphasise the Village's status as a charity and that it is providing accommodation for aged and disabled persons.

In relation to the other matters the Committee has raised, it is appropriate that they continue to raise these matters with Council to resolve.

I am sending a copy of this letter to the Committee. I ask that Council communicates its deliberations about the issues raised in this letter directly with the Committee and reports back to the OLG regarding an agreed resolution.

Yours sincerely



**Brett Whitworth**  
**Deputy Secretary, Local Government**

CC: Secretary of the Mathoura Retirement Management Committee



## 9.7 SUNDRY DELEGATES REPORT

### 9.7.1 SUNDRY DELEGATES REPORT

**File Number:** -  
**Author:** Lindy Leyonhjelm, Executive Assistant  
**Authoriser:** Jack Bond, Acting Chief Executive Officer

#### RECOMMENDATION

That the Sundry Delegates Report of the Mayor and Councillors for the period 22 August 2023 through to 25 September 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

#### DISCUSSION

The **Mayor, Councillor Chris Bilkey** was on leave during this time and has no report for attendance to meetings or functions.

The **Deputy Mayor, Councillor Frank Crawley** reported on his attendance at the following meetings and functions:

- 22 Aug: Councillor Pre-briefing and Council meeting
- 11 Sept: Meeting with MRC CEO and Director Community & Economic Development
- 12 Sept: Councillor Workshop
- 12 Sept: Moama Lions Village meeting
- 18 Sept: MRC Audit, Risk and Improvement Committee

**Councillor Nikki Cohen** reported on her attendance at the following meetings and functions:

- 21 Aug: Barham Medical Trust Meeting
- 22 Aug: Councillor Pre-Briefing and Council meeting
- 5 Sept: Friends of Old Moama Committee
- 11 Sept: Meeting with community member regarding bank erosion at Maidens Punt
- 12 Sept: Councillor Workshop
- 12 Sept: Moama Recreation Reserve Committee

**Councillor Ann Crowe** reported on her attendance at the following meetings and functions:

- 22 Aug: Council Pre-Briefing and Council meeting
- 24 Aug: Transgrid Community Meeting Moulamein
- 30 Aug: Koraleigh Recreation Reserve / Hall Committee AGM
- 12 Sept: Councillor Workshop

**Councillor Neil Gorey** did not supply a report on his attendance to meetings and functions for this time period.

**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** reported on his attendance at the following meetings and functions:

- 28 July: Barham Medical Trust meeting
- 25 July: Council Pre-Briefing and Council meeting
- 8 Aug: Transgrid meeting
- 11 Aug: Barham Medical Trust meeting
- 21 Aug: Barham Medical Trust and MRC
- 22 Aug: Council Pre-Briefing and Council meeting
- 5-7 Sept: ALGA National Roads Conference Canberra
- 12 Sept: Councillor Workshop

## **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 Tender MRC 2315 - Management of Outdoor Pools in Moama & Mathoura**

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.2 River Country Art Trail - Tender Evaluation**

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**11.3 MRC 2309 - Fire Services at Moama Landfill**

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**11.4 MRC 2303 - Meninya Street Design - Award of Contract**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**11.5 REVERSAL OF STORMWATER CHARGES**

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

**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**