

## **AGENDA**

## Ordinary Council Meeting Tuesday, 28 January 2025

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

Date: Tuesday, 28 January 2025

Time: 1:00 PM

**Location: Council Chambers** 

Moama Administration Office 52 Perricoota Road, Moama

Sarah Ryan Acting 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 10 DECEMBER 2024

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### **RECOMMENDATION**

That the minutes of the Ordinary Meeting of Murray River Council held on 10 December 2024 be confirmed as a true and correct record.

#### **DISCUSSION**

Murray River Council held its Ordinary Meeting of the Council on Tuesday 10 December 2024, commencing at 1:00pm at the Council Chambers (Lower Level), Moama Administration Office, 52 Perricoota Road, Moama.

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

#### **ATTACHMENTS**

1. UNCONFIRMED\_MINUTES\_ORDINARY MEETING of Council 10 December 2024 4 🖺

Item 4.1 Page 6

10 December 2024

# MINUTES OF MURRAY RIVER COUNCIL ORDINARY COUNCIL MEETING HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA ROAD, MOAMA ON TUESDAY, 10 DECEMBER 2024 AT 2:00 PM

PRESENT: Cr John Harvie (Mayor), Cr Neil Gorey (Deputy Mayor), Cr Joy Allan, Cr Kylie

Berryman, Cr Gen Campbell, Cr Dennis Gleeson, Cr Bianca Hurn, Cr Gary

Pappin, Cr Geoff Wise

IN ATTENDANCE: Sarah Ryan (Acting Chief Executive Officer), Lindy Leyonhjelm (Executive

Assistant), Jess McFarlane (Acting Director Planning & Environment), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Beck Hayward (Acting Director Economic Development & Community Services)

Online: 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 011224**

Moved: Cr Bianca Hurn Seconded: Cr Neil Gorey

That the leave of absence requested by Cr John Harvie from Sunday 15 December 2024 through to Sunday 22 December be received and accepted; and that leave of absence be granted.

**CARRIED** 

#### SUSPENSION OF STANDING ORDERS

#### **RESOLUTION 021224**

Moved: Cr Geoff Wise Seconded: Cr Dennis Gleeson

That the Council suspend standing orders for a presentation to former Councillors, Frank Crawley, Kron Nicholas, Chris Bilkey & Thomas Weyrich.

**CARRIED** 

#### **RESUMPTION OF STANDING ORDERS**

10 December 2024

#### **RESOLUTION 031224**

Moved: Cr Kylie Berryman Seconded: Cr Geoff Wise

That the Council resume standing orders.

**CARRIED** 

#### 4 CONFIRMATION OF MINUTES

## 4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 26 NOVEMBER 2024

#### **RESOLUTION 041224**

Moved: Cr Geoff Wise Seconded: Cr Dennis Gleeson

That the minutes of the Ordinary Meeting of Murray River Council held on 26 November 2024 be confirmed as a true and correct record.

**CARRIED** 

Cr Pappin page 19-20 – states that two Councillors have left the room & subsequently voted on the next motion. To be addressed and changed as per discussion in pre-briefing.

Questions without notice arising from minutes of previous meeting/s

#### 5 DISCLOSURES OF INTERESTS

Cr Bianca Hurn declared a Significant Non-Pecurniary Conflict of Interest in Item 9.4.1 Recommended Classification of 8 Blair Street, Moama as Operational Land in the Director Planning & Environment Report and Supplementary Matters.

Cr Gen Campbell declared a Less Than Significant Non-Pecurniary Conflict of Interest in Item 9.3.1 Meninya Street – Decision on Echuca Street Intersection in the Director Infrastructure Report and Supplementary Matters. Cr Campbell would like it noted on record that she believes this is a community item of significance and is awaing ministerial approval to vote on items relating to the Meninya Street Project. Cr Campbell would like it noted that this subject was a pivital platfrom of being elected in the Moama Ward gaining the majority of First Preference Votes.

Cr Gen Campbell declared a Significant Non-Pecurniary Conflict of Interest in Item 9.4.1 Recommended Classification of 8 Blair Street, Moama as Operational Land in the Director Planning & Environment Report and Supplementary Matters.

#### THAT THE CONFLICT OF INTEREST DECLARATIONS BE NOTED AND ACCEPTED

#### **RESOLUTION 051224**

Moved: Cr Dennis Gleeson Seconded: Cr Kylie Berryman

That Council accept and note the Conflict of Interest declarations made by Councillors Campbell & Hurn.

**CARRIED** 

10 December 2024

- 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 COMMUNITY ENGAGEMENT STRATEGY REVIEW 2024

#### **RESOLUTION 061224**

Moved: Cr Dennis Gleeson Seconded: Cr Neil Gorey

That the Officer's report on Community Engagement Strategy Review 2024 as at 26-11-2024 be received by the Council and the strategy placed on public display for public comment for 28 days.

**CARRIED** 

#### RESOLUTION 9.1.2 BE MOVED TO THE FINAL ITEM IN OPEN COUNCIL

#### **RESOLUTION 071224**

Moved: Cr Geoff Wise Seconded: Cr Gary Pappin

That the Council moves the resolution 9.1.2 to the end of the Agenda in Open Council.

CARRIED

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

#### **RESOLUTION 081224**

Moved: Cr Neil Gorey Seconded: Cr Geoff Wise

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

**CARRIED** 

#### 9.1.4 COMMUNITY STRATEGIC PLAN (CSP) 2025-2035

#### **RESOLUTION 091224**

10 December 2024

Moved: Cr Gary Pappin Seconded: Cr Neil Gorey

That the Officer's report on Community Strategic Plan (CSP) 2025-2035 be received and

Councillors endorse the plan to go to public consultation.

**CARRIED** 

#### 9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

## 9.2.1 PROPOSED ROAD NAMES, MURRINDAAL PARK STAGED SUBDIVISION, LOT 1 DP 1283567, LOTS 1-3 DP 854487, 420 – 508 PERRICOOTA ROAD, MOAMA NSW 2731

#### RECOMMENDATION

Murray River Council (Council) resolve to adopt the road names; Watsonia Way and Thalia Avenue within the staged subdivision of Lot 1 DP 1283567, Lots 1-3 DP 854487, 420-508 Perricoota Road, Moama NSW 2731, as spatially depicted in Attachment 2 to this report.

#### **RESOLUTION 101224**

Moved: Cr Gary Pappin Seconded: Cr Gen Campbell

That Council ask a member of staff to approach the Developer and to supply a list of suitable Native Australian plant and animal names as proposed road names.

**CARRIED** 

## 9.2.2 APPOINTMENT OF CHAIRPERSON/S OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE FOR THE COUNCIL TERM

#### **RESOLUTION 111224**

Moved: Cr Neil Gorey Seconded: Cr Dennis Gleeson

That Murray River Council (Council) resolve to appoint:

- A. the Chairperson/s of the Audit, Risk and Improvement Committee (ARIC) as follows:
  - 1. David Kortum for the period November 2024 to October 2026 and
  - 2. Jarrah O'Shea for the period November 2026 to October 2028;

and

- B. Committee Members of the ARIC as follows:
  - 1. Jarrah O'Shea for the period November 2024 to October 2026 and
  - 2. David Kortum for the period November 2026 to October 2028.

**CARRIED** 

#### 9.2.3 FINANCIAL REPORT - UNAUDITED FY 24/25 PERIOD ENDING 25 NOVEMBER 2024

#### **RESOLUTION 121224**

10 December 2024

Moved: Cr Dennis Gleeson Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to receive the Unaudited Financial Statements for the period to 25 November 2024 (FY2024/25) and noting that reporting of monthly financial statements is not a regulatory requirement but nonetheless is being provided in furtherance of financial transparency and in keeping with financial reporting best practice.

**CARRIED** 

#### 9.2.4 2023-2024 CODE OF CONDUCT STATISTICS REPORT

#### **RESOLUTION 131224**

Moved: Cr Gen Campbell Seconded: Cr Neil Gorey

That the 2023-2024 Code of Conduct Statistics Report be received and the information noted by

Council.

**CARRIED** 

At 2:47 pm, Cr Gen Campbell left the meeting.

#### 9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

#### 9.3.1 MENINYA STREET - DECISION ON ECHUCA STREET INTERSECTION

#### **MOTION**

Moved: Cr Kylie Berryman Seconded: Cr Bianca Hurn

That Council:

- 1. Receive the information contained in this report regarding the Meninya Street Precinct Project; and
- 2. endorse one of the following options for the Meninya Street Precinct Project for Echuca Street Intersection:

Option A) Council adopt functional layout plan option 1 to prioritise parking provision Option B) Council adopt functional layout plan option 2 to priorities turning movements

#### **RESOLUTION 141224**

Moved: Cr Kylie Berryman Seconded: Cr Gary Pappin

To have Councillors be included in a full workshop that includes a full walk through of Meninya Street prior to considering item 9.3.1 Meninya Street – decision on Echuca Street Intersection.

**CARRIED** 

At 2:57 pm, Cr Gen Campbell returned to the meeting.

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## 9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

At 2:58 pm, Cr Gen Campbell left the meeting.

At 2:59 pm, Cr Bianca Hurn left the meeting.

## 9.4.1 RECOMMENDED CLASSIFICATION OF 8 BLAIR STREET, MOAMA AS OPERATIONAL LAND

#### **RESOLUTION 151224**

Moved: Cr Neil Gorey Seconded: Cr Kylie Berryman

That:

- Council resolves under Section 34 of the Local Government Act 1993 ("The Act") to classify lots identified as Lot 1 DP 216296 and Lot 2 DP 137250 (8 Blair Street, Moama) as Operational Land in accordance with Section 31 of the Act.
- 2. Council resolves to register on title and apply a Restriction on Use that applies to all of the land for Car Parking Purposes.

CARRIED

At 3:05 pm, Cr Gen Campbell returned to the meeting.

At 3:06 pm, Cr Bianca Hurn returned to the meeting.

## 9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

Nil

#### 9.6 CORRESPONDENCE REPORT

#### 9.6.1 CORRESPONDENCE REPORT

#### **RESOLUTION 161224**

Moved: Cr Neil Gorey Seconded: Cr Kylie Berryman

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

**CARRIED** 

At 3:09 pm, Cr Dennis Gleeson left the meeting.

At 3:11 pm, Cr Dennis Gleeson returned to the meeting.

#### 9.7 SUNDRY DELEGATES REPORT

#### 9.7.1 SUNDRY DELEGATES REPORT

#### **RESOLUTION 171224**

Moved: Cr Dennis Gleeson Seconded: Cr Kylie Berryman

10 December 2024

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 November 2024 through to 30 November 2024 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

**CARRIED** 

Cr Gary Pappin reported on his attendance at the following meetings and functions:

8 Oct: MRC Extra Ordinary Council Meeting
 16 Oct: MRC Post Election Training (Elected Life)

22 Oct: Ordinary meeting of Council
 30 Oct: Koraleigh Recreation Reserve

12 Nov: Extra Ordinary meeting and workshop
13 - 14 Nov: Murray Downs NSW Golf Open

• 17 - 19 Nov: LGNSW Annual Conference Tamworth

26 Nov: Tooleybuc Ordinary Council Meeting and Workshop

#### 9.1.2 RECOMMENDATION FOR THE SALE OF PART 21 MORAGO STREET, MOULAMEIN

#### **RESOLUTION 181224**

Moved: Cr Geoff Wise Seconded: Cr Neil Gorey

#### Cr Wise moved Alternate Resolution 2 - A, B, C (1 & 2)

#### Alternate Resolution 1

That Murray River Council (Council) resolve to:

- A undertake the sale of the land currently identified as Lot 1 DP 525866 (Northern Section only) and the residential building situated on that part of the land (the Property), through an open market approach of Competitive Direct Sale, such sale to be at a price no less than the higher of the two valuations (excluding GST) obtained for the said Property, and
- B authorise the Acting Chief Executive Officer (CEO) to undertake the necessary activities, including the appointment of a suitable independent real estate agent to undertake the sale and entering into & signing of the required contractual and other documents as necessary to give effect to the said sale.

#### Alternate Resolution 2

That Murray River Council (Council) resolve to:

- A undertake the sale of the land currently identified as Lot 1 DP 525866 (Northern Section only) and the residential building situated on that part of the land (the Property), using an Alternative Method of Disposal as identified in Council Policy No. POL-602 V#1 (the Policy), to achieve a specific policy objective of Council, namely, to promote the availability of adequate affordable retirement housing within Council's footprint, and
- B in keeping with the requirements of the Policy, direct the Chief Executive Officer (CEO) to appoint an independent probity officer to review the process and provide a report for final consideration by Council, and
- C based on the request made by Edward River Gardens, invite Edward River Gardens to make an offer for the Property, and

10 December 2024

- 1) if the final offer is at or above the valuation as identified in the valuation (excluding GST) conducted by Preston Rowe Paterson, authorise the Acting Chief Executive Officer (CEO) to proceed to undertake the public display as required by the Policy for a period of 21 days, and on completion of the public display period, submit a report to council containing the feedback (if any) obtained through the public display, for a final determination by Council on the sale of the Property as a non-competitive direct sale to ERG, or
- 2) if ERG is not willing to meet the valuation as identified by PRP, authorise the Acting CEO to undertake the sale of the Property through an open market approach of Competitive Direct Sale, such sale to be at a price no less than the higher of the two valuations (excluding GST) obtained for the said Property, and undertake the necessary activities, including the appointment of a suitable independent real estate agent to undertake the sale and entering into & signing of the required contractual and other documents as necessary to give effect to the said sale.

In Favour: Crs John Harvie, Neil Gorey, Joy Allan, Kylie Berryman, Gen Campbell, Dennis

Gleeson, Bianca Hurn, Gary Pappin and Geoff Wise

Against: Nil

CARRIED 9/0 CARRIED

#### **MOVE INTO CLOSED COUNCIL**

#### **RESOLUTION 191224**

Moved: Cr Gen Campbell Seconded: Cr Geoff Wise

That the Council moves out of Open Council into Closed Council at 3:33pm to discuss Item 9.1.2

Recommendation for the sale of Part 21 Morago Street, Moulamein.

**CARRIED** 

#### **MOVE INTO OPEN COUNCIL**

#### **RESOLUTION 201224**

Moved: Cr Gary Pappin Seconded: Cr Kylie Berryman

That the Council moves out of Closed Council into Open Council at 3:44pm.

**CARRIED** 

#### 10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

Nil

10 December 2024

#### 11 CONFIDENTIAL MATTERS

#### **RESOLUTION 211224**

Moved: Cr Bianca Hurn Seconded: Cr Geoff Wise

That Council moves out of Open Council into Closed Council at 3:46pm.

**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 POLICY ADJUSTMENT

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 221224**

Moved: Cr Bianca Hurn Seconded: Cr Dennis Gleeson

That Council moves out of Closed Council into Open Council at 3:56pm.

**CARRIED** 

#### **RESOLUTION 241224**

Moved: Cr Gen Campbell 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 POLICY ADJUSTMENT

#### **RESOLUTION 231224**

Moved: Cr Gen Campbell Seconded: Cr Gary Pappin

Cr Campbell has opted to move Option 1 and was voted on by Council.

Option 1

10 December 2024

That Murray River Council (Council) resolve to make a policy exception to the currently applicable Revenue Policy and accommodate the request made by the ratepayer (as detailed in the report) to waive interest on overdue payments, for a maximum period of 30 days, noting a minimal financial impact of under \$10.

#### Option 2

That Murray River Council (Council) resolve not to make a policy exception to the currently applicable Revenue Policy and decline the request made by the ratepayer to waive interest on overdue payments.

**CARRIED** 

#### 12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:01pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 28 January 2025, commencing at 1:00 PM, in Council Chambers, Moama Administration Office, 52 Perricoota Road, Moama.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 10 DECEMBER 2024, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 28 JANUARY 2025.

MAYOR	CEO

- 5 DISCLOSURES OF INTERESTS
- 6 DEPUTATIONS

#### 7 MAYORAL MINUTE(S)

#### 7.1 MAYORAL MINUTE - REQUEST FOR EMERGENCY AGISTMENT

File Number: -

Author: John Harvie, Mayor

Authoriser: Sarah Ryan, Acting Chief Executive Officer

Recommendation

THAT COUNCIL DELEGATE AUTHORITY TO THE ACTING CHIEF EXECUTIVE OFFICER TO NEGOTIATE AND SIGN ANY DOCUMENTS WHICH MIGHT BE NECESSARY TO GIVE EFFECT TO A SHORT TERM LICENCE AGREEMENT WITH ELDERS ECHUCA FOR THE VACANT LAND AT MATHOURA LINE ROAD, MOAMA (LOT 3, DP813704), FOR A MAXIMUM PERIOD OF SIX (6) MONTHS (UNLESS ENDED EARLIER AT COUNCIL'S OPTION) AND FOR THE SOLE PURPOSE OF PROVIDING TEMPORARY AGISTMENT FOR LIVESTOCK FROM FIRE AFFECTED PROPERTIES IN THE GRAMPIANS REGION OF VICTORIA, AT A COST OF \$1 AND ON SUCH OTHER TERMS AS THE ACTING CHIEF EXECUTIVE OFFICER CONSIDERS APPROPRIATE.

#### THE ENQUIRY

Council have received an enquiry from Mr Matt O'Connor at Elders Echuca in relation to sourcing agistment for livestock on behalf of growers who have been severely and adversely affected by the recent fires in the Grampians region of Victoria.

Elders are seeking donations of agistment, hay, or grain to aid those that have been devastated by the fires.

Matt enquired about possible short term agistment on council owned property on Line Road, Moama.

#### **HOW CAN COUNCIL HELP**

The property is located on Line Road Moama and is currently overgrown and hazardous. Council could consider providing agistment, free of cost, for a period of up to six months. This would provide much needed assistance to fire victims and reduce the fire load on council's property.

Elders have indicated that they will be responsible for managing the health, welfare and security of the livestock for the duration of the agistment period. Council need only provide access to the property.

#### **The Property**

See map and photos below.







ATTACHMENTS Nil

7.2 MAYORAL MINUTE - CAMPAIGN FOR LOCAL GOVERNMENT TO RECIEVE INCREASED FUNDING TO A MINIMUM OF 1% OF COMMONWEALTH TAXATION REVENUE

File Number: -

Author: John Harvie, Mayor

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council authorise the Mayor and CEO to collaborate with regional councils to advocate for increased local government funding, including a minimum allocation of 1% of Commonwealth taxation revenue.

#### INTRODUCTION

A recent submission, by the Australian Local Government Association (ALGA), to the 'Inquiry into local government sustainability', identified that the ability of councils' to effectively plan depends on the security and adequacy of its funding.

The submission highlighted that local government in Australia has limited revenue options and, in many cases, is highly reliant on Commonwealth Financial Assistance Grants (FAG's).

Annual FAG's have declined from 1% of Commonwealth taxation revenue in 1996 to just 0.5% today.

Over the same period, councils in NSW have been subject to 'Rate Pegging' and significant cost shifting from both state and federal governments.

This has resulted in many councils, particularly rural and regional councils, struggling to remain financially sustainable.

#### **CURRENTLY**

Many individual councils, regional joint organisations, state associations and ALGA have advocated for and recommended an increase in funding for local government to the 1996 level equivalent to 1% of Commonwealth taxation revenue.

The advocacy to date has had relatively little impact on levels of Commonwealth funding for councils.

I believe, with a very tight federal election on the horizon, that now is the time for councils and representative bodies to become increasingly vocal and loud about the dire situation of many councils and the consequences for ratepayers and renters.

#### Conclusion

The time is right for councils and representative bodies to up the ante and campaign hard for a fair share of Commonwealth revenues and to have local government formally recognised as a tier of government in the constitution. A resolution of council is required to authorise the Mayor and CEO to lobby councils to support the campaign.

#### **ATTACHMENTS**

Nil

### 8 REPORTS OF COMMITTEES

Nil

#### 9 REPORTS TO COUNCIL

#### 9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

9.1.1 UPDATE - PLANNING PROPOSAL PP-2024-1477 RECLASSIFICATION OF 22 SITES IN BARHAM AND MOAMA FROM 'COMMUNITY' TO 'OPERATIONAL' LAND - DRAINAGE RESERVES.

File Number: -

Author: Chris Godfrey, Manager - Commercial, Plant & Property

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council:

- a) notes the submission to the Public Hearing and the submission to the Public Exhibition and the commentary provided by the Independent Chair of the Public Hearing in response;
- b) proceeds with the Planning Proposal to reclassify 21 sites from 'Community' to 'Operational land, excluding one site (Lot 33 DP 1259774) from the original Planning Proposal; and
- c) resolves that the lots to be reclassified as Operational Land in this Planning Proposal must not be sold at any future stage unless their purpose or use is first amended.

#### **BACKGROUND**

On 28<sup>th</sup> May 2024, Council endorsed the Planning Proposal to amend the Murray Local Environmental Plan 2011 (Murray LEP 2011) and Wakool Local Environment Plan 2013 to reclassify 22 lots from community to operational land to correct historical classification errors.

The Planning Proposal was submitted to NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination and the Gateway Determination was received on 2<sup>nd</sup> August 2024, as attached.

#### **DISCUSSION**

This Council report seeks to provide an update on the status of the Planning Proposal, provide comment on any submissions received during the consultation period, and provide a copy of the Public Hearing Report for Council's information.

#### **Public Exhibition of the Planning Proposal**

The consultation for this planning proposal included the following:

- Notification on Council's 'YourSay' project page.
- Public Exhibition of the Planning Proposal and communication with Crown Lands commenced 4<sup>th</sup> September and closed on 4<sup>th</sup> October 2024.

Council did receive one submission following the conclusion of the consultation period, representing an objection to all reclassifications, and a copy of the submission is attached. The objections submitted were presented again at the Public Hearing by the submission author and are addressed in the conclusion of the Public Hearing Report, attached.

#### **Public Hearing**

As the proposed reclassification of the land from was from community to operational land, public hearings were required to be conducted. The public hearings for this matter were held at 2:00pm on Thursday 14<sup>th</sup> November 2024 at the Riverside Reception Room at 15 Murray Street, Barham and at 11:00am on Friday 15<sup>th</sup> November 2024 at Moama Recreation Reserve Pavilion at 52 Perricoota Road, Moama. The Public Hearings were advertised via the following means:

- Advert in the Riverine Herald newspaper in the Friday 18<sup>th</sup> October 2024 edition.
- Advert In the Koondrook and Barham Bridge newspaper Thursday 24<sup>th</sup> October 2024 edition.
- Notification on the 'YourSay' project page (via Councils website).
- Hard copy Public Hearing Package available at Moama and Barham Offices from Wednesday 16<sup>th</sup> October 2024.
- Posts on Council's social media platform (Facebook) on 16<sup>th</sup> October 2024.

The public hearings were conducted in accordance with the Gateway Determination and met all the legislative requirements. The public hearings were chaired by Andrew Fletcher, Director Community and Development, Berrigan Shire Council.

The Barham hearing commenced at 2:00pm. No members of the public registered their interest to attend the meeting, no members of the public were present at the meeting, and only one member of Council staff was in attendance. The chair declared the meeting closed at 2:25pm due to no attendance from the public and noted that no submissions were received.

The Moama hearing commenced at 11:00am. 1 member of the public registered their interest to attend the meeting, and this member of the public was present at the meeting with 2 members of Council staff in attendance. The attendee presented the objections to the reclassification, as also provided in the Objection Submission attached, with the key issues identified detailed in Section 4 of the attached Public Hearing Report.

The hearing report was received by Council on 29 November 2024 and notified to the public in the following methods:

- Advertised on the 'YourSay' project page 29<sup>th</sup> November 2024.
- Hard copy available at the Moama and Barham Council Offices from 29<sup>th</sup> November 2024.
- Send to DPHI to upload onto the NSW Planning Portal 7<sup>th</sup> January 2025.

#### STRATEGIC IMPLICATIONS

- 3. Strategic Theme 3: A place of Liveable Communities
- 3.11 Strategic planning which produces consistent, strategic, transparent outcomes Town Planning / Land Use Strategies

#### **BUDGETARY IMPLICATIONS**

Nil.

#### **POLICY IMPLICATIONS**

Nil.

#### **LEGISLATIVE IMPLICATIONS**

Local Government Act 1993

Environmental Planning and Assessment Act 1979.

Murray Local Environmental Plan 2011

Wakool Local Environment Plan 2013.

#### **RISK ANALYSIS**

#### What can happen?

The land parcels remain classified as community land and the sites are unable to be used for the intended purpose, being drainage.

#### How can it happen?

The subject Planning Proposal is not supported by Council and/or the State Government.

#### What are the consequences of the event happening?

Council will be burdened with additional community land which will serve no immediate public purpose.

#### What is the likelihood of the event happening?

Low

#### Adequacy of existing controls?

The Planning Proposal is the only means of achieving the reclassification.

#### Treatment options to mitigate the risk?

Support for this Planning Proposal and Council resolution as set out in this report.

#### CONCLUSION

The Public Hearing Report findings and community issues raised against this proposal indicate that there are no valid reasons for not proceeding with the reclassification of 21 lots to operational land. Council has no active development applications that relate to any of the land lots included in this planning proposal.

This planning proposal is made as a means of rectifying historical classification errors and if endorsed, will provide a suitable outcome for the land and Murray River Council.

Following consideration of the information provided in this Council Report (and attachments) it is recommended that Council proceed with the reclassification of 21 sites to operational land, noting that these lots will not be sold unless their purpose or use is first altered, noting that one site, being Lot 33 DP 1259774, will be removed from the reclassification process.

#### **ATTACHMENTS**

- 1. Gateway Determination J.
- 2. Objection submission 4 October 2024 U
- 3. Public Hearing Report (under separate cover)
- 4. A Fletcher Conflict of Interest Declaration Form J



#### Department of Planning, Housing and Infrastructure

#### **Gateway Determination**

**Planning proposal (Department Ref: PP-2024-1477)**: reclassification of 22 sites in Moama from community to operational land - drainage reserves

I, the Acting Director, Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Murray Local Environmental Plan 2011 to reclassify 22 sites in Moama from community to operational land – drainage reserves should proceed subject to the following

#### **Gateway Conditions**

- 1. Prior to public exhibition, the planning proposal is to be updated to:
  - (a) address the requirements outlined in Attachment 1 of the department's LEP Practice Note PN 16-001, and
  - (b) correct the property details of Lot 23 DP1240379 to reflect its location in "Barham", not "Moama".
- Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
- 3. Consultation is required with Crown Lands under section 3.34(2)(d) of the Act. Crown Lands is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
- 4. A public hearing is required to be held into the matter by any person or body under section 3.34(2)(e) of the Act.
- 5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
  - the planning proposal authority has satisfied all the conditions of the gateway determination;
  - the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and

- (c) there are no outstanding written objections from public authorities.
- 6. The LEP should be completed on or before 1 April 2025.

Dated 2 August 2024

**Chantelle Chow** 

Elhor

Acting Director, Southern Western and Macarthur Region

Local Planning and Council Support Department of Planning, Housing and Infrastructure

**Delegate of the Minister for Planning and Public Spaces** 

PP-2024-1477 (IRF24/1580)

#### 4 October 2024

Murray Council Objection- PP 2024-1477

<u>Proposed reclassification of land from Community Land to Operational Land- Drainage</u> <u>Reserves</u>

## I object to the reclassification of land from Community Land to Operational Land Drainage Reserves for the following subject land:-

Lot 23/DP1240379, 41 Vinecombe Land Barham

Lot 126/DP1264832 Nicholas Dr Moama

Lot 11/DP1103416 McCulloch Dr Moama

Lot 16/DP10884308 Cabernet Dr Moama

Lot23/DP256000 Lea Crt Moama

Lot 56/DP1175457 Martin Rd Moama,

Lot 91/DP1220526 Cabernet Moama

Lot 33/DP1259774 Brolga Moama

Lot 34/DP1259774 Brolga Moama

Lot34/DP1209212 Marion Moama

Lot104/DP1256111 Firefly Moama

Lot 17/DP1175457 Beer Rd Moama

Lot 95/DP1201662 Ghost Gum Moama

Lot131/DP1226905 River Gums Moama

Lot 2/DP1255836 Perricoota Moama

Lot 171/DP1245186 Marsanne Dr Moama

Lot 115/DP1268382 Sandpiper Moama

Lot226/DP1261570 26 Hermitage Moama

Lot61/DP1082147 Cabernet Moama

Lot9/DP841556 Barber Moama

Lot121/DP1238057 Marsanne Moama

Lot194/DP1251358 Durif Dr Moama

1. I object to council reclassifying the 22 land drainage reserves above which are essential parks to enjoy in the immediate vicinity of the residents in each subdivision estate. The

impact on children would be significant who cannot drive to another park to socialise with friends and family in their immediate neighbourhood.

- The drainage reserves are designed to catch rainfall and should not be reclassified and subsequently sold. These parcels are to prevent flooding within the neighbouring houses and roads.
- No signs have been erected on the drainage reserves to advise the local community that
  this has been proposed to reclassify these parks. This signage is required to allow
  residents to voice their concerns and as such the deadline for objections should be
  extended.
- 4. Under

Local Government Act 1993 No 30 Chapter 3 Section 8A(2e)

"Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions."

The decision to lodge with DPHI the removal of the original 18 parcels of land and substitute with the above 22 parcels of land without notification to the residents to have the land reclassified as operational is not in keeping with the Local Government Act.

5. The Murray River Council has a media release on its website stating council has resolved to rescind a previous resolution seeking to reclassify 18 parcels from community land to operational land. However the media release does not mention that it did not rescind and replace with a new set of 22 parcels of land and was lodged with DPHI. This is a deliberate omission and not in keeping with the Local Government Act.

Yours Faithfully

Sharon Hughes



#### **CONFLICT OF INTEREST DECLARATION BY 3rd PARTY FORM**

Linked to Code of Conduct Policy – POL-100

FULL NAME:	Andrew Fletcher			
ORGANISATION:	Berrigan Shire Council			
NAME OF EVENT:	Public Hearing			
DATE OF EVENT:	14 and 15 November 2024			
DO I HAVE A CONFLICT OF INTEREST: (tick one)	YES V	NO		
If YES, DESCRIBE YOUR CONFLICT OF INTEREST				
WHAT IS THE NATURE OF	OUR CONFLICT (Select One):			
Required Action: Imm	PECUNIARY CONFLICT OF INTERESTS  Required Action: Immediately make a declaration, do not participate in the item, and leave the Meeting or Event during discussion and/or consideration of the matter. Do not return until the matter is resolved.			
Required Action: Imm	SIGNIFICANT NON-PECUNIARY CONFLICT OF INTERESTS  Required Action: Immediately make a declaration, do not participate in the item, and leave the Meeting or Event during discussion and/or consideration of the matter. Do not return until the matter is resolved.			
Required Action: make vote on the item.	LESS THAN SIGNIFICANT NON-PECUNIARY CONFLICT OF INTERESTS  Required Action: make a declaration, stay in the Meeting or Forum, participate in the debate, and vote on the item.  (Reason why the conflict of interests is less than significant and does not require further action:)			
DECLARATION: I hereby declare that the above details are correct to the best of my knowledge and I make this conflict of interests disclosure in good faith.				
A. Fletcher		12/11/2024		
SIGNATURE		DATE		
Conflict of Interest Declaration	by 2rd Party 1/#1 Adapted: 7 November 2024	Dogo 4 of 5		

murray river council

linked to Code of Conduct Policy- POL-100.V#1

#### PLEASE REFER TO COUNCIL'S CODE OF CONDUCT - PART 4 CONFLICT OF INTERESTS

A conflict of interests exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.

You must avoid or appropriately manage any conflict of interests. The onus is on you to identify a conflict of interests and take the appropriate action to manage the conflict in favour of your public duty.

Any conflict of interests must be managed to uphold the probity of council decision making. When considering whether or not you have a conflict of interests, it is always important to think about how others would view your situation.

Private interests can be of two types: pecuniary or non-pecuniary.

#### What is a pecuniary interest?

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. (LGA section 442)

A person will also be taken to have a pecuniary interest in a matter if that person's spouse or de facto partner or a relative of the person or a partner or employer of the person, or a company or other body of which the person, or a nominee, partner or employer of the person is a member, has a pecuniary interest in the matter. (LGA section 443)

#### What are non-pecuniary interests?

Non-pecuniary interests are private or personal interests the council official has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a councillor do not constitute a private interest.

#### Managing non-pecuniary conflict of interests

Where you have a non-pecuniary interest that conflicts with your public duty, you must disclose the interest fully and in writing, even if the conflict is not significant. You must do this as soon as practicable.

How you manage a non-pecuniary conflict of interests will depend on whether or not it is significant.

#### What are significant non-pecuniary conflicts of interests?

As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves:

- a) a relationship between a council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse, current or former spouse or partner, de facto or other person living in the same household
- b) other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
- c) an affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong.

Version #1 Adopted: 07 November 2024 Page 2 of 2

#### 9.1.2 MONTHLY OPERATIONAL REPORT

File Number: -

Author: Courtney Dean, Coordinator Communications

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That the Monthly Operational Report as of December 2024 (covering the months of November & December) be received and the information noted by the Council.

The Monthly Operational Report acts as an ongoing reporting document offering updates and information relating to all Business Units within MRC. It includes updates in relation to Delivery Program items (Part B of each report), financial tracking and any general project updates or items of interest. Managers and Directors are responsible for completing the reports each month. The details listed below are items of note/interest from several Business Unit reports. Each individual Business Unit report contained in the attachment should be read in full for all information and updates.

#### **Customer Service**

- The Customer Service Department at Murray River Council faces several challenges that impact our ability to deliver optimal service to the community. These challenges stem from technological limitations, training constraints, staffing dynamics, and the need for consistent coverage across various services.
- We also have several areas of opportunity, where we can improve service delivery and the
  experience for our customers and agents with self-service and omnichannel technologies,
  flexibility through reduction of service centre operational hours for resourcing and training,
  data driven insight for resource allocation, streamlined processes and efficiency
  improvements, and a centralised Knowledge Management System. This is all further
  expanded on in the full report.
- We received 3 complaints in December in relation to reduced face-to-face customer service opening hours and days. 2 complaints were related to the Moulamein Business Centre, and 1 complaint was in relation to the Mathoura Visitor and Business Centre.

#### Libraries

- Barham Library offered a wide range of activities and programs during November and December, engaging patrons of all ages: Children's programs, school holiday activities, digital support programs and community workshops. These regular activities continue to be well-attended.
- During November and December, the focus at Moulamein Library was centred around Christmas. In keeping with our tradition of fostering creativity and community spirit, the team organised a series of Christmas-themed craft activities for the children.
- Mathoura Library has experienced a vibrant and productive period, with the school holiday activities being very successful and well attended. Recent updates to the library's collection have been met with enthusiasm.
- Each library location was visited by representatives from the State Library of New South Wales during November. Their visit was highly successful, offering valuable insights and engagement opportunities for our community. The representatives expressed their appreciation for MRC's libraries, noting their high standard and welcoming atmosphere. They were particularly impressed with the look of the proposed changes to Mathoura Library, as well as the diverse programs being run across the network. They felt the programs were not only highly educational but also provided meaningful opportunities for

community learning and social interaction. Grant opportunities were also discussed, in relation to facility upgrades or construction.

#### **Eco Dev and Tourism**

- Live, Work, Invest Website Launch: Successfully launched on 4 December, featuring a Community Directory and New Resident's Kit. The directory has four registered businesses and will continue to grow in 2025.
- Social Media Expansion: Dedicated Facebook and LinkedIn pages for Live, Work, Invest launched on 1 December to share success stories, business updates, and regional insights.
- Small Business Breakfast: Held on 6 December with over 40 attendees, providing training on low-cost marketing and cybersecurity, delivered by expert speakers and highly praised by participants.
- Business Success Stories: Two additional stories were finalised, celebrating local businesses, and shared on the Live, Work, Invest platforms.
- Grant Activity: Seven major grant applications submitted, totalling over \$5.8 million. Outcomes are pending.
- Community Engagement: Economic Development Officer supported multiple events, including the Mathoura and Moama Carols by Candlelight, and began planning several 2025 initiatives such as the Moama Cycling Club Winter Race Series and Tough Tilly Day.
- Tourism and Marketing Efforts: Hosted "We Are Explorers" to create promotional content, launched a targeted summer visitation campaign, and updated the Visit River Country website with fresh, seasonal content.
- Regional Investment Prospectus: Finalised and made available for download, showcasing key economic data and industry opportunities.
- Workforce Development: Collaborated with Workforce Australia to plan employment information sessions for 2025, with the first event on apprenticeships and traineeships scheduled for 29 January.
- Art and Culture: Significant progress on the River Country Art Trail, including completion of the Mathoura Water Tower project and continued work on the Moama installation.
- Community Support: Supported various groups and projects, including grant applications for the Moama Cricket Club, planning the "Abilities Unleashed" event, and relaunching the Murray Connect initiative at the Small Business Breakfast.

#### **Legal and Procurement**

- Procurement compliance remains a very high risk, as does Council's ineffective current contract management system. Historically, this can be attributed to a lack of systems which support and demand the procurement policy requirements being met, lack of purchasing staff understanding of the requirements and lack of disciplinary action where staff fail to comply with policy requirements. The relevant risk mitigation measures are being taken, however as the issue is deeply systemic and developed over a long period of time, it is anticipated that it could take a significant period of time to properly manage the required change and alter Council's purchasing culture.
- A contract management system will be implemented to centralise Council's contract documents and data and assist contract owners to better manage contracts under their area of accountability.
- The implementation of VendorPanel will be reviewed intermittently once it is rolled out to the organisation, to assess its success in improving compliance and efficiency.

#### **Commercial, Plant and Property**

 Public Hearings completed on 14 November at Barham and 15 November at Moama for reclassification of 22 land parcels from Community to Operational to correct classification for drainage basins. Only one objection submitted during the process and will be considered in making final determination. 1 land parcel has been removed from the process and a Council Report will be submitted in January to decide on whether to continue with Gateway Determination to reclassify the remaining 21 lots. Completion date for total reclassification process in to be no later than 1 April 2025 as per Gateway Determination.

#### **Information Management**

- Chief Information Officer (CIO) spent Dec and Jan combining the budgets of the former Business Intelligence and IT departments he has taken over and redesigning a combined budget for next year. Once complete, more time can be spent managing and progressing projects that have not been updated in a while.
- Final touches on our 4-year roadmap are being done, while we wait to present this to councillors for adoption. This will likely be in the new year, so we are proceeding with some of the security changes we can make now which will have no impact to budget. Some of these Items are done, with more due in January.
- The Systems and IT support plan over Christmas worked well and there were no issues.
- As we operate CCTV, we have found we required a Master Security License and operators need to have security licenses, so this has been applied for to remain compliant.

#### **Community Services**

- Client Satisfaction Surveys are in. We received 51 this year, compared to 39 last year. Findings will be in the January MOR.
- We have had some of our Christmas celebrations across our various locations, for our clients and volunteers. It has been a great social catch up for everyone involved. We were lucky enough to have this funded through the Community Recovery fund this year.

#### **Development Services**

• Development Services welcomed three new key staff in December, with Vishal Chandra commencing as Senior Town Planner, Leeyana Thokala as Placemaking Officer and Mitchell McKenzie as Regional Placemaking Project Officer. Vishal, Mitch & Leeyana fill the final Planning positions of the Development Services Department, and we welcome them to MRC and look forward to working with them to achieve big goals for the community.

#### **Waste and Compliance**

- Council Waste Officers have a new contract in place in a joint procurement opportunity with RAMJO (surrounding Councils) for mattress processing and scrap metal collection at MRC waste facilities. The first collection of mattresses has taken place with approximately 250 mattresses collected for processing.
- The Return and Earn facility is starting to attract some volume with over 260,000 containers processed through the facility and the largest volume to date was 14,317 thus far (these are mid-Dec figures...Jan is well-and-truly exceeding that, please check-in with the waste team for more info!)
- Officers have been working with Iconyx in developing fire hazard reduction program to a more streamlined program in Rapid Maps. Fire hazard season and compliance activities have commenced and will run through the warmer months. Additional training session has been scheduled to enable the team to become conversant with the Crest SE program.
- Compliance team and Development Services meeting fortnightly for panel meetings to address ongoing issues of non-compliance to development approvals and unpermitted or prohibited land use issues.

#### **Buildings and Facilities**

- **Picnic Point Caravan Park:** Refurbishment of the deteriorated road surface in the western section of the park.
- Moama Main Office (52 Perricoota Road Moama): Significant lift upgrades comprising of lift door mechanism replacement and emergency lighting upgrades. This was to ensure lift was operation even after power outages.
- Captain Cottage (Heritage Building): The old shed at the back of the Captains Cottage has been rebuilt using recycled materials and materials salvaged from the site. The rear paths were also replaced.

#### **Major Projects**

 Confirmation of external funding for the Tooranie Road/Yarrein Creek Bridge replacement (TfNSW) and inspections of additional Council bridge structures (Restart NSW) have been significant outcomes in the past month.

#### Works

- Heavy patching works completed on the Cobb Highway for TfNSW ahead of schedule.
- Intersection upgrade of Wakool Street and Chester Street completed.
- Christmas decorations installed at various locations.
- Quarry and Gravel Pit Action Plan progressing.
- Continued to deliver routine maintenance and operational activities including regular road maintenance such as pothole repairs and grading of unsealed roads.
- The west construction team delivered key achievements, including the successful completion of Speewa Road reconstruction and intersection upgrade in Barham ahead of schedule and under budget.
- The east construction teams made great progress on Barmah Road reconstruction while the heavy patches on the Cobb Highway were delivered ahead of schedule for TfNSW, allowing for their reseals to commence in January.

#### **Water Services**

- Welcome to Cameron Marino who has commenced as a Water and Wastewater Technician in Moama following the recent recruitment.
- Kayla Jones has joined the Water Services team part time as the Business Unit Support
  Officer. This position will provide much needed support to the team in the day-to-day
  business.

#### Parks, Gardens, Open Spaces and Biosecurity

#### Highlights:

- SCCF5 projects at Barham and Moulamein completed.
- Summer sport and recreation activities commenced with high community participation.
- Moama and Mathoura Pools opened on time for 2024/25 season in early November.
- Biosecurity Staff conducted joint inspections with NSW Parks & Wildlife.
- Attendance at the Regional Weeds Meeting in Khancoban.
- All staff recognition for pre-Christmas service delivery in all towns.

#### Threats:

- New Cape broom infestations found at Mathoura and Barham
- New Wheel cactus infestation found at Barham.
- Yellow Water Lily found on private property Womboota.
- Proper Scotch Thistle plant found on roadside at Caldwell.

- Negative feedback in relation to Parks Operational Service Delivery Plan introduction due to some service reductions in accordance with adopted plans.
- Dissolution of multiple S355 management committees at Recreation Reserves will potentially impact staffing workloads and service delivery with increased administrative duties and reduction in voluntary help to maintain recreational assets such as sports grounds and facilities.

#### **ATTACHMENTS**

1. Monthly Operational Report - NOV DEC 2024 (under separate cover)

#### 9.1.3 SUBMISSIONS TO ALGA NATIONAL GENERAL ASSEMBLY 24 - 27 JUNE 2025

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council consider motions for submission to the National General Assembly (NGA) of the Australian Local Government Association (ALGA) conference being held in Canberra from 24 – 27 June 2025.

#### **DISCUSSION**

ALGA is holding their National General Assembly (NGA) in Canberra on 24 – 27 June 2025 at the National Convention Centre.

The theme for the 2025 NGA is to be "National Priorities Need Local Solutions". ALGA are seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build trust, both in our communities and as a local delivery partner for the Australian Government.

Submission for motions to be included in the papers for discussion at the 2025 NGA close on Monday 31 March 2025. Some motions may be considered for submission to the LGNSW Annual General Conference being held 23 – 25 November 2025 in Sydney.

A report will be included in the February papers requesting finalisation of motions to be submitted. Murray River Council submitted three (3) motions to the 2025 NGA, with the CEO and one other Councillor present (the Mayor was planned to attend by withdrew due to personal reasons) with some success.

It is requested that Councillors provide topics that are in alignment with the theme "National Priorities Need Local Solutions" for further background detail to be added to any submission of motions. A report will be brought back to Council for approval once each submission has been drafted for final comment.

## To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- 1. Be relevant to the work of local government nationally.
- 2. Not be focused on a specific jurisdiction, location or region unless the project or issue has national implications.
- 3. Be consistent with the themes of the NGA.
- 4. Compliment or build on the policy objectives of ALGA and your state or territory local government association.
- 5. Be submitted by a council which is a financial member of their state or territory local government association.
- 6. Propose a clear action and outcome i.e. call on the Australian Government to act on something.
- 7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

- 8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
- 9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- 10. Be supported by sufficient evidence and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording: *This National General Assembly calls on the Australian Government to* 

#### **ATTACHMENTS**

1. 2025 NGA Discussion Paper (under separate cover)

## 9.1.4 ATTENDANCE TO THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 24 - 27 JUNE 2025

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council

- 1. Put forward names of delegates to attend the Australian Local Government Association National General Assembly being held in Canberra 24 27 June 2025.
- 2. Agree that the Mayor and CEO are two (2) of the nominated delegates attending the NGA and agree on the number of delegates attending, take into consideration the cost of travel, accommodation and attendance to the assembly.

#### **BACKGROUND**

#### DISCUSSION

ALGA has invited all Local Government Areas to the 31<sup>st</sup> National General Assembly (NGA) in Canberra on 24 – 27 June 2025 at the National Convention Centre.

The theme for the 2025 NGA is to be "National Priorities Need Local Solutions".

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated – particularly to the Australian Government – the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA, and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

#### DISCUSSION

In June 2025, Australia will either have a re-elected Labor Government, or a new Coalition or minority government.

The 31st National General Assembly of Local Government will focus on opportunities for councils to work with the next Federal Government to deliver local solutions that will help them deliver on their vision for the nation.

As the closest government to communities, councils understand local challenges and opportunities. They are a willing partner in government, and sustainably funded can provide place-based solutions to a range of national priorities including affordable housing, energy transition, road safety, increasing productivity, and improved health and wellbeing.

In past years, Murray River Council has believed it is important for delegates to attend the NGA to ensure the motions submitted are heard and fully supported with the delegates being there to address any questions on the submissions made. The decision in past years was to have the CEO and Mayor attend as delegates, with the option of other Councillors attending if it was beneficial for more to attend.

The approximate cost for travel and accommodation is \$2,500 per person (depending on the timing/cost of flights). Accommodation is costly due to the number of people attending the NGA from across the nation.

In addition, there is the cost of the attendees to the assembly, which is yet to be determined as the registrations have not been opened yet. The cost to attend last year's NGA was \$1,120 as an early bird registration, it is likely that we will see a slight increase in that cost for 2025.

#### 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**

The cost of travel, accommodation and attendance to the assembly will need to be considered. Travel & accommodation will be approx. \$2,500 per person with additional cost of food allowances.

The cost for attending the 2024 NGA was \$1,120, taking advantage of the early bird registration and will most likely see an increase for the 2025 registration fees.

#### **POLICY IMPLICATIONS**

Murray River Council Councillor Expenses & Facilities Policy (POL103).

#### **LEGISLATIVE IMPLICATIONS**

#### **RISK ANALYSIS**

What can happen?

No motions are submitted, therefore there is no need to send delegates. Or motions are submitted, and delegates are unable to attend.

How can it happen?

Inability for CEO, Mayor and other delegates being available.

What are the consequences of the event happening?

Motions not being supported at the assembly.

What is the likelihood of the event happening?

Unlikely

#### Adequacy of existing controls?

Number of delegates available to choose to attend and motions being developed early.

#### Treatment options to mitigate the risk?

Early discussions and action taken to ensure delegates attend and motions are submitted.

#### CONCLUSION

The NGA is a national gathering of local governments and provides councils with the opportunity to come together, share ideas, debate motions and build stronger relationships between local government and the Australian Government.

With the Federal elections taking place in June 2025, there will either be a re-elected Labor Government, or a new Coalition or a minority Government. The NGA is a good opportunity to connect with the re-elected, minority or new Government following the elections and focus on working with the Federal Government to deliver local solutions that will help them deliver on their visions for the nation and address local challenges and opportunities.

Attendance to the National General Assembly by delegates from Murray River Council will ensure full support of the motions submitted to be heard at the assembly. It is expected that the Mayor and CEO are two (2) of the attendees to the assembly, with attendance by other delegates generally being up to another two (2) delegates.

#### **ATTACHMENTS**

Nil

## 9.1.5 RESPONSE TO NOTICE OF MOTION - THAT RESOLUTION 050624 IS REVISITED AT THE 28 JANUARY COUNCIL MEETING FOR DEBATE WITH THE VIEW TO RECIND

File Number: -

Author: Sarah Ryan, Acting Chief Executive Officer
Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That the Officer's report on Response to Notice of Motion - That Resolution 050624 is revisited at the 28 January Council Meeting for debate with the view to recind be received and the information noted by the Council.

#### DISCUSSION

#### **Background**

At the June 2024 Council meeting, the Council endorsed a Mayoral Minute to investigate a potential Special Rate Variation (SRV). This resolution aimed to begin community consultation on income options to sustain Council services, with an SRV potentially effective from the 2026/27 financial year.

A Notice of Motion (NoM) has been raised by Councillor Campbell, requesting the rescission of this resolution, citing concerns about expenditure and staff time, particularly given the uncertainty of support from the newly elected Council. The Councillor emphasised the importance of alignment between Council actions and community priorities.

#### The NoM summary:

- 1. Revisiting and debating Resolution 050624;
- 2. Rescinding the resolution if deemed misaligned with current Council and community expectations;
- 3. Addressing concerns about financial and resource allocation towards the SRV investigation, especially in the absence of a clear mandate from the newly elected Council.

#### Implications of Rescinding Resolution 050624

- 1. Operational and Financial Impacts:
  - The primary reason why the mayoral minute resulting in resolution 050624 was put up (and adopted unanimously) was to address the ongoing operational deficits that was being experienced by Council. If an SRV is not an option that the Council wishes to pursue, then alternative practical means of addressing and rectifying the operational deficit needs to be identified and implementation commenced in the next 2-3 years. At the time the resolution was adopted, there was clear opposition from the community for service levels reductions

#### 2. Community Impact:

The resolution's intent was to engage the community transparently about financial challenges and options. Rescinding the motion may delay critical conversations with the community and diminish trust in Council's commitment to inclusive decision-making.

#### 3. Staff Resources:

 Significant staff time and resources have already been allocated to preliminary investigations.

#### **Key Considerations**

- 1. Alignment with Strategic Priorities:
  - The endorsed SRV investigation supports the Council's Integrated Planning and Reporting (IP&R) framework, focusing on financial sustainability and asset management. Rescinding this resolution may necessitate revisions to these plans.

#### 2. Community Expectations:

 While community concerns about rate increases are valid, Council has a responsibility to ensure financial sustainability. Transparent consultation was a central aim of the original resolution.

#### 3. Risk Management:

- Without an SRV, the estimated \$44 million infrastructure backlog (based on unfunded depreciation) will continue to grow, compromising service delivery and increasing risks associated with asset failure.
- Rescinding the resolution could lead to scrutiny from oversight bodies (e.g., IPART and the Office of Local Government) and damage Council's reputation as a responsible financial steward.

#### **Options for Council**

- 1. Proceed with Resolution 050624:
  - o Continue with community consultation to gauge support for an SRV.
  - Develop contingency plans based on consultation outcomes.

#### 2. Amend the Resolution:

 Narrow the scope of investigations to reduce costs and resource commitments while maintaining transparency with the community.

#### 3. Rescind the Resolution:

 Halt the SRV investigation entirely. Identify alternative measures to address financial challenges, including service reductions or asset divestment.

#### Conclusion

Council faces a critical decision balancing fiscal responsibility with community expectations. Revisiting Resolution 050624 offers an opportunity to confirm alignment with current priorities while addressing valid concerns about resource allocation. Regardless of the decision, Council must take decisive action to ensure long-term financial sustainability and maintain essential services for the community.

#### **ATTACHMENTS**

Nil

#### 9.1.6 JOINT ADVOCACY FOR SOUTH WEST RENEWABLE ENERGY ZONE (SW REZ)

File Number: -

Author: Sarah Ryan, Acting Chief Executive Officer
Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council authorise the Mayor and CEO to write to councils within the South West Renewable Energy Zone (SW REZ), seeking support for a joint advocacy initiative to promote regulatory flexibility in boundary definitions, ensuring equitable outcomes for communities impacted by renewable energy development.

#### **DISCUSSION**

The South West Renewable Energy Zone (SW REZ) presents significant opportunities for renewable energy development, but it is essential to ensure that the benefits and support provided through this initiative are equitably distributed across all impacted communities.

This recommendation proposes a collaborative approach by engaging councils within the SW REZ to gather feedback and build support for a joint advocacy effort to address the following concerns:

- 1. **Flexibility in Boundary Definitions**: Many communities affected by renewable energy projects may fall outside the current SW REZ boundary. Advocacy for regulatory flexibility would allow these communities to be included and benefit from the zone's initiatives.
- 2. **Authority to Fund Beyond Boundaries**: It is important that funding opportunities extend to projects outside the defined SW REZ boundary but still within the relevant Local Government Area (LGA), reflecting the broader impact of renewable energy development.
- 3. **Equitable Distribution of Benefits**: Mechanisms should be established to ensure funding is allocated based on the level of impact experienced by communities. This would help strengthen local infrastructure, build resilience, and deliver equitable benefits to all affected areas, regardless of their size or location within the zone.

By working collectively, councils within the SW REZ can present a stronger case to advocate for inclusive policies that reflect the priorities and needs of all impacted communities. This approach fosters collaboration and ensures that renewable energy development supports a fair and sustainable future for communities impacted by renewable energy development.

#### **ATTACHMENTS**

Nil

## 9.1.7 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

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

#### **BACKGROUND**

All resolutions of Council in Open and Closed council, including completed actions within the previous 6 weeks, are attached to this report.

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.

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 this report are also included in the Monthly Operation Report.

#### **ATTACHMENTS**

- 1. Completed actions from Nov 2024 to 17 Jan 2025 🗓 🖺
- 2. Open actions as of 17 Jan 2025 (under separate cover)

Division: Committee:	Date From: Date To:
Officer:	
Action Sheets Report	Printed: 17 January 2025 4:58 PM

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	Confirmation of Minutes - Ordinary Meeting held on 26 November 2024	<u>041224</u>	RESOLUTION 041224 Moved: Cr Geoff Wise Seconded: Cr Dennis Gleeson That the minutes of the Ordinary Meeting of Murray River Council held on 26 November 2024 be confirmed as a true and correct record.	Leyonhjelm, Lindy	G A or R
			CARRIED		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Monthly Operational Report	201124	RESOLUTION 201124  Moved: Cr Geoff Wise Seconded: Cr Neil Gorey That the Monthly Operational Report as of October 2024 be received and the information noted by the Council.	Dean, Courtney	G A or R
	Dean, Courtney - Completion Courtney (action officer) on 03 December 2	2024 at 8:53:52 AM	CARRIED		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Resolutions of the Council - Resolution Tracker & InfoCouncil Action Reports	191124	RESOLUTION 191124  Moved: Cr Kylie Berryman Seconded: Cr Geoff Wise 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	Leyonhjelm, Lindy	G A or R
06 Jan 2025 12:24pr	n Leyonhjelm, Lindy - Completion				

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	Division: Committee:	Date From: Date To:
Action Sheets Report	Officer:	Printed: 17 January 2025 4:58 PM
Action oneets Report		Fillited. 17 January 2025 4.56 FW

Completed by Leyonhjelm, Lindy (action officer) on 06 January 2025 at 12:24:47 PM - resolved at council

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Correspondence Report	401124		Leyonhjelm, Lindy	G A or R
			RESOLUTION 401124  Moved: Cr Neil Gorey Seconded: Cr Kylie Berryman That the Correspondence Report be received and the information noted by the Council.		
			CARRIED		
	m Leyonhjelm, Lindy - Completion hjelm, Lindy (action officer) on 06 January	2025 at 12:23:53 PN	л - resolved at council		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Sundry Delegates Report	<u>411124</u>		Leyonhjelm, Lindy	G A or R
			RESOLUTION 411124		
			Moved: Cr Dennis Gleeson		
			Seconded: Cr Joy Allan		
			That the Sundry Delegates Report of the Mayor and		
			Councillors for the period 8 October 2024 through to 31		
			October 2024 be received and the information noted by the		
			Council; and reasonable out of pocket expenses be met by		
			Council.		
			CARRIED		
	m Leyonhjelm, Lindy - Completion hjelm, Lindy (action officer) on 06 Jaı		A resolved at acupail		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Mayoral Minute - Chief Executive Officer Recruitment Panel recommendation to appoint recruitment agency	461124	RESOLUTION 461124  Moved: Cr Kylie Berryman Seconded: Cr Neil Gorey The panel members recommend that,  1. Council appoints recommended recruitment services for the position of Chief Executive Officer at a cost	Harvie, John	G A or R

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quoted in the body of this report, plus GST for complete recruitment, including psychometric testing and

2. Authorise the Mayor to negotiate costs, to a maximum of \$7000 + GST, for advertising and travel.

In Favour: Crs John Harvie, Neil Gorey, Joy Allan, Kylie

Berryman, Gen Campbell, Dennis Gleeson, Bianca Hurn, Gary Pappin and Geoff Wise

Against: Nil

CARRIED 9/0 CARRIED

06 Jan 2025 12:21pm Leyonhjelm, Lindy

Recruitment agency has been appointed and process is underway

06 Jan 2025 12:23pm Leyonhjelm, Lindy - Completion

Completed by Leyonhjelm, Lindy on behalf of Harvie, John (action officer) on 06 January 2025 at 12:23:30 PM - Recruitment agency is appointed and recruitment is underway

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	Correspondence Report	161224		Leyonhjelm, Lindy	G A or R
			RESOLUTION 161224  Moved: Cr Neil Gorey Seconded: Cr Kylie Berryman That the Correspondence Report be received and the information noted by the Council.		
			CARRIED		
	m Leyonhjelm, Lindy - Completion hjelm, Lindy (action officer) on 06 January	2025 at 12:24:03 PM	л - resolved at council		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	Sundry Delegates Report	<u>171224</u>		Leyonhjelm, Lindy	G A or R
			RESOLUTION 171224		
			Moved: Cr Dennis Gleeson		
			Seconded: Cr Kylie Berryman		
			That the Sundry Delegates Report of the Mayor and		
			Councillors for the period 1 November 2024 through to 30		
			November 2024 be received and the information noted by		

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Division: Date From: Committee: Date To: Officer: Printed: 17 January 2025 4:58 PM **Action Sheets Report** 

> the Council; and reasonable out of pocket expenses be met by Council.

**CARRIED** 

06 Jan 2025 12:25pm Leyonhjelm, Lindy - Completion
Completed by Leyonhjelm, Lindy (action officer) on 06 January 2025 at 12:25:03 PM - resolved at council

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	Resolutions of the Council - Resolution Tracker & InfoCouncil Action Reports	081224	RESOLUTION 081224 Moved: Cr Neil Gorey Seconded: Cr Geoff Wise 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	Leyonhjelm, Lindy	G A or R

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	2024 School Presentation Functions	<u>171124</u>	RESOLUTION 171124  Moved: Cr Geoff Wise Seconded: Cr Neil Gorey That Councillors determine their attendance at each of the annual presentation functions of the district schools who have requested Councillor attendance (and in some cases to present the Council sponsored award), as detailed in the report.  CARRIED	Leyonhjelm, Lindy	G A or R
Delegates of Council 06 Jan 2025 12:26pr	m Leyonhjelm, Lindy allocated to each presentation and schoo m Leyonhjelm, Lindy - Completion hjelm, Lindy (action officer) on 06 January		· ·		

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Division:	Date From:
Committee:	Date To:
Officer: Action Sheets Report	Printed: 17 January 2025 4:58 PM

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Confirmation of Minutes - Ordinary Meeting held on 22 October 2024 & Extra Ordinary Meeting held 12 November 2024	121124	RESOLUTION 121124  Moved: Cr Dennis Gleeson Seconded: Cr Neil Gorey That the minutes of the Ordinary Meeting of Murray River Council held on 22 October 2024 & Extra Ordinary Meeting held on 12 November 2024 be confirmed as a true and correct record.  CARRIED	Leyonhjelm, Lindy	G A or R

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	AGM Minutes - Moama Lions Community Village S355 Committee	351124	RESOLUTION 351124  Moved: Cr Joy Allan Seconded: Cr Neil Gorey That Council  1. Revoke existing members of the Moama Lions Community Village Committee of Management and	Buckley, Karen	G A or R
			(a) Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the August 2024 AGM.		
			CARRIED		
	Buckley, Karen - Completion y, Karen (action officer) on 05 December 2	2024 at 2:15:55 PM -	committee advised		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	SECTION 355 COMMITTEE MEETING MINUTES AS AT OCTOBER 2024	341124	RESOLUTION 341124 Moved: Cr Bianca Hurn Seconded: Cr Neil Gorey	Buckley, Karen	G A or R

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Division: Date From: Committee: Date To: Officer: **Action Sheets Report** Printed: 17 January 2025 4:58 PM

> That Council receive and note the October Section 355 Committee report.

**CARRIED** 

04 Dec 2024 11:15am Buckley, Karen - Completion
Completed by Buckley, Karen (action officer) on 04 December 2024 at 11:15:28 AM - no further action required

Council 26/11/2024 Mathoura Retirement Village - Unit 1 Tenant Endorsement  RESOLUTION 361124  Moved: Cr Joy Allan Seconded: Cr Dennis Gleeson That Council endorse the Mathoura Retirement Village Committee of Management's recommendation for unit one (1) ingoing tenant.	Officer Statu	Resolution	Resolution Number	Subject	Meeting
	Buckley, Karen GA o	Moved: Cr Joy Allan Seconded: Cr Dennis Gleeson That Council endorse the Mathoura Retirement Village Committee of Management's recommendation for unit one (1)	361124		Council 26/11/2024
CARRIED		CARRIED			

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 27/08/2024	S355 Wakool Recreation Reserve Management Committee - Request to Dissolve Committee	140824	RESOLUTION 140824  Moved: Cr Dennis Gleeson Seconded: Cr Geoff Wise That Council  1. Revoke existing members of the Wakool Recreation Reserve Committee of Management.	Buckley, Karen	G A or R
		<ol> <li>Dissolve the Wakool Recreation Reserve Committee of Management pursuant to Section 355 of the Local Government Act 1993.</li> </ol>			
		3.	3. Hold the balance of funds in a reserve to be used at the Recreation Reserve as requested by outgoing committee.		
			CARRIED		

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Division: Date From: Committee: Date To: Officer: **Action Sheets Report** Printed: 17 January 2025 4:58 PM

24 Sep 2024 1:29pm Buckley, Karen - Target Date Revision
Target date changed by Buckley, Karen from 10 September 2024 to 31 October 2024 - Letter of confirmation sent to Committee - waiting for confirmation of bank account closure.

03 Dec 2024 11:02am Buckley, Karen - Completion
Completed by Buckley, Karen (action officer) on 03 December 2024 at 11:02:31 AM - Back account closed, no further action required.

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Dissolve Section 355 Committee - Kyalite Hall & Recreation Reserve Management Committee.	391124	RESOLUTION 391124  Moved: Cr Geoff Wise Seconded: Cr Gary Pappin That Council  1. Dissolve the Kyalite Hall & Recreation Reserve Committee of Management pursuant to Section 355 of the Local Government Act 1993; and  2. Allow the balance of funds in the Section 355 Committee Account to remain with the committee for their intended use.	Buckley, Karen	G A or R
			CARRIED		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	AGM Minutes - Moulamein Lake S355 Committee	331124	RESOLUTION 331124  Moved: Cr Dennis Gleeson Seconded: Cr Geoff Wise That Council:  1. revoke existing members of the Moulamein Lake Committee of Management; and 2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the September 2024 AGM.  CARRIED	Buckley, Karen	G A or R

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Division: Committee: Date From: Date To: Officer: **Action Sheets Report** Printed: 17 January 2025 4:58 PM

05 Dec 2024 2:15pm Buckley, Karen - Completion
Completed by Buckley, Karen (action officer) on 05 December 2024 at 2:15:43 PM - committee advised

Meeting	Subject	Resolution Number	Resolution					Officer	Status
Council 26/11/2024 Murray River Council Community Grants Program, Round 1 FY25 Allocation of Funds	301124	Seconded: That: 1. Councilon 2024 2. An add source of the fundir Respondent	Cr Gen Camp Cr Geoff Wise cil funds the b 4-25 Commun Iditional \$4,99 te to be detern the Community Cong may be dra onse Grant Pr munity Grants	elow projectity Grants of the allocanined upon Grants Progwn from eithogram or Fogram, s	Program. ted, with th completio gram. This ther the 20 Round 2 of	on of Round 2 additional 024-25 Quick	Christie, Tiana	G A or R	
			applic Group	Project Title	Total Amount Request	Total Project Cost	Amount Recommen ded		
			Moulamei n Preschool Inc	Moulamein Day Care	\$ 3,000	\$ 15,000	\$3,000		
			Bunnaloo Hall Committe e	Defibrillator	\$3,000	\$ 3,000	\$ 3,000		
			Mathoura Preschool	Picnic Table	\$ 445	\$445	\$ 455		
			Border Flywheele rs Club Inc.	Standard Boiler and Reciprocatin g Steam Engine Training for	\$ 3,000	\$ 8,930	\$ 3,000		

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Division: Committee: Officer: Action Sheets Report					Date From Date To:	n: 7 January 2025 4:58 PM
Action sheets Report					Printed. 1	7 January 2025 4.56 PW
		Regional Volunteers.				
	Tooleybuc Cricket Club affiliated with the Tooleybuc Sporting Club	New Fridge	\$ 2,650	\$ 2,650	\$ 2,650	
	Noorong Communit y Centre	Basketball and seating	\$3,000	\$3,961	\$3,000	
	Murray Haven Homes Ltd	Photography project with High School – print and frame	\$3,000	\$3,000	\$ 3,000	
	Caldwell Hall Managem ent Committe e	New Sound System – speakers, mix amplifier and microphone	\$ 3,000	\$ 4,250	\$3,000	
	Moulamei n Communit y Developm ent Inc	Automated drip irrigation system and concrete path	\$ 2,998	\$ 5,597	\$ 2,998	
	Moulamei n Lawn Tennis Club	Furnish and shade structure	\$3,000	\$4,000	\$ 3,000	
	Echuca Moama Triathlon Club Inc.	Triclub trolley and road signage	\$1,059	\$ 1,059	\$ 1,059	

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			04,007	00,707	CARRIED	
		TOTALS	\$ 34,997	\$ 59,797	\$ 34,997	
	n					
	Associatio	ents				
	Football	Announcem	\$1,116	\$1,116	\$1,116	
	Echuca Touch	PA System for				
	Moama	DA Creatama				
	ed	ts				
	Incorporat	Improvemen				
	Club	Cricket Net	\$ 2,900	\$ 3,400	\$ 2,900	
	k Cricket	Reserve	φ ο ο ο ο	<b>A.O.</b> 400	Φ 0 000	
	Koondroo	Recreation				
	Barham	Barham				
	Action Group	surrounding district				
	Walk	and the				
	Memorial	from Wakool	\$ 2,829	\$ 3,389	\$ 2,829	
	Settlers	servicemen				
	Soldier	local				
	Wakool	Honouring				
ction Sheets Report					Printed: 1	7 January 2025 4:58 PM
Officer:						
Division: Committee:					Date From Date To:	1:

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 27/08/2024	Dissolve Section 355 Committees - Tooleybuc Recreation Reserve Management Committee & Mathoura Recreation Reserve Management Committee.	160824	RESOLUTION 160824  Moved: Cr Nikki Cohen Seconded: Cr Ann Crowe That Council  1. Dissolve the Tooleybuc & Mathoura Recreation Reserve Committees of Management pursuant to Section 355 of the Local Government Act 1993.	Buckley, Karen	G A or R

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Division: Date From: Committee: Date To: Officer: **Action Sheets Report** Printed: 17 January 2025 4:58 PM

> Hold any balance of funds in a reserve to be used at the Recreation Reserves.

#### **CARRIED**

24 Sep 2024 1:48pm Buckley, Karen - Target Date Revision
Target date changed by Buckley, Karen from 10 September 2024 to 31 October 2024 - Letters sent to Committee, waiting confirmation of closure of bank account

03 Dec 2024 11:01am Buckley, Karen - Completion

Completed by Buckley, Karen (action officer) on 03 December 2024 at 11:01:59 AM - no further action required

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	AGM Minutes - Koraleigh Recreation Reserve & Hall S355 Committee	321124	RESOLUTION 321124  Moved: Cr Neil Gorey Seconded: Cr Dennis Gleeson That Council  1. Revoke existing members of the Koraleigh Recreation Reserve & Hall Committee of Management and	Buckley, Karen	G A or R
			(a) Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the October 2024 AGM.		
			CARRIED		
	Buckley, Karen - Completion y, Karen (action officer) on 05 December 2	:024 at 2:15:29 PM -	- committee advised		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	AGM Minutes - Goodnight Hall & Recreation Reserve S355 Committee	311124	RESOLUTION 311124  Moved: Cr Neil Gorey Seconded: Cr Geoff Wise That Council  1. Revoke existing members of the Goodnight Hall 8 Recreation Reserve Committee of Management and	Buckley, Karen	G A or R

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Division: Committee:	Date From: Date To:
Officer:	
Action Sheets Report	Printed: 17 January 2025 4:58 PM

Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the October 2024 AGM.

**CARRIED** 

05 Dec 2024 2:15pm Buckley, Karen - Completion
Completed by Buckley, Karen (action officer) on 05 December 2024 at 2:15:17 PM - committee advised

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024 Appointment of Chairperson/s of the Audit, Risk and Improvement Committee for the Council Term	111224	RESOLUTION 111224  Moved: Cr Neil Gorey Seconded: Cr Dennis Gleeson That Murray River Council (Council) resolve to appoint: A. the Chairperson/s of the Audit, Risk and Improvement Committee (ARIC) as follows:  1. David Kortum for the period November 2024 to October 2026 and 2. Jarrah O'Shea for the period November 2026 to October 2028; and	Gordon, Sandra	G A or R	
			<ul><li>B. Committee Members of the ARIC as follows:</li><li>1. Jarrah O'Shea for the period November 2024 to October 2026 and</li></ul>		
		<ol><li>David Kortum for the period November 2026 to October 2028.</li></ol>			
		CARRIED			

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	Financial Report - Unaudited FY	<u>121224</u>		Chalmers, Nikki	G A or R
	24/25 Period ending 25 November 2024		RESOLUTION 121224		
	2021		Moved: Cr Dennis Gleeson		

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Division	n:	Date From:
Commit	ttee:	Date To:
Officer:		
Action Sheets Report		Printed: 17 January 2025 4:58 PM
•		

Seconded: Cr Neil Gorey That Murray River Council (Council) resolve to receive the Unaudited Financial Statements for the period to 25 November 2024 (FY2024/25) and noting that reporting of monthly financial statements is not a regulatory requirement but nonetheless is being provided in furtherance of financial transparency and in keeping with financial reporting best practice.

**CARRIED** 

07 Jan 2025 4:32pm Chalmers, Nikki - Completion
Completed by Chalmers, Nikki (action officer) on 07 January 2025 at 4:32:56 PM - financial information received

Meeting	Subject	Resolution Number	Resolution	Officer	Status		
Council 26/11/2024	Public Art Policy - Final Adoption	221124	RESOLUTION 221124	Gordon, Sandra	G A or R		
			Moved: Cr Neil Gorey				
			Seconded: Cr Joy Allan				
			That the Public Art Policy V#1 be adopted and placed in the				
			Policy Register.				
			CARRIED				
	04 Dec 2024 8:37am Gordon, Sandra - Completion						
	n Gordon, Sandra - Completion n, Sandra (action officer) on 04 Decembe	er 2024 at 8:37:20 AM	- Published to website and CM9				

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 22/10/2024	2024-2025 Schedule of Fees - Updated	311024	RESOLUTION 311024 Moved: Cr Kylie Berryman Seconded: Cr Neil Gorey That Murray River Council (Council) provisionally resolve (subject to public display of the Updated 2024-25 Schedule of Fees for 28 days), in keeping with Chapter 15, Part 10 the Local Government Act 1993, to adopt the Schedule of Fees as appearing as Attachment 1 to this report.  CARRIED	Chalmers, Nikki	G A or R

Infocouncil Page 13 of 16

Division: Date From: Committee: Date To: Officer: **Action Sheets Report** Printed: 17 January 2025 4:58 PM

27 Nov 2024 8:09am Chalmers, Nikki - Target Date Revision

Target date changed by Chalmers, Nikki from 05 November 2024 to 27 December 2024 - Updated Fees & Charges need to be on public display for 28 days

07 Jan 2025 4:32pm Chalmers, Nikki - Completion
Completed by Chalmers, Nikki (action officer) on 07 January 2025 at 4:32:14 PM - Fees have been on public display for 30 days and updated schedule of fees & charges now placed on website

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 10/12/2024	2023-2024 Code of Conduct Statistics Report	131224	RESOLUTION 131224 Moved: Cr Gen Campbell Seconded: Cr Neil Gorey That the 2023-2024 Code of Conduct Statistics Report be received and the information noted by Council.  CARRIED	Gordon, Sandra	G A or R
	Gordon, Sandra - Completion n, Sandra (action officer) on 03 January 20	25 at 9:12:54 AM -	Completed		

Meeting	Subject	Resolution Number	Resolution	Officer	Status	
Council 26/11/2024	2023-2024 MRC Annual Report	231124	RESOLUTION 231124  Moved: Cr Dennis Gleeson Seconded: Cr Geoff Wise That the 2023-2024 Murray River Council Annual Report be received and the information noted by the Council.  CARRIED	Gordon, Sandra	G A or R	
	04 Dec 2024 8:37am Gordon, Sandra - Completion Completed by Gordon, Sandra (action officer) on 04 December 2024 at 8:37:40 AM - Published to website and CM9					

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Financial Report - Unaudited FY 24/25 Period Ending 31 October 2024	241124	RESOLUTION 241124 Moved: Cr Dennis Gleeson Seconded: Cr Geoff Wise That Murray River Council (Council) resolve to receive the Monthly Financial Report for the period to October 2024 (FY 2024/25) and note its contents.	Chalmers, Nikki	G A or R

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	Division: Committee:	Date From: Date To:
Action Sheets Report	Officer:	Printed: 17 January 2025 4:58 PM

#### CARRIED

03 Dec 2024 8:03am Chalmers, Nikki - Completion
Completed by Chalmers, Nikki (action officer) on 03 December 2024 at 8:03:27 AM - Report for information purposes

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 22/10/2024	Financial Report - Unaudited FY 24/25 Period Ending 30 September 2024	321024	RESOLUTION 321024 Moved: Cr Geoff Wise Seconded: Cr Dennis Gleeson That Murray River Council (Council) resolve to receive the Monthly Financial Report for the period to September 2024 (FY 2024/25) and note its contents.	Chalmers, Nikki	G A or R
			CARRIED		

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Quality Management Policy - Final Adoption	211124	RESOLUTION 211124  Moved: Cr Neil Gorey Seconded: Cr Dennis Gleeson That the Quality Management Policy V#1 be adopted and placed in the Policy Register.	Gordon, Sandra	G A or R
	n <b>Gordon, Sandra - Completion</b> n, Sandra (action officer) on 04 Decembe	er 2024 at 8:37:12 AM			

Meeting	Subject	Resolution Number	Resolution	Officer	Status
Council 26/11/2024	Mid Murray Local Emergency Management Committee (incorporting Edward River Council & Murray River Council)	<u>291124</u>	RESOLUTION 291124 Moved: Cr Geoff Wise Seconded: Cr Gen Campbell	Donald, Jan	G A or R

Infocouncil Page 15 of 16 Division:
Committee:
Officer:

Action Sheets Report

That the DRAFT minutes of the Mid Murray Local
Emergency Management Committee (incorporating Edward
River Council & Murray River Council) together with the Mid
Muray Local Rescue Committee held on 17 October 2024 be

received and the information noted by the Council.

CARRIED

03 Dec 2024 11:20am Donald, Jan - Completion

Completed by Donald, Jan (action officer) on 03 December 2024 at 11:20:52 AM - No further action required - minutes were noted.

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# 9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

#### 9.2.1 DRAFT GRAFFITI POLICY - REVIEW

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

That

- 1. The DRAFT Graffiti Policy V#2 be adopted and the Policy Register updated; and
- 2. The previous version of this Policy be rescinded.

#### **DISCUSSION**

The Graffiti Policy was first adopted by Council in February 2019 and was due for review in 2023.

This draft version of the Graffiti Policy has been reviewed and updated by the Manager Works.

Council's Executive Leader Team (ELT) have also considered and approved the recommended changes.

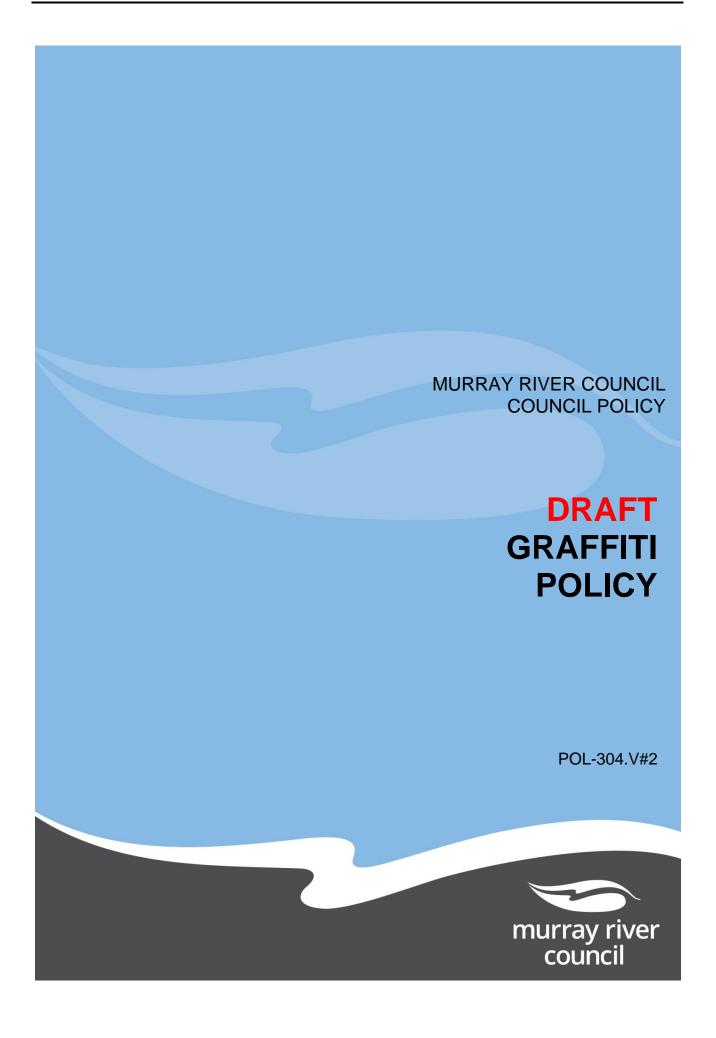
Changes to the original policy are as follows:

- Additions red text
- Deletions struckthrough (red text)

Due to the minimal changes to the actual text/content of the Policy it is the recommendation of the writer of this report that the Policy is not required to be placed on public display.

#### **ATTACHMENTS**

1. DRAFT Graffiti Policy 🗓 🛣





POL-304.V#2

#### 1. INTRODUCTION

Murray River Council (the 'Council') is committed to providing safer communities, reducing the occurrence of graffiti and addressing perceptions of criminal activity, such as graffiti.

Community groups have placed an increased emphasis on graffiti management within the Council area and in support, Council is to develop a robust management framework, including having appropriate operating and management practices in place.

Graffiti impacts the community in a number of ways. It can:

- Have a negative impact on community amenity, including perceptions of poor safety and increased crime;
- Have a negative impact on the environment through pollution (chemical run-off into waterways) and damage to items of historical or artistic value;
- Impact on the Council financially through costs associated with the removal and management of graffiti; and
- Encourage further vandalism.

#### 2. OBJECTIVES

The objectives of this Graffiti Policy (the 'Policy') are to:

- Establish an effective and cost efficient graffiti removal service in the Council area;
- Enhance the built environment by reducing the occurrence of graffiti;
- Remove graffiti as quickly as possible to deter ongoing occurrence;
- Involve the local community as partners in reducing graffiti;
- Remove graffiti using environmentally sustainable methods to minimise harm to the environment; and
- Encourage private property owners to take responsibility for prompt action against graffiti on their property.

#### 3. SCOPE

This Policy applies to the removal of graffiti and outlines our approach to addressing graffiti within the Murray River Council.

#### 4. LEGISLATION

- Local Government Act 1993 (NSW)
- Environmental Planning and Assessment Act 1979 (NSW)
- Graffiti Control Act 2008 (NSW)
- Protection of the Environment Operations Act 1997 (NSW)

#### 5. POLICY STATEMENT

- 5.1 Council will arrange for the removal of graffiti at its own cost from:
  - Council owned and managed buildings and facilities;
  - Council owned signage;
  - Street furniture on the road reserve;
  - Playgrounds and other assets in parks and recreational areas;
  - War Memorials and other monuments and sites of significance; and
  - Public art.

Graffiti Policy V#2 (POL-304) Adopted: DRAFT Page 2 of 5



POL-304.V#2

- 5.2 Council will not remove graffiti from any location where a risk assessment determines that the health and safety of Council employees or appointed contractor is placed in an unacceptable risk or where Council is of the opinion that any graffiti removal would damage property.
- 5.3 Council will reduce the incidence of graffiti through the use of strategies, including reporting and removal. Council's staff will arrange for the removal of graffiti on Council owned and/or managed infrastructure based on the following type of graffiti, location and frequency:

Offensive graffiti	will be removed from Council owned and/or managed infrastructure within two (2) working days of detection or reported to Council.
Non-offensive graffiti (Prominent areas)	will be removed from Council owned and/or managed infrastructure within six (6) weeks of detection or reported to Council.
Non-offensive graffiti (Non-prominent areas)	will be removed from Council owned and/or managed infrastructure twice annually

- 5.4 Council will notify owners of graffiti in accordance with the Graffiti Control Act 2008.
- 5.5 Council will encourage the community to report incidences of graffiti for removal.
- 5.6 Council will participate in programs such as the NSW Attorney General and Justice's Crime Prevention through Environmental Design Program.

#### 6. IMPLEMENTATION AND DELEGATION

The Director is allocated overall responsibility for the implementation of this Policy.

#### 6. ROLES AND RESPONSIBILITIES

Position	Responsibility
CEO / Directors, Managers/Supervisors	To communicate, implement and comply with this policy.
Community Members	May report any items considered to be graffiti

#### 7. EVALUATION AND REVIEW

It is the responsibility of the Director Engineering 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. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

External

Nil.

Internal:

Nil.

Graffiti Policy V#2 (POL-304) Adopted: DRAFT Page 3 of 5



POL-304.V#2

#### **Definitions**

Term	Definition		
Graffiti	A mark applied through spray paint, marker pen or any device designed or modified to produce a mark that is not easily removable.  Any unlawful inscription, word, figure or word design that is marked, scratched, drawn, sprayed, painted, pasted, applied or otherwise affixed to or on any surface of any assets and includes any remnants of same such as adhesives, glues, tape, shadows or colour variations remaining after removal. It also includes posters, notices, stickers and bill posters.		
Offensive graffiti	Graffiti that depicts racism, defamatory information, nudity or obscene images. Graffiti as per the meaning above where the graffiti has the intent to be rude, insulting, derogatory, hurtful, discriminative or vilify, which results in a person or members of the community feeling disrespected, resentful, upset or annoyed.		
Property / Premises	Includes the whole or any part of a structure, building, vehicle, vessel or place, whether built on or not.		
Infrastructure	Fences, footpaths, roads, cabinets, skateparks, poles.		

#### 9. DOCUMENT CONTROL

Version No.	Details	Date	CM9 Reference	Resolution No.
1	Initial Issue	26 Feb 2019 to DRAFT	VF/19/530	270219
2	Reviewed to reflect changes in legislation, current practise and position titles. Reformatted into the adopted MRC Policy template	DRAFT to	VF/19/530	

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

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It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation

Graffiti Policy V#2 (POL-304) Adopted: DRAFT Page 4 of 5



POL-304.V#2

which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)



# 9.2.2 DRAFT WITHDRAWAL OF DEVELOPMENT & OTHER APPLICATIONS (REFUND OF FEES) POLICY - REVIEW

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

That

- 1. The DRAFT Withdrawal of Development & Other Applications (Refund of Fees) Policy V#2 be adopted and the Policy Register updated; and
- 2. The previous version of this Policy be rescinded.

#### DISCUSSION

The DRAFT Withdrawal of Development & Other Applications (Refund of Fees) Policy was first adopted by Council in April 2018 and was due for review in 2022.

This draft version of the Withdrawal of Development & Other Applications (Refund of Fees) Policy has been reviewed and updated by the Senior Town Planner.

Council's Executive Leader Team (ELT) have also considered and approved the recommended changes.

Changes to the original policy are as follows:

- Additions red text
- Deletions struckthrough (red text)

Due to the minimal changes to the actual text/content of the Policy it is the recommendation of the writer of this report that the Policy is not required to be placed on public display.

#### **ATTACHMENTS**

1. DRAFT Withdrawal of Development & Other Applications (Refund of Fees) Policy V#2 🗓

MURRAY RIVER COUNCIL COUNCIL POLICY

# DRAFT WITHDRAWAL OF DEVELOPMENT & OTHER APPLICATIONS (REFUND OF FEES) POLICY

POL-401.V#2





# APPLICATIONS (REFUND OF FEES) POLICY POL-401.V#2

#### 1. INTRODUCTION

Murray River Council (Council) receives a number of development and other applications for consideration and there are instances where the applicant withdraws a Development Application (DA) or similar.

Legislation permits Council to refund a percentage of the application fees paid.

This Policy will assist Council employees in determining the amount of fees to be refunded, if applicable, in these certain circumstances.

#### 2. OBJECTIVES

The objective of this Policy is to set a scale upon which refunds are based when a DA and/or other application (eg. Construction Certificate (CC), Complying Development Certificate (CDC), Local Approval) are withdrawn.

#### 3. SCOPE

All Development and other applications received by Council.

#### 4. LEGISLATION

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021 (NSW)
- ▶ Environmental Planning and Assessment Act 1979 (NSW).
- Environmental Planning and Assessment Regulation 2021 (NSW) Section 40
- Recovery of Imposts Act 1963

#### **POLICY STATEMENT**

5.1 The following scale is to be followed when considering refunds of fees paid when applications are withdrawn:

Stage of Processing	Refund
Applications withdrawn where initial assessment identifies that the proposal is not permissible	Up to 75% refund of the fee paid, less 10% an amount to cover administration/processing charge
Applications withdrawn where the application file has been created but the application has not been assessed	Up to 75% refund of the fee paid, less 10% an amount to cover administration/processing charge.
Applications withdrawn where initial processing completed as far as possible but pending further details from the application	Up to 50% refund of the fee paid, less 10% an amount to cover administration/processing charge
Applications withdrawn where processing has commenced but assessment is incomplete. not completed.	Up to 25% refund of the fee paid, less 10% an amount to cover administration/processing charge.
Applications withdrawn where processing has been completed (i.e. assessed but not determined)	no refund given.

Withdrawal of Development & Other Applications (Refund of Fees) Policy (POL-401.V#2) Adopted

Adopted: DRAFT

Page 2 of 4



# APPLICATIONS (REFUND OF FEES) POLICY POL-401.V#2

- 5.2 The amount to be retained as an administration/processing charge shall be 10% of the application fee.
- 5.3 Other fees associated with an application (eg. inspections, water meters, Occupation Certificate, etc.) will be fully refunded if an application has been withdrawn and the service has not been provided.
- 5.4 The refund of fees does not extend to any other fees collected by Council on behalf of other agencies or Government departments (i.e. Planning Reform Fee, Long Service Levy etc.).

#### 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 Development 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.

#### 8. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

#### External

- ▶ OLG Circular 23-12 Guidelines on the withdrawal of development applications
- ▶ DPIE 23A Guidelines on the withdrawal of Development Applications October 2023

#### Interna

MRC Policy - Delegations of Authority (CEO to Employees) Policy (POL107)

#### **Definitions**

Terms	Definitions
Development applications (DA)	For the purposes of this Policy, a Development Application is a proposed development that requires Council consent.

#### 9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	17 April 2018 to DRAFT	VF/19/520	030418
2	Reviewed to reflect any changes in legislation and positions. Reformatted into the adopted MRC Policy template	DRAFT	VF/19/520	

Withdrawal of Development & Other Applications (Refund of Fees) Policy (POL-401.V#2) Adopted: DRAFT

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## APPLICATIONS (REFUND OF FEES) POLICY POL-401.V#2

Council reserves the right to review, vary or revoke this policy at any time.

This Policy is scheduled for review before 2028.

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is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to is document. Where an update does not materially alter this, such a change may be made administratively. Examples clude a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government spartment, and a minor update to legislation which does not have a material impact. When such changes are made the ersion number will be amended and an extension added (eg V#1.1)



Withdrawal of Development & Other Applications (Refund of Fees) Policy (POL-401.V#2)

Adopted: DRAFT

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## 9.2.3 DRAFT PLAQUES & MEMORIALS POLICY - REVIEW

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

- 1. The DRAFT Plaques & Memorials Policy V#2 be adopted and the Policy Register updated; and
- 2. The previous version of this Policy be rescinded.

#### **DISCUSSION**

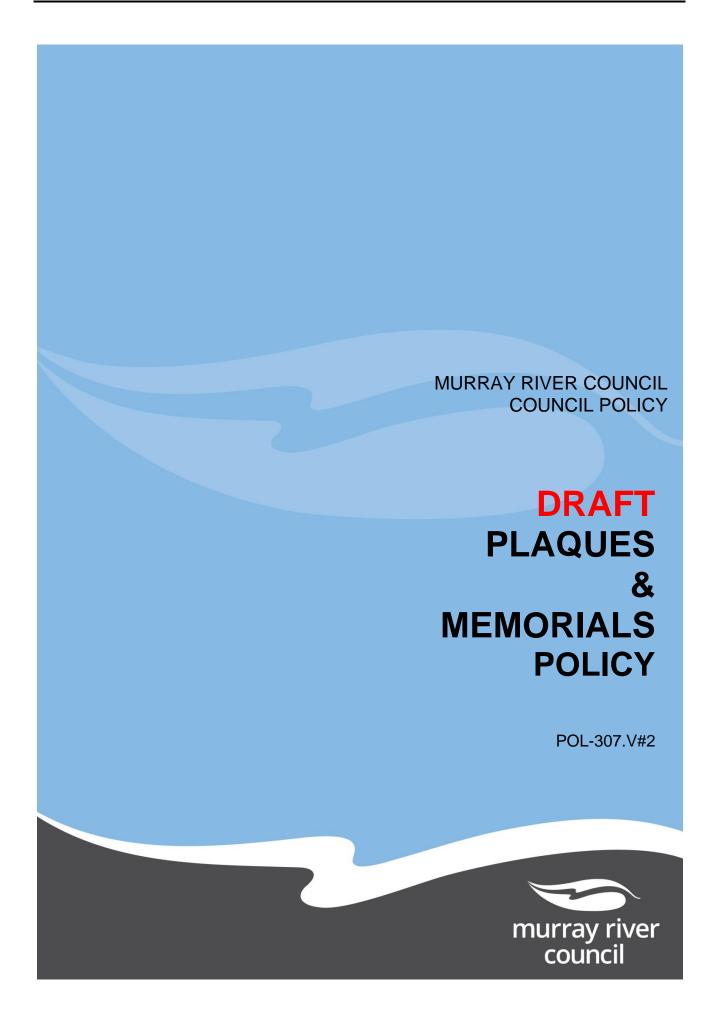
The Plaques & Memorials Policy was first adopted by Council in November 2018 and was due for review in 2023.

This draft version of the Plaques & Memorials Policy has been reviewed by the Manager Parks & Biosecurity and he has recommended that this Policy be readopted as is – with no changes required.

Due to there being no changes to the actual text/content of the Policy it is the recommendation of the writer of this report that the Policy is not required to be placed on public display.

## **ATTACHMENTS**

1. DRAFT Plaques & Memorials Policy V#2 😃 🖺





POL-307.V#2

#### 1. INTRODUCTION

Plaques and memorials provide recognition and can contribute to an understanding of significant events or persons closely associated with history. Any decision regarding plaques and memorials needs to consider the balance between the desire to commemorate events or individuals and the ongoing enjoyment of uncluttered public space.

This Plaques and Memorials Policy provides a consistent approach for the management of existing plaques and memorials, installation of new plaques and memorials and assessment of new requests for plaques and memorials within public space in the Murray River Council (the 'Council') area.

## 2. POLICY OBJECTIVES

The objectives of this Policy are to:

- Recognise and celebrate significant historical events and persons or organisations closely associated with the leadership, cultural and social development of Council.
- Protect the intended purpose, environmental values and aesthetic appearance of Council's public spaces.
- Provide a clear and equitable framework to manage requests for plaques and memorials to be located within Council's public spaces.
- Ensure risks are adequately considered in relation to plaques and memorials on Council-owned or managed land.

#### 3. SCOPE

This Policy applies to plaques and memorials on Council-owned or managed land, including streets, reserves or parks.

All new plaques and memorials will be required to conform to this Policy, with the exception of the following:

- Signage, display boards, banners, public artworks or temporary roadside memorials;
- War memorials, which require approval by other authorities;
- Plaques or memorials in cemeteries; and
- Naming of places or facilities which are provided.

Whilst there are existing plaques and memorials within the Council area that predate this Policy, an existing plaque or memorial should not be taken as a precedent for future approvals.

## 4. **LEGISLATION**

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021 (NSW)
- Environmental Planning and Assessment Act 1979 (NSW)
- Geographical Names Act 1966 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW)

Page 2 of 6



POL-307.V#2

#### POLICY STATEMENT

Plaques and memorials provide recognition and celebrates significant historical events, persons or organisations closely associated with the leadership, cultural and social development of the Council area.

#### 5.1 GENERAL PRINCIPLES

- Council does not encourage installation of plaques and memorials on land owned or managed by Council.
- The siting or appearance of a plaque or memorial must not negatively impact the aesthetic or environmental value of public space, nor on the use of the space by the community.
- Plagues and memorials are to meet all relevant planning and building requirements.
- Plaques and memorials are to be designed and sited in a way that will not damage the supporting structure or natural environment or create a public risk.
- Plaques and memorials are to be constructed in a manner that will require little ongoing maintenance and be resistant to vandalism.
- Plaques attached to an asset like a seat, building, etc, must be durable and must have a life equivalent to the asset to which they are attached.
- All costs associated with the design, construction, installation and maintenance of plaques or memorials are to paid by the person making the request for the plaque or memorial. Once approved, installation of any plaque or memorial must be undertaken by Council.
- Installed plaques and memorials will become the property of Council and will be entered into Council's Assets Register.
- Maintenance of plaques and memorials must be undertaken by Council.
- Council does not guarantee to retain plaques and memorials in perpetuity. Generally, a plaque or memorial will be retained in place for as long as practicable, with the following exceptions:
  - the area in which the item is sited is to be redeveloped; or
  - ongoing maintenance costs are prohibitive; or
  - in the case of a plaque, the asset to which it is attached has reached the end of its useful life; or
  - the condition of the plaque or memorial is poor.
- If a plaque or memorial is removed due to any of the reasons immediately above, Council will not guarantee replacement of the plaque or memorial, however, replacement plaques or memorials of similar or different style or form may be considered. All reasonable efforts will be made to identify, contact and advise relevant stakeholders (including family members).

## 5.2 EXISTING PLAQUES AND MEMORIALS

Existing plaques and memorials will generally be retained in place for as long as practicable, subject to exceptions as listed above.

## 5.3 NEW PLAQUES INSTALLED BY COUNCIL

- Plaques may be installed by Council on Council-owned or managed land, buildings or structures to commemorate an opening of a new or refurbished Council building or facility, or a historically significant event.
- Where project funding has been provided by an external agency, such as the State or Federal Government, and acknowledgement of the funding agreement is required in the form or a plaque, the layout and wording of the plaque will be in accordance with the funding agreement.
- Plaques installed by Council will be funded by Council. Council may seek a financial contribution from funding partners, if applicable.

Plaques & Memorials Policy V#2 (POL-307) Adopted: DRAFT Page 3 of 6



POL-307.V#2

## 5.4 REQUESTS FOR NEW PLAQUES AND MEMORIALS ON COUNCIL-OWNED OR MANAGED LAND

- Council will consider requests for new plaques or memorials, including those from private individuals and community groups for installation of plaques and memorials on land owned or managed by Council
- Plaques and memorials will only be considered where the following criteria are met:
  - commemoration of a deceased individual that is/was strongly linked to the Council; and
  - commemoration of a deceased individual that has made a substantial contribution to the leadership, cultural and social aspects of the Council's development or shared community history. The contribution of the deceased individual must have been exceptional and extend beyond what might reasonably be expected through paid employment or voluntary contribution to the community.
- Plaques or memorials will also be considered for the commemoration of:
  - a locally based group or association who have made a substantial and outstanding contribution to the local community; or
  - a significant historical or cultural event which has a profound resonance with the broader Council community or is of national or state significance.
- The subject of a requested plaque or memorial must also have a clear association and strong significance to the location proposed for the plaque or memorial and must not have been already commemorated elsewhere in the Council area.
- Plaques and memorials commemorating deceased persons will not generally be considered until an individual has been deceased for at least one year, in order to allow for appropriate development of historical perspective. Approval will be sought from a deceased person's next of kin or appropriate relative/s, where practicable.
- Memorials, including reserve seating with attached plaques, will be considered where they meet the requirements of this Policy and are consistent with Council's strategic and urban design objectives of the proposed site. Significant donations for public space infrastructure (eg barbeques, picnic shelters, etc) may be acknowledged by mounting a plaque on or adjacent to the infrastructure.

## 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.					

## 3. EVALUATION AND REVIEW

It is the responsibility of the Director Infrastructure 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.

Plaques & Memorials Policy V#2 (POL-307) Adopted: DRAFT Page 4 of 6



POL-307.V#2

### 4. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

#### External

Nil

#### Internal

- MRC Policy Privacy Management Plan
- MRC Policy Risk Management Policy (POL-200)

## **Definitions**

Term	Definition
Plaque	Flat tablet of metal, stone or other material which may include text and/or images that commemorate a person, event or historical information relevant to a particular location. The tablet may be fixed to an object, building or hard ground surface located within public space.
Memorial	An object established to commemorate a person, group, association or event. A memorial may be a 'living thing', such as a tree or garden.
Public Space	Al Council-owned or managed land that is open or accessible to people. This includes:  Council-owned public open space, including bushland reserves and sports fields  The exterior or interior of Council buildings within public space  Reserve furniture within public space (such as benches)  Physical infrastructure, including footpaths, median strips, public squares, malls and laneways  Road reservations.

## 8. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	27 Nov 2018 to DRAFT	VF/18/2424	321118
2	Reviewed to reflect any changes in legislation and positions. Reformatted into the adopted MRC Policy template	DRAFT to	VF/18/2424	

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

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Plaques & Memorials Policy V#2 (POL-307) Adopted: DRAFT

Page 5 of 6



POL-307.V#2

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1).



Plaques & Memorials Policy V#2 (POL-307) Adopted: DRAFT Page 6 of 6

## 9.2.4 DISCLOSURES OF INTEREST FOR THE NEWLY ELECTED COUNCILLORS

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

Recommendation

THAT COUNCIL NOTES THE DISCLOSURE OF INTEREST RETURNS BY THE NEWLY ELECTED COUNCILLORS HAVE BEEN TABLED.

#### **BACKGROUND**

Council's Code of Conduct (Councillors) Policy V#4 (POL-100.1) and the Code of Conduct (Employees) Policy V#4 (POL-100.2) includes the following information:

## DISCLOSURE OF INTERESTS IN WRITTEN RETURNS

- P2.9 A Councillor must make and lodge with the CEO a return in the form set out in Schedule 2 to this Code, disclosing the designated person's interests as specified in Schedule 1 to this Code within 3 months after:
  - a) becoming a Councillor; and
  - b) 30 June of each year; and
  - c) the Councillor becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed in a return lodged under paragraphs a) or b).
- P2.10 A Councillor need not make and lodge a return under Clause P2.9 paragraphs a) and b) if:
  - a) they made and lodged a return under that Clause in the preceding three (3) months, or
  - b) they have ceased to be a designated person in the preceding three (3) months.
- P2.11 A Councillor must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- P2.12 The CEO must keep a register of returns required to be made and lodged with the CEO.
- P2.13 Returns required to be lodged with the CEO under Clause P2.9 a) and b) must be tabled at the first meeting of the Council after the last day the return is required to be lodged.
- P2.14 Returns required to be lodged with the CEO under Clause P2.9 c) must be tabled at the next Council meeting after the return is lodged.
- P2.15 Information contained in returns made and lodged under Clause P2.9 is to be made publicly available in accordance with the requirements of the <u>Government Information</u> (Public Access) Act 2009, the <u>Government Information</u> (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

#### DISCUSSION

Chapter 14 of the Local Government Act 1993 (NSW) and Clause 2.9 of Council's Code of Conduct

Policy, indicates that Council must table the Disclosures of Interest Returns within 3 months being a Councillor.

Accordingly, all Disclosure of Interest Returns, submitted to Council after the 14<sup>th</sup> September 2024, by the newly elected Councillors are being tabled at this meeting.

Council's website will be updated with redacted copies of these Disclosures of Interest Returns to allow interested members of the public to view the completed returns.

#### STRATEGIC IMPLICATIONS

- 2. Strategic Theme 2: A Place of Progressive Leadership
- 2.5 Continue to be a trusted and ethical leader that leads by example Leadership that is trusted, capable and collaborative.

#### **BUDGETARY IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil.

#### **LEGISLATIVE IMPLICATIONS**

Local Government Act 1993

## **RISK ANALYSIS**

- What can happen?
- Non-compliant with legislation and MRC policy
- How can it happen?
- By not or incorrectly tabling the Disclosure of Interest Returns
- What are the consequences of the event happening?
- Non-complaint, damage to Council's reputation in dealing with items at Council and other issues fairly and without bias.
- What is the likelihood of the event happening?

Unlikely

Adequacy of existing controls?

Adequate

- Treatment options to mitigate the risk?
- Education on Councillor's and Designated Person's responsibilities to report and also to update their Returns if their circumstances change.

## **CONCLUSION**

By tabling these Returns, Council is compliant with the requirements of the Local Government Act 1993 (NSW) and our Code of Conduct Policies. The disclosures are being tabled at the Ordinary Council Meeting being held on Tuesday 28 January 2025.

## **ATTACHMENTS**

Nil

## 9.2.5 CITIZENSHIP CEREMONY DRESS CODE POLICY - RESCIND

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

That the Citizenship Ceremony Dress Code Policy be rescinded.

## **DISCUSSION**

The Citizenship Ceremony Dress Code Policy Version #1 was adopted on the 26 May 2020.

This Policy written in response to the new version of the Australian Citizenship Ceremonies Code (the Code) that was published on the 19 September 2019.

Key changes in this version of the Code are outlined below:

- Local government councils must ensure ceremonies are conducted in accordance with the Code. This includes a requirement to hold a citizenship ceremony on Australia Day (January 26). Councils that conferred citizenship on less than 20 people in the previous year are exempt from this requirement.
- Federal Members of Parliament, if attending a citizenship ceremony, should read the Minister's message; and
- Individual councils are to establish a Dress Code for ceremonies, to reflect the significance of the occasion, and provide a copy of their Dress Code to the Department of Home Affairs.

The Department of Home Affairs published a new version of this Code in 2024 (attached to the Agenda – under separate cover). This version of the Code outlines all the requirements to become an Australian citizen and how the ceremonies are to be conducted.

As such this Policy does not serve a significant purpose to warrant being a Council Policy.

Going forward, Council proposes to update our website with a simplified version of the Code – in the form of "Frequently Asked Questions" (FAQs) and include a link to the full Code. A flyer of the FAQs will also be made available.

This action will satisfy the Department of Home Affairs requirements with regard to a dress code as outlined on Page 24 of the Code.

## **Dress Code**

The attire of attendees at citizenship ceremonies should reflect the significance of the occasion. A Dress Code is to be set by individual councils.

Councils must provide a current copy of their Dress Code to the Department of Home Affairs.

#### **ATTACHMENTS**

- 1. Australian Citizenship Ceremonies Code 2024 (under separate cover)
- 2. Citizenship Ceremonies FAQs 🗓 🖼
- 3. Citizenship Ceremony Dress Code Policy V#1 4 🖫

## Citizenship ceremonies

Every year, we welcome a number of Murray River Council residents as new Australian citizens. Council runs Citizenship Ceremonies on behalf of the Department of Home Affairs.

Citizenship Ceremonies are held a number of times during the year at one of our administration and customer service centres to formally welcome new citizens.

#### **How to Apply for Australian Citizenship**

You will be eligible to attend a citizenship ceremony when you have:

- completed your application process with the Department of Home Affairs
- received your letter of approval from the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

To become an Australian citizen, you will need to attend a citizenship ceremony and make the pledge.

### I have received my letter of approval. When can I attend a ceremony?

The Department of Home Affairs send an approved candidate list to Murray River Council approximately six weeks prior to a ceremony. You can usually expect to be invited to a ceremony within six months of your application approval (waiting times can vary). Council does not have information specific to your application and all enquiries are directed to the Department of Home Affairs - Telephone: 131 880

### How long will I have to wait before I get an invitation to my ceremony?

Invitations are sent out approximately two to four weeks prior to a ceremony. If an approved candidate does not receive an invitation it may indicate that the candidate just missed the cut off date for that ceremony. If this is the case, the recipient will most likely be sent an invitation to the next ceremony.

## How long does the Citizenship Ceremony take?

Currently ceremonies are completed within 30-40 minutes usually followed by a morning/afternoon tea. However it may take a little longer if there are a number of people receiving their citizenship on the day.

#### What is involved?

The ceremonies consist of:

- Official welcome
- Reading of the Minister's Message
- Pledge of commitment to Australia
- Presentation of Australian Citizenship Certificates
- Affirmation Ceremony
- National Anthem

•

#### Do I need to attend a ceremony to become a citizen?

Yes. Candidates cannot become citizens unless they have attended a ceremony and verbally made the Pledge.

## What is the Citizenship Pledge?

The pledge contains the words you will read out in the presence of the Mayor, or their delegate, in order to complete your Citizenship requirements.

Two versions of the pledge are available to view at the <u>Department of Home Affairs website</u>.

If you wish to take the pledge as an Oath - you may also like to bring a holy book with you.

#### Do I need to remember the pledge prior to the ceremony?

No. You will be provided with a copy of the pledge on the day of the ceremony.

## Do children need to attend citizenship ceremonies?

Children under 16 years will receive an invitation to attend but do not legally have to be at a ceremony to if their parent is attending. Children over 16 years will have to apply for citizenship separately and are required to attend a ceremony.

#### What if I can't attend the next ceremony?

Let us know that you are unable to attend. Contact details will be included on your invitation. Your details will be transferred to the next available ceremony or a new date set.

## What do I need to bring with me to the ceremony?

You must bring valid photo identification – a current Australian Drivers Licence or valid passport are ideal.

If you do not have photo identification please bring at least three documents bearing your name, address and signature. Examples include bank statements, credit cards or bills.

These documents are also required as proof of identification by the Australian Electoral Commission to allow you to vote in Australian elections.

## What should I wear?

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion. We encourage Citizenship Ceremony attendees to wear smart casual attire.

Attendees are also welcome to wear their own national/traditional/cultural dress.

The following attire is not permitted:

- Beach wear eg swimwear, singlet or tank tops;
- Rubber thongs or Bare feet unless part of traditional/ national / cultural dress;
- Sleep wear eg Slippers;
- · Clothing showing offensive slogans or images;
- · Sports training apparel; and/or
- · Fancy dress costumes.

## Is it possible to arrange a private ceremony?

The Department of Home Affairs are the approving authority to bring forward a recipient to a private ceremony, each case is individually assessed by the Department of Home Affairs to determine if your case meets the requirements of a private ceremony.

Council can only arrange private ceremonies under direction of the Department of Home Affairs.

#### Citizenship certificate

After you have made the pledge, you should receive your citizenship certificate.

If your certificate is not ready at the ceremony, Department of Home Affairs will post it to you. You will still become a citizen when you make the pledge.

Your citizenship certificate is issued in the name you gave on your application form. This was your legal name at the time Department of Home Affairs approved your citizenship.

Your citizenship certificate is an important legal document. You will need it when you apply for an Australian passport. You may need it to apply for a job or join the Australian Defence Force.

### I have lost my Citizenship Certificate. Can you provide me with another one?

Council is unable to provide you with a new certificate.

Please contact the Department of Home Affairs on 131 881 to arrange a new Citizenship Certificate.

## **Accessibility concerns**

Please contact us on 1300 087 004 prior to the ceremony and we can assist you.

## **Urgent Ceremony**

Council has no authority to arrange urgent or fast-tracked ceremonies please contact the Department Home Affairs to discuss your circumstances.

Furthermore, the Department of Home Affairs advises:

In order to maintain the integrity and fairness of the ceremony allocation process, ceremony allocations are performed by order of approval date only. Please note there is no option to 'fast-track' or 'expedite' your ceremony.

Urgent ceremonies are only approved in exceptional and very limited circumstances. In order to qualify for an urgent ceremony you are required to provide full details along with supporting evidence to demonstrate your exceptional circumstances.

## Can I bring guests along to the ceremony?

You are welcome to bring family and friends to this special occasion.

### Can I take photos at the ceremony?

You and your guests may take photos during the ceremony and after the formalities.

Council may take photographs and film the ceremony. The media may attend too.

Those taking photos are asked to follow the ceremony closely and be prepared to take a photo as Citizenship certificates are presented.

Please be mindful of the formal nature of the ceremony and be respectful of those waiting to receive their certificates.

Council also asks that you are mindful when sharing photos on social media as other ceremony participants may not consent to their photo being shared publicly.

Council's official photographer may also take photos on the day and these may be used in Council's corporate documents - such as the annual report. If you would prefer that Council DOES NOT use or release your photographs to anyone other than you, please advise Council prior to the ceremony.

There will also be opportunities to take additional photos with the Mayor and your family and friends after the conclusion of the ceremony.

### **After the Ceremony**

You are now Australian Citizens and eligible to vote in all future elections. Please ensure you complete your electoral roll form (which will be in your Citizenship pack) and send it to the **Australian Electoral Commission**.

## When can I apply for an Australian Passport?

Please allow a minimum of 10 days before applying for your Australian Passport. Please note your original citizenship certificate will be needed when applying for an Australian passport. For more information please visit the <u>Australian Passport Office</u> or call them on 131 232.

If you have further questions regarding Citizenship Ceremonies, please contact Council on 1300 087 004 and ask to speak to the Executive Assistant to the CEO.

MURRAY RIVER COUNCIL COUNCIL POLICY

## CITIZENSHIP CEREMONY DRESS CODE POLICY

POL-115.V#1





## CITIZENSHIP CEREMONY DRESS CODE POLICY

POL-115.V#1

#### 1. INTRODUCTION

The purpose of this Citizenship Ceremony Dress Code Policy (the 'Policy') is to ensure compliance with the requirements of the Department of Home Affairs in relation to the standard of dress to be worn by all participants at Australian Citizenship ceremonies hosted by Murray River Council (the 'Council').

#### 2. OBJECTIVES

To establish a dress code for the presiding officer, Council officers, conferees and attendees, including official guests, at Australian Citizenship ceremonies conducted by Council that reflects the significance of the occasion and complies with the requirements of the Australian Citizenship Ceremonies Code under the Australian Citizenship Act 2007.

#### 3. SCOPE

This Policy applies to:

- the presiding officer who conducts the Australian Citizenship ceremony, usually the Mayor;
- any Council officer and/or official guest who assists or attends an Australian Citizenship ceremony;
   and
- conferees and attendees at Australian Citizenship ceremonies

#### 4. POLICY STATEMENT

Council understands that Australian Citizenship ceremonies are an important step in fulfilling the legal requirements prescribed by the Australian Citizenship Act 2007 and the Australian Citizenship Regulation 2016.

Council also appreciates that Australian Citizenship ceremonies provide an important opportunity to formally welcome new citizens as full members of the Australian community.

To reflect the significance of the occasion, Australian Citizenship ceremonies should be formal and meaningful occasions conducted with dignity, respect and ceremony. They should be designed to impress upon conferees the responsibilities and privileges of Australian Citizenship.

The following Dress Code at Australian Citizenship ceremonies will apply:

- The presiding officer, Council officer and official guests are to wear their official uniform or business attire.
- Conferees and attendees are to wear smart casual attire; or are welcome to wear their traditional, national, or cultural dress.

The following attire is not permitted at Australian Citizenship ceremonies:

- ▶ Beach wear, eg swimwear, singlet, tank tops
- Rubber thongs or bare feet, unless part of traditional/national/cultural dress
- Sleep wear, eg slippers
- Clothing showing offensive slogans or images
- Sports training apparel
- Fancy dress costumes

## 5. EVALUATION AND REVIEW

It is the responsibility of the Manager Office of the General Manager, to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as per any changes to the Australian Citizenship Ceremonies Code, whichever comes first.

Citizenship Ceremony Dress Code Policy (POL-115.V#1) Adopted: 26 May 2020 Page 2 of 4



## CITIZENSHIP CEREMONY DRESS CODE POLICY

POL-115.V#1

## 6. LEGISLATION, ASSOCIATED DOCUMENTS AND DEFINITIONS

## **Legislation**

- ► Australian Citizenship Act 2007
- ► Australian Citizenship Regulation 2016

## **Associated Documents**

► Australian Citizenship Ceremonies Code (Commonwealth of Australia 2019)

#### Definitions:

Term	Definition
The Citizenship Act	The Australian Citizenship Act 2007 is the legal basis for all citizenship provisions.
Australian citizenship ceremony	Fulfils the legal requirements prescribed by the Australian Citizenship Act 2007 and the Australian Citizenship Regulation 2016 that a person must make a pledge of commitment to become an Australian citizen.
Conferee	A person who has applied for Australian citizenship by conferral whose final step in becoming a citizen is to attend a ceremony.
	A Council officer is defined as being one of the following:
	➤ An employee, or
	➤ A contractor or subcontractor, or
Council officer	<ul> <li>An employee of a labour hire company who has been assigned to work for Council in the position of a Council officer, or</li> </ul>
	➤ An apprentice or trainee, or
	A student gaining work experience, or
	► A volunteer.
The Department of Home Affairs	Australian Government department (going by this name or any other name given to it) responsible for citizenship matters.
Dress Code	The attire of attendees at Australian Citizenship ceremonies.
Mayor	It is usual for the Mayor of a local government council to fulfil the role of presiding officer. Unless specifically excluded, Mayors have standing authorisation to preside.
Official guest	▶ Local Federal Member of Parliament or Senator
Official guest	► Local State or Territory Member of Parliament
Organiser	Usually staff from local government councils whose role it is to organise the Citizenship ceremony and ensure it is conducted in accordance with the Code.
Presiding officer	A person who has been approved in writing by the Australian Government minister responsible for citizenship matters to confer Australian citizenship and has the lead role in a citizenship ceremony.
The Regulation	The Australian Citizenship Regulation 2016 is the subordinate legislation that sets out detailed requirements for some matters as provided by the Citizenship Act.

Citizenship Ceremony Dress Code Policy (POL-115.V#1)

Adopted: 26 May 2020

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## CITIZENSHIP CEREMONY DRESS CODE POLICY

POL-115.V#1

#### 7. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	26 May 2020	VF/20/1166	200520

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in 2024.

#### 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.

Citizenship Ceremony Dress Code Policy (POL-115.V#1) Adopted: 26 May 2020 Page 4 of 4

## 9.2.6 FINANCIAL REPORT - UNAUDITED FY 24/25 PERIOD ENDING 31 DECEMBER 2024

File Number: -

Author: Nikki Chalmers, Financial Controller

Authoriser: Stephen Fernando, Director Corporate Services

#### RECOMMENDATION

That Murray River Council (Council) Resolve to receive the Unaudited Financial Statements for the period to 31 December 2024 (FY2024/25) and noting that reporting of monthly financial statements is not a regulatory requirement but nonetheless is being provided in furtherance of finance transparency and in keeping with financial reporting best practice.

#### DISCUSSION

This report provides the unaudited estimated financial performance and position of Murray River Council for the relevant period in the current financial year against the budget for the corresponding period.

This report is not a requirement under the Local Government Act 1993 (the Act) nor the Local Government (General) Regulation 2021 (the Regulation). However, it is provided to as an additional report to complement the existing financial reporting such as the quarterly budget reviews and the investments report.

The Monthly Financial Report (in community reporting format) appears as Attachment 1.

The Monthly Financial Statements (in formal reporting format) appears as Attachment 2.

## **ATTACHMENTS**

- 1. Monthly Report December 2024 J
- 2. Financial Statements (Unaudited) for period to 31 December 2024 1

## **Monthly Financial Report**

Financial Year: 2024-25

Period Ending: 31 December 2024



## **BACKGROUND**

This report provides the unaudited financial performance and position of Murray River Council for the period as at 31 December 2024 against the corresponding Budget for the full financial year.

## **INCOME & EXPENDITURE**

Details what was charged to our ratepayers and customers compared to what was spent in delivering our services.

For the period under review, Council's operating deficit stood at \$6.8M after charging depreciation (What We Set-aside for Asset Renewals) of \$10.3M.

Net earnings are \$(3.8)M when Capital Revenue is added to the operating deficit.

Table 1: Income & Expenditure Statement:

	2023/24	2024/25	2024/25	% of Budget
	Audited	Budget	YTD Actual	Achieved
What We Levied Our Ratepayers	21,554	24,952	12,602	51%
What We Invoiced our Customers	12,940	12,319	4,528	37%
What We Rcvd. as Grants & Subsidies	20,155	20,841	6,417	31%
What We Rcvd. as Interest from Investment	3,026	2,704	1,317	49%
Our Other Revenue	1,965	1,827	1,303	71%
Our Total Recurrent Earnings	59,640	62,644	26,167	42%
What We Spent on Our Staff	21,181	21,446	11,238	52%
What We Spent on Our Suppliers	21,493	28,220	11,415	40%
Our Total Direct Spend	42,674	49,666	22,653	46%
What We Paid Our Bankers	348	34	17	49%
What We Set-aside for Asset Renewals	20,884	20,344	10,299	51%
Our Operating Surplus/(Deficit)	(4,265)	(7,401)	(6,801)	92%
Our Capital Revenue	54,202	13,390	2,831	21%
Our Capital Expenses	9,203	(2,591)	(89)	-
Our Capital Surplus/(Deficit)	44,999	15,981	2,920	18%
Our Net Earnings	40,733	8,580	(3,881)	-45%



## **Monthly Financial Report**

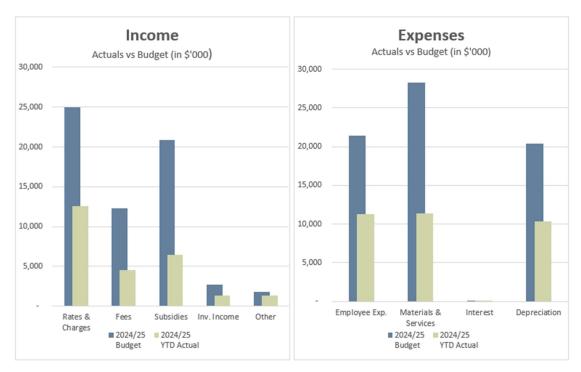
FY 2024-25, to 31 December 2024



## **Income & Expenditure**

- With the Financial Assistance Grant (being the primary source of operational grant revenue) received in late June, the actual v budget is below target.
- We have issued water billing invoices for the first 4 months in November 2024, the next invoices
  are due to be issued in March 2025, which is contributing to the lower than expected percentage
  of budget achieved for What We Invoiced our Customers.
- Majority of the other revenue items have tracked on target or above.
- · Expenses paid to our Suppliers are slightly lower than expected.
- The unfavourable position of the Operating Deficit of \$3M in comparison to the budget is
  predominately due to the lower operating grants received at the date of the report being
  compiled.

Details of Revenue and Expenses, compared to the budget are graphically depicted in the two charts below.





## **COMMUNITY WEALTH**

Details the value of resources Council has, to service our community. Net Community wealth at the end of the period stood at \$1.146B.

Table 2: Statement of Financial Position

Our Total Liabilities	30,569	20,482	26,682
Other Liabilities	14,648	11,589	14,974
What We Owe Our Lenders	5,753	1,789	6,441
What We Owe Our Suppliers	10,168	7,104	5,268
Our Total Assests	1,180,210	1,067,312	1,173,323
What We Have in Bank	59,611	54,422	59,082
What We are Owed	14,995	12,800	9,562
Inventory We Hold	3,600	537	3,621
What We Own	1,102,004	999,553	1,101,058
	Unaudited	Budget	YTD Actual
	2023/24	2024/25	2024/25

- The increase of approx. \$4.5m between Budget and Actual for What We Owe our Lenders predominately relates to Contract Liabilities not being budgeted for. Contract Liabilities relates to Grant revenue received yet not able to be recognised as revenue until corresponding works to which the Grant revenue relates is completed.
- Cash balances (what we have in bank) is higher than expected (Budget) due to the Financial
  Assistance Grant being received in late June 2024. The cash balances remain at satisfactory
  levels, noting that a sizeable portion of the investments are restricted for specific purposes. (see
  investments report).

## **CAPITAL DELIVERY**

Council's approved budgeted capital allocation is \$38,402m for 2024/25 after approval of the 1<sup>st</sup> quarterly budget review. As at 31 December 2024, Council has delivered around 24% of the annual capital budget excluding commitments for 2024/25, totalling \$9.1M.



## **LIQUID ASSETS & RESERVES**

Shown below are the movements in liquid asset balances and investments for the period ending 31 December 2024.

Table 3: Movement of Liquid Assets

DETAILS	OCTOBER 2024	NOVEMBER 2024	DECEMBER 2024
Cash Book Balance B/Fwd	\$380,590	\$565,262	\$2,715,185
Add income for month	\$3,760,547	\$4,944,991	\$7,924,453
Deduct expenditure for month	\$7,825,874	\$3,545,069	\$9,047,156
CASH AVAILABLE	(\$3,684,738)	\$1,965,185	\$1,592,482
Redeem/(Purchase) Investments	\$4,250,000	\$750,000	(\$0)
CASH BOOK BALANCE	\$565,262	\$2,715,185	\$1,592,482
Add on-call account	\$2,406,709	\$1,406,709	\$2,721,706
Add investments - Deposits	\$52,500,000	\$51,750,000	\$51,750,000
Add investments - Shares	\$2,010	\$2,010	\$2,010
CASH POSITION	\$55,473,981	\$55,873,904	\$56,066,198
As per Bank Statements	\$2,971,971	\$4,121,894	\$4,314,188

The breakdown of the reserves by restriction and fund are as below:

Table 4: Breakdown of Reserves

Funds	General	Water	Sewer	Waste	Total
Unrestricted	(\$1,939,196)	\$1,208,971	\$5,782,512	(\$66,517)	\$4,985,770
Internally Restricted	\$10,177,432	\$2,069,020	\$10,248,782	\$1,628,859	\$24,124,093
Externally Restriced	\$17,170,889	\$3,693,523	\$3,746,082	\$2,345,841	\$26,956,335
Total	\$25,409,125	\$6,971,514	\$19,777,376	\$3,908,183	\$56,066,198

Additional details of internally restricted and externally restricted reserves are provided in the following tables.



Table 5: Details of Internally Restricted Reserves

Internal Restricted Assets	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Buildings	\$237,040	-	-	-	\$237,040
Bushfire Services	\$45,278	-	-	-	\$45,278
Caravan Parks	\$242,473	-	-	-	\$242,473
Carryover Works	\$2,156,587	-	-	-	\$2,156,587
Cemeteries	\$80,676	-	-	-	\$80,676
Community Services	\$290,218	-	-	-	\$290,218
Council Contribution - Co Funding Grants	\$200,000	-	-	-	\$200,000
Economic Development	-	-	-	-	-
Employee Leave Entitlements	\$1,599,569	-	-	-	\$1,599,569
Financial Assistance Grants	-	-	-	-	
Heritage Buildings	\$18,495	-	-	-	\$18,495
Infrastructure Works	\$1,067,972	\$2,069,020	\$10,248,782	-	\$13,385,774
Internal Other	-	-	-	-	-
Levee Bank	\$339,764	-	-	-	\$339,764
Moama Lights	-	-	-	-	-
Office Equipment/ IT	\$178,727	-	-	-	\$178,727
Parks & Recreation	\$180,577	-	-	-	\$180,577
Plant Fund	\$2,924,973	-	-	-	\$2,924,973
Public Halls	\$91,554	-	-	-	\$91,554
Quarries	\$368,866	-	-	-	\$368,866
Risk Management	\$12,500	-	-	-	\$12,500
S355 Committees	\$26,748	-	-	-	\$26,748
Software	\$14,270	-	-	-	\$14,270
Staff Housing	-	-	-	-	-
Stormwater	\$101,145	-	-	-	\$101,145
Waste Management Int	-	-	-	\$1,628,859	\$1,628,859
	\$10,177,432	\$2,069,020	\$10,248,782	\$1,628,859	\$24,124,093

Table 6: Details of Externally Restricted Reserves

External Reserves	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Unspent Grants	\$12,439,495	\$72,970	\$22,849	\$90,356	\$12,625,670
Unspent Loan Funds	-	-	-	-	-
Section 64/94	\$4,407,849	\$3,392,697	\$3,723,233	\$200,136	\$11,723,915
Community Services Ext	\$124,620	-	-	-	\$124,620
Land Management	\$134,638		-	-	\$134,638
Water Purchase	-	\$227,856	-	-	\$227,856
Waste Management Ext	1	_	-	\$2,055,349	\$2,055,349
Other	\$64,287	-	-	-	\$64,287
	\$17,170,889	\$3,693,523	\$3,746,082	\$2,345,841	\$26,956,335

The Council's Bank Overdraft limit is \$400,000 which remains unutilised.

## Certification

I hereby certify that the balances of the various funds of Council have been reconciled with the bank statements and investment register as at the end of the reporting period.

Stephen Fernando Director of Corporate Services



#### **INVESTMENTS**

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, together with an analysis thereof are detailed below.

#### Certification

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.

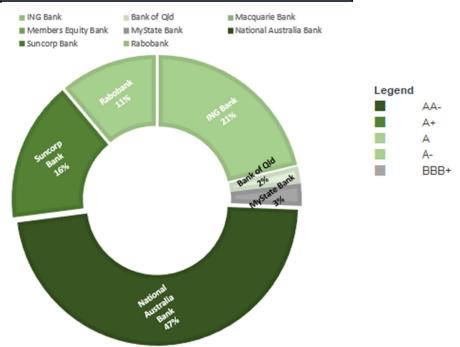
## Stephen Fernando

**Director of Corporate Services** 

Council's investments are spread across several Australian Deposit Taking Institutions (ADIs) as detailed below.

Table 7: Investments by Deposit Taking Institution

Bank / ADI	Amount	%
ING Bank	\$ 11,000,000	21.26%
Bank of Qld	\$ 1,000,000	1.93%
MyState Bank	\$ 1,250,000	2.42%
National Australia Bank	\$ 24,500,000	47.34%
Suncorp Bank	\$ 8,250,000	15.94%
Rabobank	\$ 5,750,000	11.11%
	\$51,750,000	100.00%



6

## **Monthly Financial Report**

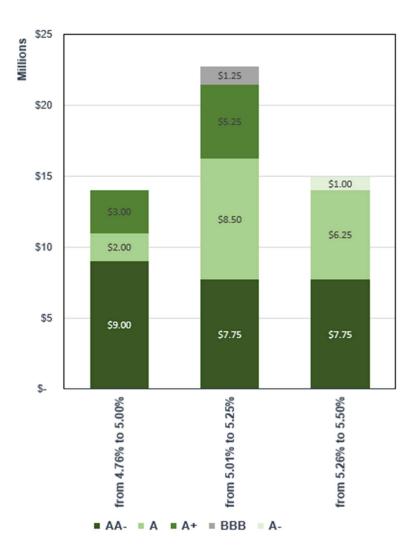
FY 2024-25, to 31 December 2024



The investment ratings of the investments and the returns thereon are detailed below.

Table 8: Analysis of Risk Ratings and Returns

Interest Rates	AA-	A+	Α	A-	ВВВ	Total
from 4.76% to 5.00%	\$9,000,000	\$3,000,000	\$2,000,000	-		\$14,000,000
from 5.01% to 5.25%	\$7,750,000	\$5,250,000	\$8,500,000	-	\$1,250,000	\$22,750,000
from 5.26% to 5.50%	\$7,750,000	-	\$6,250,000	\$1,000,000		\$15,000,000
	\$24,500,000	\$8,250,000	\$16,750,000	\$1,000,000	\$1,250,000	\$51,750,000





The maturity profile of the investments are as follows.

Table 9: Maturity Profile

<b>Maturity Dates</b>	AA-	A+	Α	A-	BBB	Total
December 2024	-	-	-	-	-	-
January 2025	-	\$1,500,000	\$1,500,000	-	-	\$3,000,000
February 2025	\$1,500,000	-	\$2,750,000	\$1,000,000	-	\$5,250,000
March 2025	\$2,250,000	\$2,500,000	-	-	-	\$4,750,000
April 2025	\$3,000,000	\$1,000,000	\$1,000,000	-	-	\$5,000,000
May 2025	\$1,250,000	\$2,000,000	-	-	\$1,250,000	\$4,500,000
June 2025	\$3,000,000	\$3,750,000	-	-	-	\$6,750,000
July 2025	\$3,500,000	\$2,000,000	\$1,000,000	-	-	\$6,500,000
August 2025	\$4,000,000	-	-	-	-	\$4,000,000
September 2025	\$3,000,000	\$1,000,000	-	-	-	\$4,000,000
October 2025	\$1,000,000	-	\$1,000,000	-	-	\$2,000,000
November 2025	\$1,000,000	\$2,000,000	-	-	-	\$3,000,000
December 2025	\$1,000,000	\$1,000,000	\$1,000,000	-	-	\$3,000,000
January 2025	-	-	-	-	-	\$0
	\$24,500,000	\$16,750,000	\$8,250,000	\$1,000,000	\$1,250,000	\$51,750,000

The portfolio is well invested in reasonable interest rates and the maturity profile varies 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 regulations and Council's Investment Policy.

The current position is to only invest in ADI's that are rated AA- or better as per S&P's long term credit ratings, even though the Investment Policy permits some investments in ADIs with lower ratings.

## **Income Statement**

for the year ended 30 June 2025

from period 01 July to 31 December 2024



CY Budget	\$'000	Notes	CY Actual YTD	PY Actual Audited
	Income from continuing operations			
24,952	Rates and annual charges	B2-1	12,602	21,554
12,319	User charges and fees	B2-2	4,528	12,940
1,216	Other revenue	B2-3	978	1,363
20,841	Grants and contributions provided for operating purposes	B2-4	6,417	20,155
13,390	Grants and contributions provided for capital purposes	B2-4	2,831	54,202
2,704	Interest and investment income	B2-5	1,317	3,026
611	Other income	B2-6	325	602
76,034	Total income from continuing operations		28,998	113,843
	Expenses from continuing operations			
21,446	Employee benefits and on-costs	B3-1	11,238	21,181
27,065	Materials and services	<b>B3</b> -2	10,936	20,393
34	Borrowing costs	<b>B3</b> -3	17	348
		B3-4		
20,344	Depreciation, amortisation and impairment for non-financial assets		10,299	20,884
1,155	Other expenses	<b>B3</b> -5	479	1,100
(2,591)	Net losses from the disposal of assets	B4-1	(89)	9,203
67,454	Total expenses from continuing operations		32,879	73,109
8,580	Operating result from continuing operations		(3,881)	40,733
8,580	Net operating result for the year attributable to Council		(3,881)	40,733
(4,810)	Net operating result for the year before grants and contributions provided for capital pruposes		(6,712)	(13,469)
(4,810)	provided for capital pruposes		(0,/12)	(13,469)

## **Statement of Financial Position**

for the year ended 30 June 2025

from period 01 July to 31 December



CY Budget	člene		CY Actual YTD	PY Actua Audite
Ci buuget	\$'000	Notes	110	Addite
	ASSETS			
	Current assets			
9,131	Cash and cash equivalents	C1-1	3,998	14,86
42,949	Investments	C1-2	52,955	43,20
15,004	Receivables	C1-4	8,897	14,99
537	Inventories	C1-5	511	49
	Current assets classified as held for sale	C1-7	3,103	3,10
239	Other	C1-11	1,579	1,54
67,861	Total current assets		71,044	78,20
2	Non-current assets	C4 2	2	
2 493	Investments Receivables	C1-2 C1-4	2 26	2
325	Inventories	C1-4 C1-5	20	4
1,089,886	Infrastructure, property, plant and equipment	C1-8	1,088,833	1,089,88
12,089	Intangible Assets	C1-10	12,089	12,08
12,089	Investments accounted for using the equity method	D2-2	12,009	12,00
1,102,796	Total non-current assets		1,100,951	1,102,00
1,170,656	Total assets	_	1,171,995	1,180,21
	LIABILITIES			
	Current liabilities			
10,168	Payables	C3-1	4,790	10,16
10,100	Contract liabilities	C3-2	4,460	3,69
184	Lease liabilities	C2-1	372	18
272	Borrowings	C3-3	336	26
3,808	Employee benefit provisions	C3-4	4,556	4,24
1,394	Provisions	C3-5		
15,825	Total current liabilities		14,514	18,56
	Non-current liabilities			
184	Lease liabilities	C2-1	254	18
1,150	Borrowings	C3-3	1,287	1,42
398	Employee benefit provisions	C3-4	152	37
5,989	Provisions	C3-5	10,027	10,02
7,720	Total non-current liabilities	_	11,720	12,00
	Total liabilities	_	26,234	30,57
23,546		_		

## **Statement of Financial Position**

for the year ended 30 June 2025

from period 01 July to 31 December



			CY Actual	PY Actua
CY Budget	\$'000	Notes	YTD	Audited
	EQUITY			
8,580	Current years surplus		(3,881)	40,733
745,736	Accumulated surplus		786,468	745,735
392,795	IPPE revalaution reserve		363,173	363,173
1,147,111	Council equity interest		1,145,760	1,149,641
1,147,111	Total equity	1	,145,760	1,149,641

## 9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

## 9.3.1 AWARD OF CONTRACT MRC 2438 - COUNCIL STRUCTURAL (BRIDGE) ASSESSMENTS

File Number: -

Author: John Hore, Project Manager

Authoriser: Jack Bond, Director Infrastructure

## RECOMMENDATION

That the Officer's report on Award of Contract MRC 2438 - Council Structural (Bridge) Assessments as at 28 January 2025 be received and the information noted by the Council.

#### **BACKGROUND**

Murray River Council received grant funding under the Restart NSW Program to undertake condition assessments and evaluate the load capacity of structures on the Murray Irrigation Limited Network, on the transport network for Murray River Council; Edward River Council; Berrigan Shire Council; Federation Council and Murrumbidgee Council. There are a total of 384 assessments included in the project, including 87 in the Murray River Council LGA. These assessments were completed in December 2024.

The project has come in under budget. Approval has been granted by Restart NSW to use remaining funding (RNSW2739) to conduct additional inspections on 27 council structures (bridges) spread across the transport network for Murray River Council (17) and Berrigan Shire Council (10).

It is expected that the acquittal of the project will be delivered by 30 June 2025.

This project will be funded through remaining grant funding from the Restart NSW Program.

Original grant value: \$3,722,015.68 Remaining funding: \$1,000,000.00

## **DISCUSSION**

The alternative to completing the additional inspections would be to forgo the remaining grant funding. The 17 Murray River Council bridges included in the additional inspections will require assessments in the future and this would need to be funded by Council if not completed now under the grant funding.

Murray River Council has sought tenders from suitably qualified and experienced consultants to undertake the additional condition inspections/assessments and evaluate the load capacity of bridges/structures on the transport network for Murray River Council and Berrigan Shire Council.

The Request for Tenders was posted on the web based tender portal Tenderlink. Tenders closed on 15 January 2025 and at the time of preparation of this report are currently being assessed.

The tender evaluation panel will assess the tenders using the tender evaluation criterion specified in the Request for Tender documents.

An updated report which includes the tender assessment outcome and a recommendation to award a contract is intended to be provided to Council before the 28 January 2025 Council meeting.

## **CONCLUSION**

In conclusion it is appropriate that:

Council awards Contract MRC 2438 for Council Structural (Bridge) Assessments to the preferred supplier to be recommended at the January Council meeting.

<u>Please note</u>: A supplementary report will be submitted to the 28 January 2025 Ordinary Meeting of Council detailing information on the preferred supplier.

## **ATTACHMENTS**

Nil

## 9.3.2 MURRAY RIVER COUNCIL LOCAL TRAFFIC COMMITTEE

File Number: -

Author: Jan Donald, Executive Administration Officer

Authoriser: Jack Bond, Director Infrastructure

## RECOMMENDATION

That Council note the DRAFT minutes of the Murray River Council Local Traffic Committee meeting held on Wednesday 4 December 2024.

#### DISCUSSION

At the meeting of the Murray River Council Local Traffic Committee held on Wednesday 4 December 2024, the following actions were noted:

- 1. Moulamein heavy vehicle review 12 month update.
- 2. TfNSW to contact V-Line to advise of possible relocation of Moama bus terminal.
- 3. Review of signage on Echuca Street Moama.
- 4. The following events were approved:
  - 4.1 Echuca Moama Triathlon January 2025
  - 4.2 Moama RSL Anzac Day March 25 April 2025
  - 4.3 Echuca Moama Cycling Club Winter Race Series 2025
- 5. MRC to nominate Barmah Road speed reduction with TfNSW.
- 6. TfNSW to review Twenty-Four Lane speed reduction request.

## **ATTACHMENTS**

1. MRC Local Traffic Committee - Minutes of 04/12/2024 4 🖺



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## **Minutes**

Meeting title Local Traffic Committee

**Date** Wednesday 4 December 2024 Time 10am - 11.30am

Location Microsoft Teams / Barham Hub Meeting Room (28-30 Noorong Rd, Barham)

**Invitees** Jack Bond - MRC Director Infrastructure (JB) Chair

> Cr Kylie Berryman – MRC (KB) Greg Lawler – NSW Police (GL) Mick Fuller - NSW Police (MF) Denise Crouch – TfNSW (DC) Trish Suckling – TfNSW (TS)

Ricki Thompson – Murray River Council (RT) Danny Moloney - DoT (DM) - Item 4.3 only

Jan Donald (minute taker) (JD)

**Apologies** Cr Gary Pappin - MRC

Ken Spence – MRC

Megan Mayo - NSW Police Rob Mayo - NSW Police

#### Description No.

#### Minutes of previous meeting of 3 April 2024 for confirmation 1.

Minutes of the previous meeting were accepted as written.

Item 4.3 was bought forward here

#### 2. Review of action sheet / business arising:

- Purpose of the Local Traffic Committee Noted.
- Moulamein traffic update (heavy vehicle 12 month update)

Action: Follow up on the 12 month update (RT)

- 2.3 Pedestrian crossing options Mathoura - pedestrian numbers do not warrant the crossing being implemented - closed.
- 2.4 Update on speed reduction Bunnaloo Road Mathoura - Council will monitor residential increase, however, at this stage there will be no decrease in the speed
- 2.5 Moama Regional Bus stop relocation - the old Council Offices at Meninya Street Moama serves as the V-Line Bus collection point, offering transport for patrons

241204\_local traffic committee\_draft minutes



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travelling from Deniliquin, Moama and Echuca to Melbourne. Future development of this site will see the need to relocate the regional bus stop to a safe and suitable location.

Action: Contact V-Line to advise of possible relocation (TfNSW)
Include as a standing action item on the agenda (MRC)

2.6 Review installation of "No Stopping" signs Echuca Street Moama

Action: Undertake review on signage (MRC)

# 3. Parking issues / Special events:

- 3.1 Echuca Moama Triathlon January 2025
  - 3.1.1 Risk Register Sprint Event land-based Activities
  - 3.1.2 Bike leg course map
  - 3.1.3 Traffic Guidance Scheme (Echuca and Moama)
  - 3.1.4 Junior Triathlon Risk Register
  - 3.1.5 Junior Event Emergency Management Plan
  - 3.1.6 Junior Triathlon Course
  - 3.1.7 Junior Triathlon Casual Hire Application form
  - 3.1.8 Schedule 1 Notice to hold Public Event
  - 3.1.9 Certificate of Insurance
  - 3.1.10 Sprint Triathlon Event Emergency Management Plan
  - 3.1.11 Sprint Triathlon TMP VMS Boards
  - 3.1.12 TMP Meninya Street Moama

# The Echuca Moama Triathlon January 2025 events as listed above were formally approved and are authorised to proceed.

- 3.2 Moama RSL ANZAC Day March
  - 3.2.1 Risk Management Plan
  - 3.2.2 Traffic Management Plan
  - 3.2.3 Certificate of Insurance
  - 3.2.4 Event Application Form
  - 3.2.5 NSW Police notification form

# The Moama RSL ANZAC Day March 2025 was formally approved and is authorised to proceed.

- 3.3 2025 Echuca Moama Cycling Club Winter Race Series
  - 3.3.1 AusCycle Risk Register
  - 3.3.2 Event Management Plan
  - 3.3.3 Special Events Form
  - 3.3.4 Race Calendar
  - 3.3.5 Outdoor Spaces hire form
  - 3.3.6 NSW Police Public Assembly Form
  - 3.3.7 Letter of Support EMCC
  - 3.3.8 Club Affiliation Confirmation

241204\_local traffic committee\_draft minutes



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3.3.9 Golf Course Loop NSW

3.3.10 Certificate of Insurance (have requested updated CoC)

The 2025 Echuca Moama Cycling Club Winter Race Services was formally approved and is authorised to proceed SUBJECT to an updated Certificate of Insurance being provided prior to the event.

ACTION: Follow up with EMCC at the end of February re CoC (MRC)

# 4. Traffic Control Plans / Safety Issues:

4.1 Nicholas Drive / Cobb Highway safety concerns

TfNSW Planning & Program Team has conducted preliminary investigative works and is exploring ways to enhance road and pedestrian safety at this intersection. Development planning is underway to identify potential options for consideration. Funding has been made available to support this development work.

4.2 Cobwell Street Barham safety concerns

Council has a residential development further out of town. Heavy trucks travelling through town to access the development have been an issue. However, discussions with the developer have taken place and the matter is now resolved.

4.3 Barmah Road speed limit at State Border (this item was bought forward to the start of the meeting)

The proposal attached to the meeting papers was noted. The Victorian Department of Transport (DoT) representative Danny Moloney advised that a speed reduction submission has already been put forward for Barmah to the abutment on the bridge across the Murray River. DoT seeks to collaborate with MRC and TfNSW on an extension of the 50km zone out to Cummeragunja. DoT is prepared to install the necessary signage and aims to have this update completed before Christmas.

Action: Nominate the speed reduction on the NSW side of Barmah (MRC)

Review the speed reduction request (TfNSW)

#### 4.4 Twenty-four Lane

Traffic counts indicate high traffic levels along Twenty-four Lane up to the Golf Course entrance, driven by the new development in the area. Additionally, Rich River Golf Club is undertaking its own residential development. Therefore, Council would like to request a reduction to the speed limit on Twenty-four Lane up to the golf course entry.

Action: Review Twenty-four Lane speed reduction request (TfNSW)

241204\_local traffic committee\_draft minutes



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# 5. General Business (Informal items):

#### 5.1 Hillside Road

Cr Berryman noted that Hillside Road has experienced an increase in traffic, including school buses collecting children. Due to continued growth in Moama, there is a need to review and update the traffic plan. Council is considering future proofing the road by widening Hillside Road.

#### 5.2 Centre Road

Cr Berryman noted that this road is in poor condition. Council has funding allocated in the 2024/25 financial year, designs are in place and planning for construction for works is in this financial year. TfNSW is collaborating with MRC to repair the intersection of Centre Road and Cobb Highway.

# 6. Next meeting:

April and October 2025

# 7. Meeting closed:

Meeting closed at 10.55am

241204\_local traffic committee\_draft minutes

# 9.3.3 RESPONSE TO NOTICE OF MOTION - MENINYA STREET MOMA DECISION ON PARKING

File Number: -

Author: Matthew Sherman, Project Manager Meninya Street Precinct Project

Authoriser: Jack Bond, Director Infrastructure

# **RECOMMENDATION**

That Council receive the Officer's response to the "Notice of Motion – Meninya Street Moama Decision on Parking".

That Councillors, acknowledge the advice provided in relation to car parking on Meninya Street, specifically the increased safety risks of angled car parking as stated in AS2890.5.

That Councillors acknowledge and accept the risks associated with the inclusion or retainment of angled car parking in Meninya Street.

# **BACKGROUND**

Councillor Wise has submitted a Notice of Motion regarding the proposed Car Parking configuration on Meninya Street. The Motion proposes to direct Murray River Council (Council) to retain all angled parking bays in their existing location within Meninya Street Moama under the proposed streetscape upgrade.

# **DISCUSSION**

Officers have prepared several points to assist Councillors voting on the proposed motion submitted by Councillor Wise.

Points which should be considered are:

- Existing streetscape and parking configurations.
- Proposed parking changes
- Australian Standards AS2890.5 On-street parking
- Safety and compliance
- Cost implications
- Objectives of project
- Notice of motion outcome

# Existing streetscape and parking configuration:

The Meninya Street Road Reserve has a rich history of being a major transport thoroughfare dating back to the completion of the old Echuca Moama bridge which later formed the Cobb Highway. In 2022, a second bridge crossing was established, and the road was reclassified from a state route to a local road under the management of council.

Due to the initial purpose being as a highway, the streetscape was constructed with traffic movement as a priority to ensure trucks, machinery and high traffic numbers could successfully utilise the route. As a result, prioritisation for vehicles was pursued giving little consideration for pedestrian and other personal modes of transport including bicycles, scooters and wheelchairs.

Parking in Meninya Street is for the majority parallel and 90-degree parking bays accounting for 78.3% of the parking bays within Meninya Street. 45-degree angled parking currently accounts for a minority of 21.7% of angled parking bays which is in three defined areas of the Streetscape.

Total Parking Supply: 161 parking bays.

126 Parallel or 90-degree parking bays (78.3%)

35 angled (45 degree) parking bays (21.7%)

# **Proposed Parking Changes:**

The proposed design for the Meninya Street upgrade, will supply 148 on street parking bays between Shaw Street and the Cobb Highway. Parking will be parallel and 90-degree parking bays in some areas which will result in a reduction of 13 Bays (9.2%) across a 1.0km section of road.

To offset this reduction, Council purchased a property located directly behind Meninya Street businesses, that will provide 110 parking bays once completed. **This will result in a net increase of 97 parking bays (60.2% Increase)**. Council has also identified further side-street enhancements that can increase overall parking supply in the Meninya Street Precinct by 204 bays.

For Businesses located between Blair Street and Echuca Street with angled car parking. Traders currently benefit from 88 Car Parking Bays including the Echuca Street Car Park (110m radius).

The Meninya Street Precinct Project will provide approx. 180 Car Parking Bays within a 110m radius in a safer method for those same traders. This will also include additional DDA parking bays and EV Charging Bays.

#### **Australian Standards:**

AS2890 – On-Street Parking. Council is required to undertake designs in line with AS2890 for Onstreet and Off-street Parking Facilities. The standards outline geometric design requirements as well as safety considerations when considering parking facilities.

AS2890.5 – On-Street Parking outlines the following in relation to parallel and angled parking:

Parallel parking is recommended for narrow roads where spatial limitations exist. Parallel Parking requires less space than alternative parking methods and in instances of lower speed limits, minimum widths are between 2.0-2.3m per parking bay. AS2890 goes on to state that, "It presents, under properly controlled conditions, the least impediment to the orderly and regular flow of traffic along a road. The number of vehicles able to parallel park along any given length is not as high as in angle parking, but it has the advantage of minimising accidents associated with parking and unparking manoeuvres. Parallel parking is also the best system for use where parking must be provided and street capacity must be kept to a maximum, because it requires less width of roadway for parking and manoeuvring."

Angled parking is known for its efficient use of space to maximise kerbside parking when contrasted against parallel. Maximum advantages being seen at 90 degrees, and as the angle decreases, the advantage over Parallel Parking decreases for parking maximisation. Although Angled Parking can achieve higher rates of parking bays per length of kerb, it increases the risk of adverse effects for road users.

AS2890 states in section 2.3.1 – General Characteristics, "all forms of angled kerbside parking present a greater hazard to road users than parallel parking. Studies show that when parking is changed from angle to parallel kerbside parking, the accident rate along a length of road decreases substantially." It further states that "the use of angled kerbside parking may therefore need to be considered in conjunction with other measures designed to lessen the adverse effects".

AS2890.5 also states than angled parking must not be considered where traffic counts exceed 800VPH. Current traffic data demonstrates figures exceeding 700VPH and consideration should be made for future population and traffic growth.

# Safety and Compliance:

Existing locations that currently utilise angled parking bays have been identified as posing several safety issues that require intervention to improve pedestrian safety. The main area identified is

angled parking bays between Popplewell and Kinsey Street. Currently when vehicles are parked in these bays, a buffer of 0.16m exists between vehicle bumpers and the property boundary and 0.86m between vehicle bumpers and private infrastructure. This configuration does not comply as AS2890.5 as a minimum buffer of 2.0m is not achieved.

This risk to council must be considered and in the instance that the Meninya Street streetscape project does not proceed, risk mitigation measures will be required to be identified and implemented to reduce risk to Council in line with AS2890. Council will need to ensure that a 2.0m clear buffer is available for pedestrians in this area at minimum. This buffer must be free of infrastructure and landscaping including any posts, signage, bins, trees and other infrastructure.

# **Cost Implications:**

The Meninya Street Precinct Project has incurred a total expenditure of \$952,358 to date.

This includes master planning, concept design, video animation, and Life-to-Date costs for detailed design. This is not a total representation of cost as it does not account for staff time involved in master planning and project planning. In the instance that the motion is endorsed by Council, this will require a new master plan, concept design, preliminary design and new detailed design including all works for services including electrical network design. Survey, service location and geotechnical investigation information however could be suitable for re-use in a future design, although this accounts for only a small percentage of costs incurred to date.

No funding is available cover the cost of a new master plan, concept, preliminary and detailed design and would therefore require additional funding from Council. Subject to scoping, investigation and procurement, costs to complete a new design process will like reach \$1,000,000 as a result of starting from a first principals. Council must also consider the time delays to complete a new design process including public consultation with the ageing condition of the road which requires defect rectification. Funding initially provided by Transport for NSW for these works was allocated to cover the cost of design, which has now been fully absorbed.

# **Objectives of the Project:**

The Meninya Street Master Plan outlines the objectives for the Project with has guides the direction of all project decisions during its lifecycle. Objectives include (Meninya Street Master Plan – Pg. 56):

- Better walking facilities:
- Addressing cyclist safety
- Safe and easy parking (point 1 all angled parking replaced with parallel parking in Meninya Street).
- Greener Meninya Street
- Environmentally sustainable design
- Water sensitive urban design
- Lighting and shade

Further to this, the Project intends to:

- Enhance infrastructure within the Meninya Street and the surrounding precinct to improve services, safety and accessibility for all users.
- Drive economic development and stimulation within Moama through place making exercises and behind the kerb investment.
- Implement innovative streetscape designs incorporating sustainable infrastructure and greenery.
- Design a pedestrian orientated environment and connect people to places of interest.
- Enhance existing and create new connections through multi-function spaces, connecting
  paths and facilitating multi-use precincts to support pop-up events, markets and daytime/night-time economies.

- Reimagine side streets, laneways and parking to meet future population growth and development.
- Complement, not complete with Echuca.

The motion to retain angled parking in Meninya Street will impede the ability to deliver the objectives better walking facilities, addressing cyclist safety, safe and easy parking, a greener Meninya Street and lighting and shade. The Meninya Street Precinct Project's mandate was to improve the visual identity of the streetscape and to create a space that would encourage users to visit, stop, stay and spend money in the streetscape. The existing configuration with angled parking bays, results in the majority of the streetscape comprising of hard-surface (either concrete or asphalt) creating a vehicle dominated space that will retain heat in summer and minimise available civic space for retail or outdoor dining in addition to safety issues identified above.

#### **Outcome of Notice of Motion:**

If angled parking is mandated by Council, the Project will be required to re-access the endorsed Meninya Street Master Plans in addition to the justification for the project continuing. The inclusion of angled parking does not align with AS2890.5 in relation to safety and road design guidance and will result in a streetscape that does not deliver a pedestrian friendly environment to support increased visitation and length of stay. Although technically possible to retain angled parking within a 30m Road Reserve, it is at the expensive of safety. Recommencing design from first principles will likely result in the wasting of expenditure to date (\$900,000) and several years.

An alternative outcome could be for Council to undertake public consultation with the community, businesses, emergency services and the traffic committees to gain consensus on the best outcome for the streetscape. Consultation could be between an option with 45-degree angled parking bays and proposed Functional Layout Plans developed to date.

# 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**

Project costs to date: \$952,358 (Council funds)

Commitments: \$506,827.73

Total (Actuals + Commitments): \$1,459,185

Note: This figure is not a complete representation of the costs incurred by the project including staff time, contracts and expenses.

# **POLICY IMPLICATIONS**

Nil.

#### LEGISLATIVE IMPLICATIONS

# **RISK ANALYSIS**

## What can happen?

The retainment of 45-degree angled parking bays as part of the streetscape beautification project will result in increased safety risks for road users and impede the ability to achieve the objectives outlined in the adopted Meninya Street Master Plan. In the instance the notice of motion is moved, the justification of the project continuing will also be reviewed.

# How can it happen?

In the instance that angled parking is mandated by Council, strong consideration will need to be given as to whether it is worth continuing with the Project. The inclusion of angled parking will result in the inability to achieve the outcomes set in the Meninya Street Master Plan and to create a need to re-evaluate the objectives set for the Project. Retaining angled parking, although technically possible to fit within the road reserve, as mentioned above sacrifices to achievement of set objectives and neglects the safety advice outlined in AS2890.5, therefore increasing risk to all road users.

# What are the consequences of the event happening?

Financial – The decision to retain angled parking will result in the need to re-commence design from first principal's basis impacting \$952,358 of work completed to date.

Safety and risk – Refer to advice outlined in AS2890.5.

Geometrical design – Angled parking will result in several complications for streetscape design due to the additional width it requires when contrasted to parallel.

Community dissatisfaction – Community and Businesses are excited for this project, and all agree that beautification works need to occur. Mandating angled parking could result in the cancellation of the project resulting in public dissatisfaction.

# What is the likelihood of the event happening?

Almost Certain if the Motion is adopted.

# Adequacy of existing controls?

Council has several options to reduce risk.

Option 1: Continue on current design path in line with safety and design advice with parallel parking.

Option 2: Pause design and develop a layout option with angled parking for feedback and consideration from all stakeholder groups including traffic committees, emergency services, road safety experts and the general public including business owners.

Option 3: Proceed with motion and result in cost and time implications for the Project.

### Treatment options to mitigate the risk?

Consider an alternative option to mandating angled parking.

# CONCLUSION

The proposed notice of motion to mandate angled parking for the Meninya Street Precinct Project will impede the projects' ability to achieve the set objectives in the Meninya Street Master Plans. Further to this, the mandate neglects safety advice outlined in AS2890.5 and results in cost implications for the Project which have not been budgeted for. Mandating angled parking will also result in minimal improvement to the streetscapes appearance and attractiveness for tourists and the community which is less likely to increase visitation and length of stay in the area.

# **ATTACHMENTS**

Nil

# 9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

# 9.4.1 REVIEW OF DEVELOPER CONTRIBUTIONS FOR DA 10.2024.154.1 - 72 MENINYA STREET MOAMA

File Number: -

Author: Peter Beaumont, Para Planner

Authoriser: Luke Keogh, Acting Director Planning & Environment

# **RECOMMENDATION**

That Council apply the total Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Charges for Development Application (DA) 10.2024.154.1 (modification to be known as DA 10.2024.154.2) of \$40.909.14.

Note: This report and decision by Council is for the review of developer contributions only. The modifications to the DA for the plans have been determined by Council staff as acceptable under Delegated Authority.

DEVELOPMENT APPLICATION:	DA 10.2024.154.1
	DA 10.2024.154.2 – modification DA number
FOR:	Alterations and additions to an existing physiotherapy clinic.
ADDRESS:	72 Meninya Street, Moama
APPLICANT	Acre Town Planning

## **BACKGROUND**

The purpose of this report is for Council to consider a request to review development contribution fees that have been applied to Development Application 10.2024.154.1 for alterations and additions to an existing physiotherapy clinic at 72 Meninya Street, Moama.

# **DISCUSSION**

Development Application (DA) 10.2024.154.1 for alterations and additions to an existing physiotherapy clinic at 72 Meninya Street, Moama, was approved under Delegated Authority on 5 September 2024.

As part of the conditions of consent there is a requirement for the payment of developer contributions of \$44,404.04. Details and a breakdown of the fees are noted in Table 1 below.

The applicant has since applied to modify this DA with minor alterations to the plans as well as seeking a review of the developer contributions applied. Full details of the request have been included as Attachment 1

This report and decision by Council is for the review of developer contributions only. The modifications to the DA plans have been determined as acceptable under Delegated Authority.

# Development contributions - Section 7.11 and Section 64 charges

Section 7.11 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) authorises councils and other consent authorities to require contributions from developers for local infrastructure as part of their development approvals. (Note: previously known as Section 94 contributions).

Section 64 charges refer to Section 64 of the *Local Government Act 1993*. This allows Councils as the relevant water supply authority to charge Section 64 water and sewer infrastructure developer contributions.

The payment of Section 7.11 Development Contributions and Section 64 sewerage and water headworks charges are applicable and must be paid to Council prior to the release of the Construction Certificate as part of the DA approval process. The fees are charged and calculated in accordance with Council's Adopted Fees and Charges at the time the Development Application is determined.

The Development Contributions are imposed under the former Murray Shire Council Section 94 Development Contributions Plan 2011 and the Water Directorate Section 64 Determinations of Equivalent Tenements Guidelines as adopted by Council's Fees and Charges.

Council staff do not have delegation to vary Council's adopted Contributions Policy, and any variations are required to be approved by Council.

The developer contributions applied to DA 10.2024.154.1 (the original DA) have been calculated as follows:

## Table 1

Section 7.11 Dev	CONTRIBUTION RATE (% OF ET)	utions					
DEVELOPMENT		Road Upgrade	Open Space	Community Facilities	Waste	Storm Water	Car parking
	Fee/ET for Moama	\$2,246.00	\$562.00	\$198.00	\$374.00	\$562.00	\$832.00
Physiotherapist (Medical Centres & Dentist): Based on additional GFA	50trips/100m2 GFA=176m2 Trips = 88 ET = 88/6.5= <b>13.54</b>	\$30,410.84	N/A	N/A	N/A	N/A	N/A
Total =	\$30,410.84						

Section 64 Servicing Charges					
	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION (23/24 rates)		AMOUNT	
DEVELOPMENT		SEWER	RAW WATER	FILTERED WATER	
	Fee/ET for Moama	\$1,768.00	\$416.00	\$3,796.00	
Physiotherapist (Medical Centres): Based on 5 additional rooms (including pilates area)	Water ET = 0.40/room = 0.4 x 5 = 2ET Sewer ET = 0.63/room = 0.63 x 5 = 3.15 ET	\$5,569.20	\$832.00	\$7,592.00	
Total =	\$13,993.20				

As per the above contributions calculations break down, the original proposed development is subject to a total contribution amount of \$44,404.04.

The calculations are determined by ascertaining the defined category of development (in this case 'Medical Centres & Dentists' for Section 7.11's, and 'Medical Centre' for Section 64's), along with the development size and triggers such as gross floor area (GFA), additional rooms etc. Calculations are then applied to determine the fees. It is noted 'ET' refers to Equivalent Tenement – i.e. the demand or loading a development will have on infrastructure in terms of the average water consumption or average sewage discharge for an average residential dwelling or house.

It is further noted that Contributions may be significant for the Applicant, however, are calculated based on the adopted contributions plan and doesn't consider affordability to the Applicant.

Council's Contributions are charged by following an administrative framework which ensures adequate public facilities are provided for as part of any new development and to ensure the existing community is not burdened by the provision of public amenities and public services required as a result of future development. This results in Council being able to be both publicly and financially accountable regarding the cost of development on infrastructure.

# **Exemption and review process**

As noted above, Council staff do not have delegation to vary Council's adopted Contributions Policy and any variations are required to be approved by Council.

It is noted Section 2.11 of Council's adopted Development Contribution Plan outlines the following:

# 2.11 Exemptions

There are no exemptions to this plan except where a Ministerial Direction has been issued directing such exemption. Applicants are to verify with Council whether exemptions are provided under these Directions.

Council will not consider exempting other developments, or components of developments from the requirement of paying a contribution except where in exceptional circumstances the development is being carried out by Council, a community or 'not for profit' organisation for the benefit of Council or the community for no commercial gain. A planning agreement may be negotiated in lieu of payment on contributions at the discretion of Council.

<u>Comment:</u> The proposed development does not meet any of the above criteria for required Development Contributions to be exempt and therefore waived by Council. The development is not being carried out by Council or a community or 'not for profit' organisation for the benefit of Council or the community for no commercial gain.

# Request to review contributions by Applicant

Section 8.3 of the *Environmental Planning and Assessment Act 1979* allows an Applicant to request a Review of Determination within 6 months of the Determination date.

Once submitted for review the request must be publicly exhibited for a minimum of 14 days in accordance with Schedule 1 Community participation requirements Section 20A of *Environmental Planning and Assessment Act 1979* and Section 245 of the *Environmental Planning and Assessment Regulation 2021*.

At the time of writing the report the exhibition period is underway. Submissions received (if any) will be considered and assessed by Council staff as appropriate.

Attachment 1 notes in detail the applicant request. As part of the request, a modified DA has been submitted noting minor changes to the plans for a consulting room to be storage together with a review of the developer contribution fees applied to this DA.

The table below summarizes the request along with comments from staff:

# Table 2

Applicant request (refer Attachment 1)	Staff Comments
Section 64 Servicing Charges (Sewer and water) It is requested that these charges be calculated based on the increase in consulting rooms only (ie. An increase of 3 consulting rooms). The room previously identified as proposed 'consult room 01' is now only to be utilised for storage due to its small size. The expansion to the pilates area should not be included in the calculation as patients are accompanied by a physiotherapist when in this area (meaning one of the consultation rooms is not utilised by the practitioner at that time).	Noted and agreed. The reduction in Gross Floor area from 176m2 to 172m2 with agreed changes to the storage room in the Section 64 calculations has reduced contributions.
Section 7.11 Contributions It is requested that the road upgrade contribution be calculated based on an increase in consulting room GFA only (i.e. 36sqm). The remaining increase in GFA does not result in any increase in patient visitation or operational capacity for the reasons already detailed above.	The applicant has proposed for the 7.11 contributions to be calculated based on the increase in consulting rooms only. The contributions plan states that ET's are to be calculated based on GFA (Gross Floor Area) means the total floor area within the walls of the building. There is no mechanism to exclude particular floor areas from the calculation.
Categorisation The section 7.11 road upgrade contribution has been calculated using the 'Medical Centres and Dentist' rate. The business owner has advised that the traffic associated with Physiotherapy clinics are different from that of medical centres or doctor surgeries	The applicant has disputed the categorisation of the clinic as 'medical centres and dentists'. This category was selected based on the definition of 'Medical Centre" in the RTA: Guide to Traffic Generating Developments 2002, which is what the 7.11 contributions plan is based on. This definition includes rooms being used legally by registered health care professionals.
	The <b>definition</b> for 'health care professionals' includes physiotherapists.
	<b>Medical Centre (extended hours)</b> : a building with a subdivision of rooms being used by legally qualified general medical practitioners, dentists within the meaning of the Dentists Act 1934, and registered health care professionals.
	<b>Health care professionals</b> : a person who renders professional health care services to members of the public, and includes:
	<ul> <li>a physiotherapist registered under the Physiotherapists Registration Act 1945.</li> </ul>

# **Revised contributions table**

The reduction in Gross Floor area from 176m2 to 172m2 with agreed changes to the storage room in the Section 64 calculations has reduced the total contributions payable for this DA by \$3,494.90.

# Table 3

Section 7.11 Development Contributions							
	CONTRIBUTION RATE (% OF ET)						
DEVELOPMENT		Road Upgrade	Open Space	Community Facilities	Waste	Storm Water	Car parking
	Fee/ET for Moama	\$2,246.00	\$562.00	\$198.00	\$374.00	\$562.00	\$832.00
Physiotherapist (Medical Centres & Dentist): Based on additional GFA	50trips/100m2 GFA=172m2 Trips = 86 ET = 86/6.5= <b>13.23</b>	\$29,714.58	N/A	N/A	N/A	N/A	N/A
Total =	\$29,714.58		•				

Section 64 Servicing Charges				
	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION (23/24 rates)		AMOUNT
DEVELOPMENT		SEWER	RAW WATER	FILTERED WATER
	Fee/ET for Moama	\$1,768.00	\$416.00	\$3,796.00
Physiotherapist (Medical Centres): Based on 5 additional rooms (including pilates area)	Water ET = 0.40/room = 0.4 x 4 = 1.6ET Sewer ET = 0.63/room = 0.63 x 4 = 2.52 ET	\$5,569.20	\$832.00	\$7,592.00
Total =	\$11,194.56		1	1

As per the above contributions calculations break down, the proposed development is now subject to a total contribution amount of \$40,909.14.

# STRATEGIC IMPLICATIONS

- 5. Strategic Theme 5: A place of Prosperity and Resilience
- 5.3 Encourage and support economic development across the region Economic development / Attraction of Businesses.

#### **BUDGETARY IMPLICATIONS**

The waiving of any Development Contribution fees will require Council to contribute, from public funds, to the road upgrades and infrastructure in the area in the future in lieu of this contribution.

#### **POLICY IMPLICATIONS**

Murray Section 7.11 Development Contribution Plan 2011.

This Policy is required to be updated to reflect current trip generation calculation data. A wider review of the Policy is required due to its age (last adopted in 2011).

#### LEGISLATIVE IMPLICATIONS

Environmental Planning & Assessment Act 1979.

#### **RISK ANALYSIS**

# What can happen?

Council's Budget to be adversely affected by waiving of required Development Contributions.

# How can it happen?

If Council approves the complete or partial waiver of required Development Contributions as outlined in adopted Policy.

# What are the consequences of the event happening?

The ongoing maintenance of Council's infrastructure would be required to be funded by other means instead of the developer generating additional demand on Council's infrastructure

#### • What is the likelihood of the event happening?

High if the contributions are waived or partially waived

# Adequacy of existing controls?

The current Development Contributions and Charges are a suitable and fair outcome for Council, the community and the developer.

# Treatment options to mitigate the risk?

Council uphold the determination to charge required contributions triggered for an application of this nature.

# CONCLUSION

Council to consider a request to review development contribution fees that have been applied to Development Application 10.2024.154.1 for alterations and additions to an existing physiotherapy clinic at 72 Meninya Street, Moama.

Should Council consider reducing or to waive the contributions, the following alternative recommendations have been provided which also includes the report recommendation:

That Council notes and approves one of the following 4 (four) options in relation to applying Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Charges for Development Application (DA) 10.2024.154.1 (modification to be known as DA 10.2024.154.2):

1. To apply the total Contributions amount of \$40,909.14 (amended from original DA due to change to approved plans) as required under Council's Section 7.11 Development Contributions Plan 2011 and Section 64 Water and Sewer Headworks Charges;

- 2. To apply a 25% discount to the total Contribution fees, bringing the total fees payable to \$10,227.28;
- 3. To apply a 50% discount to the total Contribution fees, bringing the total fees payable to \$20,454.57;
- 4. To waive the total Contribution fees being \$40,909.14 as calculated under Council's adopted Policy, resulting in no fees payable to Council.

# **ATTACHMENTS**

1. Applicant Request - 5 pages - Confidential

# 9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

# 9.5.1 EMPLOYMENT LANDS STRATEGY - FINAL ADOPTION

File Number: -

Author: Beck Hayward, Acting Director Community & Economic Development

Authoriser: Sarah Ryan, Acting Chief Executive Officer

# **RECOMMENDATION**

That Council adopt the Murray River Council Employment Lands Strategy.

# **BACKGROUND**

The preparation of an Employment Lands Strategy (ELS) is included in Council's Community Strategic Plan and Delivery Program.

Council engaged consultants *Hill PDA* to develop Council's Employment Lands Strategy. Following Council's endorsement, the Draft Strategy was placed on public display for 28 days. Feedback received during this time has been reviewed and incorporated where relevant.

Council recognises that employment lands are crucial for the economic growth and sustainability of the region. Employment lands provide essential spaces for various urban services, including waste and water management, repair trades, construction services, warehousing, logistics, and last-mile distribution centres. They also support businesses in designing, manufacturing, and producing goods and services. Moreover, these lands help businesses increase economic output and efficiencies through clustering and supply essential services to meet the needs of the worker and resident population.

This strategy explores the supply and availability of land and services on both sides of the border (in our cross-border communities), population trends, residential housing growth expectations, and the competitive advantage of Murray River LGA compared to neighbouring LGAs.

The Council has experienced extraordinary demand for new housing due to lifestyle relocations, driving the need for population-serving facilities and employment-generating services. The population of Murray River LGA was 12,850 at the time of the 2021 ABS Census of Population and Housing, growing by 1,168 persons since 2016. A significant proportion of this growth has occurred around Moama, with annualised growth rates of around 3.5% since 2011.

With the population projected to increase by around 4,960 people to 16,830 by 2041, there is a need to identify how the employment precincts and centres across the LGA can effectively respond to this growth. The strategy includes providing an overview of current planning policy contexts, identifying commercial and employment land supply, profiling each local and strategic commercial and employment land, investigating land demand, and providing recommendations on land supply and planning controls to address any gaps or shortfalls.

## **DISCUSSION**

The key findings of the Employment Lands Strategy are detailed below:

1. Current Situation and Trends:

- The population of the Murray River LGA grew by 16% between 2011 and 2021, with Moama experiencing a 72.6% growth.
- Agriculture, Forestry, and Fishing remain the largest employment sectors but there is a significant increase in Health Care and Social Assistance due to an aging population.
- The region has seen a shift in industry focus, with construction, healthcare, and public administration growing rapidly.

# 2. Land Supply and Demand:

- The LGA has approximately 818 hectares of zoned employment land, with 601 hectares developed and 217 hectares available for development.
- Employment land demand modelling indicates the need for additional developed employment land by 2041, but there is a surplus of undeveloped zoned land to accommodate this requirement.

# 3. Infrastructure and Connectivity:

- Critical infrastructure (roads, water, sewer, and gas, telecommunication services) needs to be aligned with current needs and future growth.
- Enhancing accessibility for pedestrians and cyclists and aligning infrastructure requirements with industrial and commercial growth are critical.
- The new Echuca-Moama bridge provides opportunities for redevelopment and improving connectivity between communities.

# 4. Strategic Direction:

- Ensure a sustainable supply of employment land by working with stakeholders and establishing a pipeline of employment land.
- Attract new businesses and expand industry clusters by fostering collaboration with universities and supporting the implementation of circular economy principles.
- Develop a flexible and supportive planning framework by reviewing and updating Local Environment Plan provisions and Development Control Plans.
- The six overarching key strategies include:
  - i. Facilitate the long-term supply of development-ready employment land in the right locations
  - ii. Align infrastructure with current needs and future growth
  - iii. Support a sustainable and productive long-term economy
  - iv. Develop a planning framework that supports opportunity
  - v. Continue to attract people and investments into the Murray River LGA
  - vi. Leverage growth opportunities and strengthen connections with employment lands in surrounding areas

# 5. Opportunities and Challenges:

• Opportunities for growth include agriculture, renewable energy, advanced manufacturing, and tourism-related developments.

• Challenges include a shortage of industrial land in key areas, infrastructure constraints, and the need for streamlined planning processes to attract investment.

#### 6. Recommendations:

- Develop strategies to ensure a range of developable employment land is available to meet projected demand.
- Focus on enhancing the appeal and functionality of commercial centres and supporting new healthcare and education precincts.
- Leverage the region's strengths in primary production and its strategic location to attract investment and create sustainable economic growth.

Consultation has been undertaken with businesses, industries, agencies, and peak organisations to inform this Strategy. The Draft Strategy was placed on public display seeking feedback from stakeholders and the community. Three submissions were received and incorporated into the final ELS, where relevant.

# STRATEGIC IMPLICATIONS

- 3. Strategic Theme 3: A place of Liveable Communities
- 3.11 Strategic planning which produces consistent, strategic, transparent outcomes Town Planning / Land Use Strategies

#### **BUDGETARY IMPLICATIONS**

Many of the actions within the Strategy will require staff resources and some will require both staff time and budget. Once the Strategy has been adopted and the action plan finalised, any activities that require budget will be resourced either using existing budget, or via a budget bid, during the budget process.

Council's current operating deficit and its efforts to restore long-term financial sustainability will be a factor when considering implementation of the action plan and budget. Some projects may have to be spread over multiple financial years to lessen the financial burden to Council.

# **POLICY IMPLICATIONS**

Murray River Council Economic Development Assistance Policy (POL600).

Murray River Council Risk Management Policy (POL200).

## LEGISLATIVE IMPLICATIONS

#### **RISK ANALYSIS**

# What can happen?

If the strategy is not implemented there may be insufficient land for employment and business growth, leading to missed economic opportunities. The lack of a strategy may also hinder Planning Proposals, development applications and thus hold-up potential development in the area.

#### How can it happen?

Demand for land could exceed supply, stifling business expansion. Potential and proposed development can be stifled by lack of strategic planning documentation and implementation.

# What are the consequences of the event happening?

Economic stagnation, loss of businesses, and rising land prices.

# What is the likelihood of the event happening?

Likely

# Adequacy of existing controls?

Existing controls are partially effective but need improvement in infrastructure and zoning alignment.

# Treatment options to mitigate the risk?

Adopt the Strategy and begin implementation of the action plan, which is to be reviewed annually, or as required.

# **CONCLUSION**

The Employment Lands Strategy provides a comprehensive framework to guide the development of employment lands in the Murray River LGA, ensuring the region can meet future growth demands while supporting economic sustainability and community well-being.

The Draft Strategy has been placed on public display seeking feedback from stakeholders and the community. Feedback has been received and incorporated into the strategy and is now presented to Council for final adoption.

#### **ATTACHMENTS**

- 1. MRC Employment Lands Strategy (under separate cover)
- 2. MRC Employment Lands Strategy Background Report (under separate cover)

# 9.5.2 MOAMA PRESCHOOL - REQUEST FOR REDUCTION IN RENT

File Number: -

Author: Beck Hayward, Acting Director Community & Economic Development

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council:

- 1. agrees to proceed with the necessary steps to provide financial assistance to Moama and District Preschool ('the Preschool'), including public display and consultation.
- 2. in accordance with Section 356 of the Local Government Act 1993, Council will provide 28 days' public notice of a proposal to pass a resolution to grant financial assistance to the Preschool.
- 3. subject to the completion of the public notice period and consideration of any submissions received, Council resolves to reimburse the Preschool for its operational maintenance costs for the year 2024, up to a maximum of \$8,780 including GST. This decision is made in good faith and does not alter or cancel any other terms of the lease or contribution agreement between the parties.

## **BACKGROUND**

Local Preschools provide an essential service to our community and act as an economic enabler for both the Council and its community. Council's Community Strategic Plan supports access to quality early education, which aligns with Council's Economic Development strategy. This strategy aims to aid business investment and retention, foster population growth, and create liveable and prosperous communities across our region.

The Moama and District Preschool operates as a not-for-profit early education center, aiming to provide affordable and accessible early education to the community. For over 40 years, the preschool operated within a Council-owned building on Regent Street, Moama. However, the aging building and its location within a residential area presented constraints, and the service had outgrown the site, resulting in significant waitlists. Consequently, Council staff and the Preschool Committee collaborated over several years to plan for a new, larger facility.

#### **Project Overview:**

- The Moama Preschool Committee engaged an architect to develop concept plans for the new preschool, which received endorsement from both the Preschool Committee and the community.
- Council worked with Crown Lands to allocate a parcel of land on the Moama Recreation Reserve for the new preschool facility.
- Council applied for a grant under Round Four of the Federal Government's Building Better Regions Fund to finance the new preschool. Although the application was unsuccessful, feedback recommended undertaking a professional Cost Benefit Analysis and seeking contributions from the NSW Government.
- Council allocated funds to conduct a Cost Benefit Analysis report.
- Council applied for a grant under the NSW Start Strong Capital Works Grant Program, resulting in a \$1.5 million commitment from the NSW Government, contingent upon contributions from both Council and the Federal Government.

- Council allocated funds to engage a consultant to produce detailed architectural drawings, a comprehensive cost estimate, and to oversee the project through to Development Application approval.
- These designs and costings were utilized in an application under Round Five of the Building Better Regions Fund (BBRF), which successfully secured a grant of \$2,902,469.
- Council committed to contributing \$1.5 million to the project.
- Council and the Preschool Committee negotiated the annual contribution the preschool could
  make towards the capital and depreciation expenses for the building, agreeing on an amount
  of \$65,000, which is invoiced quarterly by Council.
- At its 13 December 2022 Council meeting, Council considered the estimated annual cost of the preschool, to Council (\$125,595) and resolved:

That Council approve an additional annual contribution of \$30,595 for maintaining structural and capital expenses for the new preschool offset by:

- an annual contribution of \$65,000 by MDPC/MDPS;
- Council's existing averaged annual contribution to the current preschool asset is estimated at \$30,000 and will be maintained;
- Council will review the Preschool's annual contribution (with reference to the Financial Legal Instruments) every four (4) years;
- Parent contributions are invoiced by the Preschool Committee (MDPC/MDPS).
- Council oversaw the construction project throughout 2023.
- On 19 January 2024, Council entered a ten-year lease with Moama and District Preschool for the occupation of the new building.
- The lease stipulates that the Preschool will pay:
  - \$65,000 towards capital and depreciation expenses
  - \$5,000 in rent
  - Utilities
  - Operational maintenance expenses
- The Preschool has been operating successfully for 12 months since opening in Term 1, 2024.

#### DISCUSSION

As per the attached letter, the Moama and District Preschool (MDPS) has formally requested a reduction in their maintenance liability under the Lease for the fourth quarter of 2024. The Preschool's financial year runs on a calendar year, and Council invoices the Preschool quarterly (an amount of \$16,250) to cover their annual \$65,000 capital contribution. During 2024, the Preschool has paid its first three invoices and is now seeking a reduction in the amount of the fourth invoice. The due date of the final instalment invoice has been extended until after Council has considered this request.

The MDPS Committee, comprised of volunteer members, had limited time to review and discuss the key terms of the rental agreement, which was negotiated quickly to ensure the planned opening date of the new center was achieved. While the agreed capital contribution amount of \$65,000 was included in the MDPS 2024 budget, the Preschool Committee did not consider its responsibility as the Lessee for certain operational maintenance costs, as some of these did not previously exist at the old Regent Street site or had previously been covered by Council. Although the lease outlines that operational maintenance is the responsibility of the Preschool, the Committee asserts that it did not anticipate these additional expenses to be so high.

The Committee has listed the unexpected costs as follows:

- Rent under Crown Lease with Council: an annual cost of \$5,000.
- Service of air conditioners: a cost of \$660.
- Garden maintenance: an annual cost of \$2,945.
- Fire protection: a semi-annual cost of \$255.75.
- Test & tag: an annual cost of \$1,170.
- Solar panel cleaning: a bi-annual cost of \$1,836 due to additional dust from incomplete development north of the new center.
- Maintenance of electric doors: an annual cost of \$2,000 for the maintenance of electric doors required for center security.
- Staff wages: additional staff costs of \$3,200 incurred for the office manager to be present during repairs, upgrades, and security alerts.

These costs total \$14,925.05, which is the amount the Preschool is seeking to offset through a reduction in their capital contribution invoice to help alleviate their financial pressures and ensure the continued provision of affordable early education services.

# **Factors to Consider:**

- Local preschools provide an essential service to our community and act as important economic enablers.
- The financial sustainability of the Preschool is crucial, as Council is ultimately responsible under the terms of the funding agreements to ensure that the preschool operates for the duration of the grant terms and meets its service provision obligations.
- There is a reputational risk should the Preschool not succeed.
- Council staff did advise the Committee that Council does not have the capacity to undertake
  garden maintenance and provided advice during the garden design phase that the type of
  garden proposed would be expensive to maintain. Council did not pay for solar panel cleaning
  at the previous site, as there were no roof-top solar panels. Staff are not aware of Council
  paying for test and tagging at the previous site.
- Council does not consider Preschool staff wages an operational maintenance expense, but an operating overhead which ought to have been considered by the Preschool in the ordinary course of its business.

#### In addition:

- The Preschool have signed a Lease which clearly sets out the responsibilities of both parties.
   Council is not obliged to agree to the Preschool's request and may elect to enforce the terms of the Lease and require payment.
- Council must comply with s356 of the Local Government Act should the recommended resolution be deemed 'financial assistance' for the Preschool, in which case 28 days' public notice of a proposal to pass a resolution to grant financial assistance prior to passing the resolution would be required.
- The proposed resolution may set a precedent which may be difficult for Council to depart from in future from a probity and fairness perspective.
- Council currently has available budget to cover the operational maintenance for the 2024 period however it is open to Council to reallocate these funds as appropriate given its current financial position.

# **Options:**

Instead of providing a discount on the Preschool's maintenance payment liability, Council
may elect to waive a capped amount of \$8,780 (including GST) by reimbursing the sum paid
by the Preschool in operational maintenance, less the Preschool staff wages and garden
maintenance. Council will become responsible for the 2024 expenses, which will effectively

attach to the maintenance of the asset, funded from the building maintenance allocation where sufficient funds are available. This option will support Council to more appropriately manage and document the specific details of maintaining the asset. Council's obligations under Section 356 of the *Local Government Act* should be a consideration if this is the chosen course of action.

or

2. Council may elect to not discount the maintenance liability and enforce payment of the amount owing.

#### And either:

1. Vary the lease to transfer responsibility for the annual operational maintenance to Council, at a cost of approximately \$9,000 (excluding GST) per year, to come from the building maintenance budget, noting that the expenses covered by Council will *not* include any Preschool staff wages or garden maintenance.

or

Retain the lease in its existing format, where the preschool is obligated to cover all ongoing
operational maintenance expenses and encourage the Preschool to evaluate its operating
model to ascertain its ability to meet its financial obligations for the remainder of the lease
term.

Council must carefully consider the financial sustainability of the Moama and District Preschool and the broader implications for the community and for Council's own financial sustainability. The options presented aim to balance the Preschool's financial pressures with the need for responsible asset management and service provision.

# STRATEGIC IMPLICATIONS

- 5. Strategic Theme 5: A place of Prosperity and Resilience
- 5.6 Continue to develop strong and resilient communities Increased educational opportunities.

#### **BUDGETARY IMPLICATIONS**

Should Council choose to reimburse the Preschool \$8,780, this expense can be covered using Council's building maintenance allocation, in which there are sufficient funds.

Should Council choose to take on responsibility for the ongoing operating maintenance expenses, a budget of approximately \$9,000 per annum can come from Council's building maintenance allocation – funds which are not currently allocated to any specific facility.

# **POLICY IMPLICATIONS**

Murray River Council Asset Management Policy (POL305).

Murray River Council Leasing and Licensing Policy

Legislative Implications

Local Government Act 1993. (Act)

Local Government (General) Regulations 2005. (Regulations)

## **RISK ANALYSIS**

# What can happen?

If Council does not contribute to the cost of operating maintenance, the Preschool may not be able to meet their financial obligations and could face financial hardship.

Alternatively, should council decide to contribute to the cost of operating maintenance, Council may invite further similar requests by the Preschool or other lessees in future. Council may be seen not to have an appetite to enforce its agreements.

# How can it happen?

The Preschool does not have sufficient funds to meet the cost of running the service.

# What are the consequences of the event happening?

The Preschool may need to review its long-term viability.

Council should consider its obligations under the funding agreements to ensure that the Preschool operates for the duration of the grant terms and meets its service provision obligations.

Council should also consider the reputational risk should the Preschool not succeed.

# What is the likelihood of the event happening?

Possible

# Adequacy of existing controls?

The Preschool prepared a 10-year operational budget. However, the operational maintenance costs, along with the rising cost of living and inflationary pressures, may not have been adequately anticipated and factored into the budget.

# Treatment options to mitigate the risk?

Council could reimburse the preschool \$8,780 for operational maintenance undertaken during 2024 and/or take responsibility for ongoing operational maintenance expenses (excluding garden maintenance).

The Preschool would need to review, monitor and plan for its financial sustainability for the remainder of the Lease term.

## CONCLUSION

Local Preschools provide an important service to our community and are an important economic enabler for Council and our community.

Council's Community Strategic Plan supports access to quality early education, aligned with Council's Economic Development strategy to **aid business investment and retention**, population growth and liveable, and prosperous communities across our region.

The options presented aim to balance the Preschool's financial pressures with the need for responsible financial and asset management and service provision, ensuring the continued success and sustainability of the Moama and District Preschool.

# **ATTACHMENTS**

1. Letter from Preschool seeking reduction in rent 4 12



Moama & District Preschool 31 Bushlark Drive Moama NSW 2731

27th November 2024

To: Murray River Council PO Box 906, Moama NSW 2731

Re: Moama & District Preschool Inc. Rent to Murray River Council

The Moama & District Preschool inc. (MDPS) is a NFP early education centre that aims to provide the best early education for children within our region.

MDPS is committed to providing this service at low or no-cost to community members to ensure all families have access to affordable quality early education. The current cost-of-living crisis, and the shortage of pre-school positions locally, has meant that proving an affordable and accessible early education service is as important as ever.

MDPS officially opened the doors at the new centre on Monday 5<sup>th</sup> February 2024. This was only after pressure by Murray River Council (MRC) to sign a rental agreement only days before our opening date. The draft rental agreement was provided to MPDS to review on 30<sup>th</sup> January 2024 with the official opening due to take place on 5<sup>th</sup> February 2024. The MPDS Committee, who is made up of volunteer members, was disappointed with the limited time available to review and discuss key terms in this agreement with MRC.

The rental amount of \$65,000 was a known cost as this was agreed to at a MRC council meeting in November 2022. This amount was included in the MDPS 2024 budget and planning in November 2023.

However, the rental agreement included a number of additional costs which came as both a surprise to the MPDS as these costs were previously funded/covered by MRC, and also a financial burden to the MDPS.

These costs are itemised as per the below:

\$4,583.30	Crown Lease Rates Annual Cost	Cost was not known or advised to the MDPS by MRC until a copy of the rates notice and invoice was provided. The annual crown rates is \$5,000, 10 monthly instalments have been incurred YTD.
\$660	Service of Air Conditioners	Cost was not known or advised to the MDPS by MRC until after the rent agreement was signed.
\$2945	Garden Maintenance	All previous garden maintenance at the Regent Street centre was covered/paid for by MRC. It was not known or advised to MDPS by MRC that this would be a cost incurred by MDPS at the new centre (\$2945 is the YTD to 31/10/2024 cost)
\$255.75	Fire Protection	All previous fire protection at the Regent Street centre was covered/paid for by MRC. It was not known or advised to MDPS by MRC that this would be a cost incurred by MDPC at the new centre. This is an semi annual ongoing expense
\$1,170	Test & Tag	All previous Test & Tag at the Regent Street centre was covered/paid for by MRC. It was not known or advised to MDPS by MRC that this would be a cost incurred by MDPS at the new centre. This is an annual ongoing expense.
\$1,836	Solar Panel Cleaning	Solar Panel maintenance at the Regent Street Centre was completed by MRC. The incomplete development north of the new MDPS centre and the additional dust this is causing requires the solar panels to be cleaned every 6 months to maintain optimum function. This was not a cost the MDPS budgeted for and a cost that was previously covered by MRC
\$275	Maintenance of Electric Doors	The MDPS was also required to fund the ongoing maintenance of Electric Doors (required for centre security) at an annual cost of \$2,000.All building maintenance at the Regent Street centre was funded by MRC
\$3,200	Staff Wages	The MPDS has also incurred additional staff costs since January 2024 of in excess of 100 hours for our office Manager Julie to be present while building staff, council staff, tradesman who have been on site for repairs, upgrades etc. These have been during preschool hours and after hours. There has also been a number of documented "after hours" errors that caused security alerts which has impacted staff needing to make calls and attend the centre to over-ride /reset security alarms outside of normal trading hours

The above amounts collectively accrue to an additional cost of \$14,925.05

The MDPS is therefore seeking that MRC consider a reduction of our Quarter Four 2024 rent by \$14,925.05.

We welcome any questions...

MDPC Committee Executive

Alison Wright - President

Ella Harvey - Vice President

Steve Palling - Treasurer

Chrissy Hislop - Secretary

#### Attached:

- 1. Copy of MDPS/MRC lease agreement
- 2. Copy of Crown Lease monthly instalment
- 3. Copy of Air con service costs/quote
- 4. Copy of Invoice/statement for Garden Maintenance YTD
- 5. Copy of Test & Tag invoice
- 6. Copy of Fire Equipment invoice
- 7. Copy of Solar Panel Cleaning invoice
- 8. Copy of Electric Door Maintenance Invoice
- 9. Copy of Trade/Building staff sign in log
- 10. Email from council Friday 2<sup>nd</sup> February 2024 demanding return of signed lease agreement
- 11. Copy of our 2024 Projected Profit & Loss
- 12. a Copy of Final Letter to intention to enter a lease
- 12. b Copy of Final Notice

# 9.5.3 SOUTHERN RIVERINA REGIONAL DROUGHT RESILIENCE PLAN - PROJECT UPDATE

File Number: -

Author: Beck Hayward, Acting Director Community & Economic Development

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council note the progress of the Southern Riverina Regional Drought Resilience Plan project.

# **BACKGROUND**

In February 2023, Murray River Council, along with Berrigan Shire, Edward River, and Federation Councils, successfully obtained a grant of \$560,000 to develop and implement a Regional Drought Resilience Plan (the Plan). This project is co-funded by the Australian Government and the NSW Government under the Future Drought Fund.

The partner Councils have been collaborating to develop the Plan, which includes an Implementation Plan. A Project Control Group (PCG) comprising the four Councils and the Department oversaw the Plan's development. The development cost of \$210,000, which included consultant travel for extensive community engagement and finalisation of the Plan, was fully covered by the grant.

The Plan aims to gather relevant information about the region, understand the impact of drought events, and identify actions that the community, including local, state, and federal governments, can take to enhance resilience. Contributions from a broad range of community stakeholders, including First Nations organisations, community organisations, businesses, service industries, producers, and volunteers, were crucial in co-designing the Plan.

In April 2024, Council endorsed the draft Plan for public exhibition to seek community and stakeholder feedback. Each of the four Councils conducted this process and gathered feedback from their communities. In July 2024, the final report, incorporating community feedback, was presented to Council for adoption. The Plan (attached) was adopted by each of the four partner Councils and submitted to the Department of Regional NSW and the Commonwealth Government for approval. The Commonwealth approved the Plan in December 2024.

#### **DISCUSSION**

The next step for the PCG is to begin the implementation process, with \$350,000 in available funding. There is no requirement for any of the Councils to co-fund this project. Karina Ewer from Berrigan Shire, Chair of the PCG, has applied for the second phase of funding (\$350,000) to support the Plan's implementation.

The following activities were proposed in the submission for the next phase of funding:

# • Activity 1 (Theme 1 of the Plan)

Consolidation of the various drought resilience responses already developed throughout the region. The PCG will hold workshops and meetings with the agricultural industry and related industries to consider their priorities in drought resilience. This work will provide the information needed to develop a Regional Economic Diversification Strategy (leading to Activity 2).

# • Activity 2 (Theme 3 of the Plan)

Delivery of the highest priority outcome identified in the Regional Economic Diversification Strategy. This priority activity will be informed by community engagement.

The development of the Regional Economic Diversification Strategy and any activities funded from that plan are to be completed by the end of 2025.

## 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**

Funding has been received to implement the Plan, therefore there are no anticipated financial implications at this stage.

### **POLICY IMPLICATIONS**

Murray River Council Procurement Policy (POL205).

# LEGISLATIVE IMPLICATIONS

#### **RISK ANALYSIS**

What can happen?

The Plan does not reflect the needs or generate tangible outcomes for our communities.

How can it happen?

Community engagement is not as extensive as needed.

What are the consequences of the event happening?

The Plan may not deliver relevant, tangible outcomes for the community.

What is the likelihood of the event happening?

Possible.

Adequacy of existing controls?

Adequate

Treatment options to mitigate the risk?

Genuine community engagement will be undertaken during the Plan's implementation.

# **CONCLUSION**

Given recent drought and flood events, Murray River Council, Berrigan Shire, Edward River, and Federation Councils recognise the need to prepare our communities for changing climate conditions. The Final *Southern Riverina Regional Drought Resilience Plan* outlines the necessary steps for our larger community to become more resilient and adaptable to these conditions. Partner Councils will collaborate with the Project Control Group to deliver the Implementation Plan, utilising funding awarded through the Future Drought Fund.

#### **ATTACHMENTS**

FINAL Southern Riverina Regional Drought Resilience Plan (under separate cover)

# 9.5.4 ONE BASIN CRC MEMBERSHIP

File Number: -

Author: Beck Hayward, Acting Director Community & Economic Development

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That Council resolve to:

- 1. Provide 12 months' notice to withdraw from the One Basin Cooperative Research Centre (CRC) project, in accordance with the terms of the ten-year agreement.
- 2. Redirect the \$10,000 annual membership fee currently allocated to the One Basin CRC to the Western Murray Land Improvement Group (WMLIG) to support their continued involvement and activities within the One Basin CRC.
- 3. Adjust the Economic Development budget to reflect the reallocation of the \$10,000 annual membership fee to WMLIG.
- 4. Monitor and evaluate WMLIG's projects regularly to ensure they align with Council's objectives and deliver the expected benefits to the community.
- 5. Leverage WMLIG's active involvement in the One Basin CRC to maintain a level of regional influence in the research activities.

## **BACKGROUND**

In November 2020, Council resolved to become a Tier 3 partner in the One Basin Cooperative Research Centre (CRC) project, contributing \$10,000 per annum. The One Basin CRC connects communities, industry, and researchers to manage climate and water risks in the Murray Darling Basin. Council is one of only three local government authorities amongst the almost 100 members of the One Basin CRC. Council's participation in the One Basin CRC has been limited due to insufficient staff resources, expertise, and other projects and activities taking priority. Council has signed a ten-year agreement with the One Basin CRC and is able to withdraw, however must provide 12 months' notice.

The Western Murray Land Improvement Group (WMLIG) is a not-for-profit organisation and charity based in Barham. For over 20 years, WMLIG has successfully convened a diverse and widespread community to bring about co-designed and agreed solutions that combine the economic, environmental, social, and cultural needs of the community. WMLIG operates in the pillars of Agricultural Research, Development and Extension, Industry Diversification, Landcare, Environmental Services, and Environmental Markets. Despite significant financial constraints, WMLIG delivers numerous benefits to local and regional communities.

#### DISCUSSION

WMLIG has been heavily involved in the One Basin CRC and is well-positioned to participate in and deliver projects within the CRC. While Council participates in some activities of the One Basin CRC, it is not able to be as actively involved in the delivery of activities. Due to WMLIG's limited financial capability, it has been proposed that Council may wish to consider redirecting its membership fees to WMLIG to enable them to continue their membership with the One Basin CRC. Supporting WMLIG in their activities is likely to achieve better outcomes for the community.

WMLIG collaborates with local government, industry groups, state and federal agencies to provide community networking opportunities, access funding for resource improvement initiatives, deliver natural resource management, sustainable agriculture, and community projects, and promote training and educational opportunities on best practices and innovative initiatives. By redirecting the \$10,000 annual membership fee to WMLIG, Council can support these activities and ensure that the community continues to benefit from WMLIG's work and their involvement with the CRC.

WMLIG is involved in several projects with the One Basin CRC, including the development of new tools and information resources, trialling and providing feedback on these tools, and promoting them across extensive farmer networks. They are also involved in projects related to water solutions and adaptation solutions, which include installing fish exclusion screening, investigating digital on-farm water use technologies, and facilitating value-add capabilities and jobs within the region.

# 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**

The \$10,000 annual membership fee currently allocated to the One Basin CRC would be redirected to WMLIG. This reallocation would not require additional funding but would involve adjusting the Economic Development budget to reflect the change in allocation.

#### **POLICY IMPLICATIONS**

Murray River Council Community Financial Assistance Policy (POL109).

# LEGISLATIVE IMPLICATIONS

# **RISK ANALYSIS**

#### What can happen?

By withdrawing Council's membership, our region may have less of a voice in terms of research in the basin.

# How can it happen?

Reduced participation in the One Basin CRC may limit our influence and input in research activities. Currently, due to limited staff resources, expertise, and other priorities, Council has not been able to actively participate and influence the CRC's research and activities.

# What are the consequences of the event happening?

Our region may miss out on opportunities to shape research priorities and outcomes.

# What is the likelihood of the event happening?

Unlikely

## Adequacy of existing controls?

Adequate

# Treatment options to mitigate the risk?

Regular monitoring and evaluation of WMLIG's projects to ensure they align with Council's objectives and deliver the expected benefits. Additionally, leveraging WMLIG's active involvement in the One Basin CRC can help maintain a level of regional influence in the research activities.

# CONCLUSION

While the One Basin CRC offers significant opportunities for research and development, Council's limited participation due to resource constraints has hindered its ability to fully benefit from the program. Redirecting the \$10,000 annual membership fee to WMLIG, which is actively involved in the One Basin CRC and well-positioned to deliver projects, will likely achieve better outcomes for the community. This reallocation will support WMLIG's ability to continue their valuable work and ensure continued benefits to the local and regional communities.

# **ATTACHMENTS**

Nil

# 9.5.5 ACCESS AND INCLUSION ADVISORY COMMITTEE

File Number: -

Author: Tiana Christie, Grant Officer

Authoriser: Sarah Ryan, Acting Chief Executive Officer

## RECOMMENDATION

That Council:

- 1) nominate a Councillor to represent Council on the Access and Inclusion Advisory Committee (AIAC), and
- 2) the nominated Councillor attends the bi-monthly meetings, including the first committee meeting, scheduled for Monday, 10 February 2025, at 2:00pm in the Moama Council Chambers.
- 3) note that the nominated Councillor's appointment will be reconsidered as part of the annual review and delegation of Councillors to committees, held each September.

#### BACKGROUND

In December 2022, Murray River Council adopted its **Disability Inclusion Action Plan 2022–2026 (DIAP)**. The DIAP provides a structured framework for enhancing accessibility and inclusion for people with disabilities.

The Plan was developed through consultation with the community, with a strong focus on engaging people with lived experience of disability. It outlines specific actions to guide Murray River Council's decision-making and processes, ensuring that services and facilities are as accessible and inclusive as reasonably achievable. Achieving these goals is a shared responsibility across all areas of the Council.

# **Access and Inclusion Advisory Committee (AIAC)**

A key action of the DIAP is the establishment of the **Access and Inclusion Advisory Committee** (AIAC), which plays a central role in supporting the implementation of the Plan's actions. In January 2024, the AIAC's **Terms of Reference (TOR)** were endorsed by the Murray River Council Executive Leadership Team.

The AIAC is tasked with providing feedback, advice, and guidance to Murray River Council on the needs of people with disabilities, their carers, and families. Its role aligns with the principles of the **Disability Inclusion Act 2014** and supports Murray River Council's strategic goal of fostering inclusive communities.

The AIAC comprises:

- One Councillor representative
- Murray River Council staff
- Community members with lived experience of disability

This report seeks to appoint a Councillor representative to the AIAC.

The **Terms of Reference (TOR)** for the AIAC outline the committee's composition, responsibilities, and administrative arrangements. Both the Terms of Reference and the Disability Inclusion Action Plan are attached to this report for reference.

#### **DISCUSSION**

The Access and Inclusion Advisory Committee (AIAC) serves an advisory role to assist Murray River Council in its planning, policies, procedures, and projects, with a focus on considering the rights and needs of people with disabilities.

The purpose of the AIAC is to provide feedback, advice, and guidance to Council on matters relating to the needs of people with disabilities, their carers, and families.

Participation in the AIAC is voluntary. The committee currently consists of six community members with lived experience of disability and two staff members. Meetings will be held bi-monthly, with the first meeting scheduled for **Monday**, **10 February 2025**, **at 2:00 pm** in the Council Chambers. The nominated Councillor representative will be expected to attend these meetings.

The **Terms of Reference (TOR)** for the AIAC, adopted on **8 January 2024**, outline the committee's composition, responsibilities, and administrative arrangements. A copy of the TOR is included as an attachment to this report for reference.

The nominated Councillor will be reconsidered as part of the annual review and delegation of Councillors to committees, held each September.

## STRATEGIC IMPLICATIONS

- 3. Strategic Theme 3: A place of Liveable Communities
- 3.3 Create and maintain safe and accessible community spaces that enhance healthy living and promote active lifestyles Disability Action Plan for Open Spaces / Disability Inclusion Action Plan.

# **BUDGETARY IMPLICATIONS**

Nil. There are no additional costs to Murray River Council for the AIAC's operation, as participation in the committee is voluntary.

# **POLICY IMPLICATIONS**

Nil. The establishment and operation of the AIAC align with Murray River Council's Disability Inclusion Action Plan 2022–2026.

# **LEGISLATIVE IMPLICATIONS**

The establishment of the AIAC supports compliance with the Disability Inclusion Act 2014, ensuring Council's ongoing commitment to inclusivity and accessibility.

### **RISK ANALYSIS**

# What can happen?

Failure to appoint a Councillor representative may delay the establishment of the AIAC and hinder Council's ability to implement the DIAP effectively.

## How can it happen?

Lack of participation or interest from Councillors in joining the committee.

# What are the consequences of the event happening?

Reduced progress in addressing accessibility and inclusion initiatives within the community.

# What is the likelihood of the event happening?

Low, provided Council resolves to appoint a representative.

# Adequacy of existing controls?

Adequate

• Treatment options to mitigate the risk?

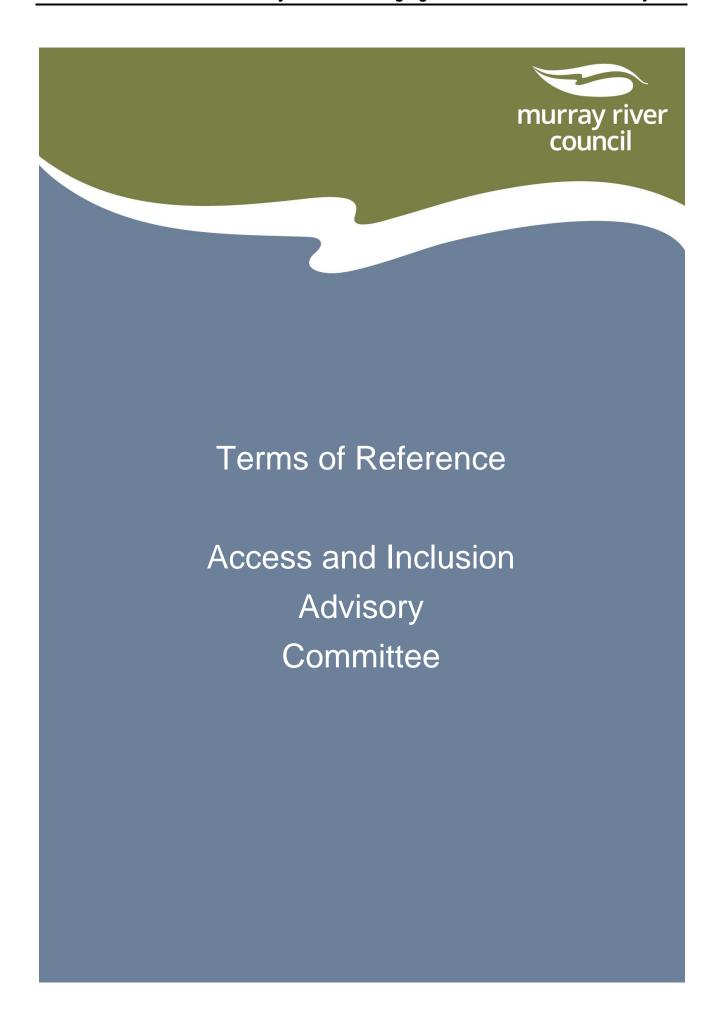
Appoint a Councillor representative during this Ordinary Council Meeting to ensure timely participation.

# **CONCLUSION**

The Access and Inclusion Advisory Committee is a vital component of Council's commitment to inclusivity and accessibility. Appointing a Councillor representative will enable the committee to commence its work and support the delivery of the Disability Inclusion Action Plan.

#### **ATTACHMENTS**

- 1. Access and Inclusion Advisory Committee Terms of Reference 🗓 🖺
- 2. Disability Inclusion Action Plan 2022-2026 🗓 🖺





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#### 1. BACKGROUND

The Disability Inclusion Act 2014 says that people with disability must be treated well and be included in our community. All local councils and NSW Government clusters have disability inclusion action plans which put the principles of the Disability Inclusion Plan into practice. The NSW Disability Inclusion Plan 2021-2025 provides a whole of government strategy. The plan has four focus areas that sets out how the NSW Government will improve the lives of people with disability.

The focus areas are:

- 1. Developing positive community attitudes and behaviours
- 2. Creating liveable communities
- 3. Supporting access to meaningful employment
- 4. Improving access to mainstream services through better systems and processes.

#### 2. ROLE OF THE COMMITTEE

The purpose of the Access and Inclusion Advisory Committee (AIAC) is to provide feedback, advice and guidance to Council on matters relevant to the needs of people with a disability, their carers and families. To provide ongoing assistance to Council to help ensure that disability rights are integrated into the core business of Council.

The AIAC, composed of Council staff and community members, will provide and assist council with lived experience advice on projects and future planning works. The AIAC will be informed about the progress of Council's Disability Inclusion Action Plan (DIAP) and make recommendations as needed, to assist Council in delivering the Plan. The AIAC will bring to the attention of Council any issues, or concerns, or ideas for improved outcomes within the community.

The Committee has a purely advisory role.

#### 3. COMPOSITION OF COMMITTEE

The Committee will comprise of:

- A maximum of 4 Community members (preference for a representative from each ward, if possible)
- A maximum of 2 Council staff from different areas across Council
- 1 Councillor

#### 3.1 Members

Members will be representatives from:

- ▶ local residents with lived experience of disability, or who work, or volunteer in the disability sector.
- > council staff from different departments across Council who have volunteered
- councillor as resolved at council meeting

Each member or delegate is entitled to one (1) vote. There may be non-voting members of Council staff who may provide additional information or expertise as required.

These roles are voluntary roles and will receive no financial benefit or support.

#### 3.2 Council Officer

The Council Officer (Grants Officer) will act as the secretariat for the Committee.

The Council Officer will not have voting rights.

The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one (1) week before the meeting, and ensure minutes of the meetings are prepared, distributed and



maintained.

#### 4. ROLE AND RESPONSIBILITIES

The Committee has no executive powers and represent an advisory role to Council.

The responsibilities of the Committee may be revised or expanded by Council as required.

Members of the Committee are expected to:

- Advise Council on the implementation of the Disability Inclusion Action Plan (DIAP) and suggest changes, or updates, as required.
- Recommend ways to make it easier to navigate Council owned buildings, infrastructure and services.
- Advise Council on ways its services, public programs and events can be made more inclusive and accessible and make recommendations where necessary.
- Advise Council on the accessibility of its communication activities (e.g. publications, website, social media etc) and make recommendations as necessary.
- Provide information to Council on issues relating to people with a disability.
- Give recommendations to Council that will benefit people with disabilities.
- Provide information and recommendations to Council on ways to improve universal access and inclusion for people with disability in the Murray River Council area.

#### 5. ADMINISTRATIVE ARRANGEMENTS

#### 5.1 Term

The Committee shall operate for the duration of the DIAP (2 years) until 2026.

#### 5.2 Meetings

The Committee will meet bi-monthly.

#### 5.3 Venue

The location will be at Murray River Council Chambers and time of the meetings will be determined by the Committee once formed.

## 5.4 Attendance at meetings and quorums

A quorum will consist of a majority of voting members.

Members may attend meetings in person, by telephone or by video conference.

Council will provide administrative assistance to the Committee through the Council Officer.

#### 5.5 Agenda

The Council Officer is responsible for preparation and circulation of meeting agendas and minutes.

#### 5.6 Minutes

Minutes of meetings will be recorded, prepared and circulated by the Council Officer or their delegate.

The minutes will be circulated to all members as a draft seeking comment /amendment within ten (10)



business days following the meeting.

#### 5.7 Decision making

Members must follow Council's Code of Conduct Policy in their decision-making, including but not limited to, provisions concerning conflict of interests, gifts and benefits, and general conduct.

The Committee will strive for decisions based on agreement.

When agreement cannot be reached, a decision will be made by a majority vote. Where the vote is equal, the Council Officer will have the deciding vote. A decision supported by a majority of the votes at a meeting with a quorum of members, is a decision of the Committee.

#### 5.8 Dissolution of the Committee

Council at its discretion may dissolve the Committee, including:

- At the completion of the DIAP term, or
- If in Council opinion, the Committee is not fulfilling the role and purpose for which it was established.
- If the Committee is dissolved, all records must be returned to Council immediately following the dissolution.

#### 5.9 Financial Management

The AIAC is an advisory Committee of Council only and will not hold or manage funds.

#### 5.10 Insurance

As members of a Committee of Council, all members when acting in their role as a member of the AIAC will be covered by Council's Public Liability/Professional Indemnity insurance cover.

This cover only applies to recognised and endorsed activities – i.e. Committee meetings.

#### 5.11 Work Health and Safety

Council has an obligation under the Work Health and Safety Act 2011 and the Regulations 2017 to ensure that all personnel working for Council – in a paid or voluntary capacity are safe whilst undertaking their duties.

Council will endeavour to meet these obligations at all times, which includes providing an environment free from unreasonable behaviours (i.e., bullying and harassment)

#### 5.12 Conflict of interests

Committee member, invitees and advisors must comply with the applicable provisions of Council's Code of Conduct policy in carrying out the functions as members of the Committee. It is the personal responsibility of Members to comply with the standards in the Code of Conduct policy and regularly review their personal circumstances with this in mind.

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflict of interests should be appropriately recorded.



Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the chairperson of the Committee.

Council may revoke Committee membership if a member fails to disclose any conflict of Interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter.

#### 5.12 Confidentiality

Members of the Committee are required to maintain the integrity and security of confidential information in their possession or for which they are responsible.

#### 6. LEGISLATION, ASSOCIATED DOCUMENTS AND DEFINITIONS

#### Legislation:

- Disability Inclusion Act 2014
- Local Government Act 1993
- Local Government Regulations 200
- Work Health & Safety Act 2011
- Work Health & Safety Regulations 2017
- Public Interest Disclosures Act 1994

#### **Associated Documents:**

- MRC Disability Inclusion Action Plan
- MRC Policy Code of Conduct Policy
- MRC Policy Code of Meeting Practice Policy

## **Definitions:**

Term	Definition		
Council Officer	Council employee in charge of driving and reporting on the DIAP		



2022-2026





#### **ABOUT THIS PLAN**

Murray River Council's Disability Inclusion Action Plan (DIAP) 2022-2026 builds on the outcomes achieved from our previous plan which was adopted in 2017. Both DIAPs support the NSW Disability Inclusion Act 2014 which mandates the development of Disability Inclusion Action Plans (DIAP) by individual State Government agencies and by Local Government.

It builds on existing social equity requirements within the Integrated Planning and Reporting (IP&R) framework to strengthen Local Government commitment to inclusion, consultation and rights for people with disability. The DIAP is a way for Council to work towards a fully inclusive community that can benefit from the services and facilities Council provides.

The Disability Inclusion Action Plan (the Plan) for Murray River Council includes background information, the legislation that underpins it, the principles that guide it and the Action Plan for implementation.

Council's role in development of the Plan and responsibility for its implementation is clearly outlined. The Plan builds upon current functions and projects that support inclusion. Council staff and the Mayor participated in the initial meeting to identify key functions and areas for improvement. This process assisted in assigning internal responsibility and endorsed integration with existing operations. The Plan is aligned with the Integrated Planning and Reporting Framework, so that the expressed goals and actions will fit within the Community Strategic Plan, the four (4) year Delivery Program and each Annual Operational Plan.

The consultation process including individual interviews, workshops and a survey, involving people with disability, their carers and families, specialist and mainstream service providers and the wider community, was undertaken to identify and prioritise local needs and potential solutions in the four focus areas of the Plan, which are:

- 1. Positive community attitudes and behaviours
- 2. Liveable communities
- 3. Supporting access to meaningful employment
- 4. Accessible systems and processes

Solutions to identified needs are not solely the responsibility of Council and involve community organisations, specialist and mainstream providers, local businesses, people with disability themselves, and the wider community. The roles of Council in implementation of the actions range from leader, advocate, custodian, facilitator, educator, regulator through to service provider.

#### **BACKGROUND**

The Murray River Council (MRC) covers an areas of 11,865 km2 and comprises the wards of Moama, Greater Murray and Greater Wakool and has population of 12,571 who primarily reside in the towns of Moama, Mathoura, Barham and Moulamein.

Murray River Council's southern border is the Murray River, which also acts as the state border with Victoria. MRC townships located along the river are very closely connected to their Victorian neighbours, and essentially live as one community. These communities are are governed by two local government authorities and two state government authorities, which can cause some challenges.

The DIAP which has been developed by Murray River Council, defines strategies and provides a planning framework to promote inclusion and equity for people with disability, so they may fully participate in, and contribute to, social, business and community life. The DIAP will enhance and complement the existing service provision within the area.

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#### **OUR COMMITMENT TO DIVERSITY AND INCLUSION**

We value diversity and inclusion across our community and appreciate the variety of perspectives that this brings to our community. We know that if our residents are supported and included in our community, they are more engaged and productive.

Our DIAP 2022-2026 actions aim to build on this commitment. We will continue to be guided by our staff, community and the broader policy and legislative framework as we deliver our actions.

Council's role in implementation of the DIAP will include:

- As a Service Provider: Council has a strong commitment to delivering the services needed by its communities, and ensuring that Council resources are responsibly managed. Council's role as a service provider aims to assist in building the long term health of the area.
- As a Leader: Council acts as a role model for others, through its own actions, strategic organisational responses and way of doing things. In its dialogue with the community and other stakeholders, Council can act to draw together diverse interests and strive towards attaining greater consensus on sustainable outcomes.
- As an Advocate: Council seeks to improve services, facilities and opportunities for our community by lobbying agencies and other levels of government. In discussions with others, there are opportunities to reinforce the local sense of identity and self reliance, and collaborate on achieving sustainability.
- As a Facilitator: Council assists interaction amongst stakeholders, and forms strategic alliances aimed at promoting sustainability initiatives focussing on elements including social, economic, environmental, cultural and governance, which demonstrate positive ways of moving forward.

#### SUPPORTING AUSTRALIA'S DISABILITY STRATEGY 2021-2031

Australia's Disability Strategy (ADS) 2021-2031 is a national ten-year plan that provides a framework for governments and stakeholders to improve the lives of people with disability, their families and carers. The ADS continues to progress the outcomes of the National Disability Strategy (NDS) which commenced in 2010. Both strategies seek to foster an inclusive society that enables people with disability to fulfil their potential as equal citizens. The ADS recognises the importance of people with disability being able to access mainstream services and opportunities. Our DIAP supports these fundamental rights of people with disability and the aim of the ADS. The actions across the four inclusion outcomes of systems and processes, liveable communities, community attitudes and employment will ensure that our workplace, future infrastructure, programs and services continue to be accessible and inclusive for people with disability, their families and carers living across our LGA.

#### **ABOUT DISABILITY**

The Disability Discrimination Act (1992) defines disability as 'any impairment, abnormality, or loss of function, of any part of the body or mind'.

This includes physical, intellectual, psychiatric, sensory, neurological, learning disability, physical disfigurement, immunological (the presence of organisms causing disease in the body).

#### **Demographics**

- More than 4 million Australians have a disability.
- About 1 million are from a non-English speaking background.
- → 37% of the national Indigenous population 15 years and older have a reported physical disability or a long-term health condition (102,900).
- At least 80% of disabilities are not visible.
- 15% or 2.1 million Australians of working age (15-64 years) have a disability.

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- Mental health problems and mental illness are among the greatest causes of disability.
- The likelihood of living with disability increases with age.
- → 40% of people with disability are 65 years or older.
- > 2.1 million Australians of working age (15-64 years) have disability.
- > 35.9% of Australia's 8.9 million households include a person with disability.

#### Types Of Disability

- Only 4.4% of people with disability in Australia are wheelchair users.
- 1 in 6 Australians are affected by hearing loss. There are about 30,000 Deaf AUSLAN users with total hearing loss.
- Vision Australia estimates 357,000 Australians are blind or have low vision, and that this will increase to 564,000 by 2030. (Refractive error not included.)
- ▶ 45% of Australians aged 16-85 years, experience a mental health condition in their lifetime.

#### SUPPORTING THE SOCIAL MODEL OF DISABILITY

The <u>Disability Inclusion Act 2014</u> defines disability as including a long-term physical, psychiatric, intellectual or sensory disability that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others.

We support this definition and its connection to the social model of disability which advocates that a person's disability is not the barrier to their participation, but rather it is the external physical and attitudinal barriers that prevent full inclusion and participation. If the physical and attitudinal barriers are removed, people with disability will have the capability to contribute and participate with equity and dignity as full members of our community.

In the context of attitudinal barriers, this encompasses the language and terms we use to describe disability, our conscious and unconscious bias towards disability and our presumptions towards people with disability. It is much easier to remove the physical barriers to inclusion than the attitudinal barriers. Regardless, across our organisation we will continue to be supportive and accepting of each other. Murray River Council intends to lead by example through endorsing the rights of people with disability.

## **POLICY AND LEGISLATIVE CONTEXT**

Our <u>Disability Inclusion Action Plan 2022–2026</u> aligns with the principles in the following state and national legislation, agreements and standards.

#### **States and Territories**

Our States and Territories have committed through several legislative and policy commitments to removing barriers to participation for people with disability.

People with disability face many barriers to civic, social and economic participation. The various State and Territory Disability Inclusion Acts provides a clear legislative framework to removing such barriers.

#### Commonwealth

The Commonwealth <u>Disability Discrimination Act 1993</u> (DDA) recognises the rights of people with disability to equality before the law and makes discrimination based on disability unlawful. DDA sections 60 and 61 set out the provisions for the completion of Action Plans that fulfill the intent of the DDA and sets measurable and accountable goals.

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<u>Disability (Access to Premises – Buildings) Standards 2010</u>, which came into effect on 1 May 2011, aim to provide people with disability with dignified and equitable access to buildings, and provide certainty to industry that they are complying with the DDA.

The <u>National Disability Strategy (NDS) 2010-2020</u> was the commitment of all governments to a unified, national approach to building inclusion for people with disability. The NDS was about creating a more inclusive society that enabled Australians with disability to fulfil their potential as equal citizens. It was the main way that Australia implemented the United Nations Convention of the Rights of Persons with Disabilities.

Australia's <u>Disability Strategy (ADS) 2021 TO 2031</u> will continue the legacy of the NDS and build on its purpose of continuing to meet our commitments under the United Nations Convention of the Rights of Persons with Disabilities. The ADS was launched in December 2022.

#### **RESOURCES**

The relevant laws, standards and guidelines considered in the development of our Disability Inclusion Action Plan include:

- United Nations Convention on the Rights of Persons with Disabilities (2006)
- Disability Discrimination Act 1992 (Cth)
- Disability Inclusion Act 2014 (NSW)
- National Disability Strategy 2010-2020
- Australia's Disability Strategy 2021-2031
- Disability (Access to Premises Buildings) 2010

### KEY OUTCOME AREAS OF OUR DIAP - THE FOUR PILLARS OF INCLUSION

The four pillars of inclusion represent and identify a number of barriers that impact on a person with disability's right to choice and control. Only by removing these barriers can we then provide outcomes that are inclusive, dignified and equitable and in doing so, we create better inclusion outcomes that benefit everyone.

Through the consultation process with Council staff and community we identified several actions that will support the four pillars of inclusion.

The 4 pillars of inclusion are:

- 1. Positive community attitudes and behaviours
- 2. Liveable communities
- 3. Supporting access to meaningful employment
- 4. Accessible systems and processes

#### **CONSULTATION**

Murray River Council DIAP 2022-2026 reflects the Disability Principles set out in the Disability Inclusion Act. The Plan was developed in consultation with our community, with an emphasis on engaging with people with disability. The actions will help guide our decisions and inform our processes to ensure the services and facilities Council provides are as accessible to and appropriate for all people, including those with a disability, as can reasonably be achieved.

In May 2022 we hosted a community consultation session and invited people with disability, and organisations that represent people with disability, across our communities. These consultations co-led

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with Get Skilled Access provided us with a great opportunity to hear directly from people with disability, their family and carers on their day-to-day experiences of living in our community. Feedback from these sessions on how Council can improve its service delivery and remove barriers to participation now inform the actions within this DIAP. We look forward to continuing to consult people with disability as the plan progresses.

We would like to acknowledge and thank the staff, community members with disability, their families and carers and disability service organisations who provided feedback as part of the consultation. Your passion, commitment and openness to share your experiences will make Murray River Council an even better place to work, live and visit, providing greater dignity and inclusion for all.

#### Overview of the consultation process:

- Desktop review May 2022
- Staff consultation May 2022
- Community consultation, including disability service providers, people with disability and carers May 2022
- Community feedback received via online survey during May 2022

#### **Snapshot of consultation feedback:**

Across both the staff and community consultations, key themes emerged throughout the discussions. Aligned to the four pillars of inclusion, feedback included:

#### Positive attitudes and behaviours:

- Attitudinal barriers were viewed by participants as one of the major issues that exist within the community, and believe Council could take a lead role in breaking down these barriers.
- Participants expressed strong interest in the development of a Murray River Council Disability Advisory Committee (DAC). This would assist MRC to engage community members with disability who could share lived experience to improve disability inclusion and access across a number of projects and priorities within MRC.
- The importance of inclusive language within Council communications and content was identified, as well as feeling represented within Council marketing material through authentic images.
- The importance of disability education for Council staff was identified to ensure an inclusive experience for people with disability both employed with and receiving service from the Council.
- Participants voiced that Council supporting further opportunities to increase the visibility of the disability community, and providing opportunity for community members to interact with people with disability, would help shift attitudes and reduce stigma.
- A program that provides free business access assessments was suggested to help raise awareness and educate the wider community about improved access to businesses.

#### **Liveable Communities:**

- Participants voiced much needed improvements to infrastructure to some of the key tourism attractions for the region including the paddle boats and access to fishing along the Murray River.
- Opportunity for Council to improve public toilet facilities by the addition of a changing rooms, and ensuring other council facilities consider better access when upgrading
- People with disability identified that having access to information on the accessibility of Council facilities and spaces would help make informed decisions about where to go and enable dignified access.

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- Promote MRC region as a place to live to attract more healthcare and allied heath professionals to meet the growing needs of the community. Many mental health services are under resourced as the need for services continues to grow.
- Some great work on improving accessibility withing MRC main buildings and the participants would like to see this work rolled out in other service buildings across MRC.
- Infrastructure such as accessible footpaths and town connection was raised as a barrier. Potential to improve current footpaths and create more footpath links to allow better access throughout the town.
- Participants identified access to public transport is a key issue for the region. The need to travel long distances to town centres, funding cuts and lack of understanding of NDIS transport support has resulted in a previous transport services being cut.
- Opportunity for the Council to be a leader in accessible open spaces and leisure and recreation facilities was identified, ensuring playgrounds, leisure centres, parklands and sporting facilities are built or upgraded with leading accessibility features.
- Visible celebration by Council of International Day of People with Disability, as well as supporting disability related events and initiatives through sponsorships or partnerships was seen as an effective way of improving visibility of the disability community and providing opportunity for interaction with people with disability to reduce stigma and improve awareness.
- Understand ways that Council could promote local artists, sporting clubs, and performers with disability.
- Improving the emergency management planning by understanding ways to support people with disability in an emergency response situation. Look at opportunities to make community information more accessible in an emergency management response.
- Council to look for opportunities to support and promote local disability enterprises, business that support people with disability and disability service providers.
- Ongoing challenges exist for accessible transport, especially for the more remote communities within Murray River Council.

#### Supporting access to meaningful employment:

- It was identified that the Council has an opportunity and obligation to be leaders in disability employment and to provide an example to local businesses.
- Physical barriers exist within Council office spaces making it difficult for people with physical disability to navigate independently.
- Workplace adjustment process is not well communicated and often reactive. There is no formal process or education provided to staff on the provision of adjustments.
- Council staff identified the need for Disability Inclusion Training across the organisation to help understand how to better engage people with disability in the workforce and in the communities. Targeted training opportunities for HR staff to understand recruitment for people with disability.
- Opportunity exists for Council to enhance the support and promotion of local businesses who employ
  people with disability and the services of disability enterprises to encourage more businesses to look
  at their own disability employment practices.

#### Accessible systems and processes:

It was identified that the Council would benefit from having a workplace adjustment policy and process, which will benefit the inclusion experience for people with disability who are seeking employment with the Council.

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- Council staff would like access to advice on building works and planning from people with disability or organisations from the sector as well as access to consultation on accessible design requirements and best practice.
- Procurement processes could be reviewed to seek opportunity to support disability employments or businesses that employ people with disability.
- Opportunity to improve the accessibility of existing policies and IT systems including the Council's internet and intranet, and future procured services was identified.
- Participants identified there would be benefit for improving the current website, the content and usability.

#### **ONGOING CONSULTATION, REVIEW AND MONITORING**

Key internal and external stakeholder consultations have informed the actions identified within our DIAP. The consultation identified day-to-day attitudinal barriers, various physical barriers across our communities and those across the various systems and processes within the organisation. We also explored current trends and best practice outcomes in the areas of access and inclusion to benchmark our Plan.

We sincerely thank our colleagues for their participation in the consultation process and their ongoing support to improving accessibility and inclusion outcomes across council. The Council will continue to work with the relevant staff to ensure that the actions are delivered within the timeframes committed.

Ongoing feedback from our staff, clients and community will be sought throughout the life of the plan, and will help determine the success of the plan's current and future actions.

#### Measurement of Progress

Our DIAPs success will be assessed against qualitative and quantitative measures, including:

- Actions successfully implemented over the life of the Plan outputs and outcomes will be identified for each initiative to allow progress to be clearly measured.
- Progress measured against government, legislative, regulatory and compliance reporting requirements.
- Regularly engaging with the staff that have been consulted and contributed to the development of the plan to seek their feedback and inform the ongoing direction.

The Plan will be provided to the Disability Council NSW for endorsement and once endorsed, forwarded to the Australian Human Rights Commission.

Achievements will be noted annually in the Murray River Council Annual Report.

Availability of our Disability Inclusion Action Plan 2022 - 2026

The Plan will be available on Council's website, and a hard copy can be requested by contacting any of Council's service centres (in person, via phone, or email).

#### WHAT WE HAVE ACHIEVED SO FAR

- Community Services engaged with agency networks with a focus to improve physical, cultural, and equitable access to vulnerable persons living in MRC LGA.
- Community services established the Vulnerable Persons Service Provider Network which aims to connect agencies and individuals that support vulnerable persons residing in MRC.
- Three accessible community transport buses purchased.
- Sub-Regional Community Transport Network established to maxim use of adjoining Council vehicles and common routes.

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- Establishment of new Council office in Moama that improves the use and access for people with disability.
- Community Services Hub at Barham built and available for use.
- Influenced Stronger Countries Community projects.
- Supported access to meaningful employment.
- Improved access to main Community Service Hubs in Barham and Moama.
- Provided 1:1 support for the public to access Boarder Region Permits during COVID.

#### **DIAP ACTIONS**

#### **POSITIVE ATTITUDES AND BEHAVIOURS:**

Removing barriers through encouraging inclusive attitudes and behaviours towards people with a disability.

Build community awareness of the rights and abilities of people with disability.

#### **Our Actions**

- 1. Establish Disability Advisory Committee (DAC) to assist council to engage with people with disability within the LGA. This will help to provide and assist council with lived experience advice on projects and future planning works.
- 2. Develop and incorporate disability-specific awareness content that will assist Council to build knowledge of different disability types and disability inclusion practices. And incorporate into the staff training program to upskills leaders and support staff with disability.
- 3. Create opportunities to promote Disability, Accessibility and Inclusion initiatives across Council communications channels.
- 4. Ensure new policies and procedures are accessible and inclusive for people with disability.
- 5. Establish partnerships with local businesses to deliver programs and other initiates that support growing employment opportunities for people with disability.
- 6. Raise awareness at various community events and celebrations across the LGA to, educate and share stories related to disability.

#### LIVEABLE COMMUNITIES:

Liveable communities are places where all people can participate in community life.

Increase participation of people with disabilities in all aspects of community life.

#### **Our Actions**

- 1. Support events and initiatives that increase community participation of people with disability.
- 2. Develop Accessible Events Guide that allows local event organisers can use to better understand how to improve accessibility and inclusion.
- 3. Include the provision of an accessible fishing platform in future council plans, to increase the opportunities for accessible tourism and allow people with disability living within Murray River Council access to community participation.
- Provide easy to read access and inclusion information for council owned facilities, buildings and open spaces and to facilitate dignified access and experience for staff and community members with disability.

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- 5. Support artists, performers and athletes with disability.
- 6. Investigate opportunities that increase participation for people with disability to access sport.
- 7. Identify and prioritise upgrades to footpaths and parking infrastructure to improve accessibility in established areas.
- 8. Engage with the DAC and community members when planning and building major infrastructure projects, including new developments or upgrades to existing community sporting and recreational facilities to enhance accessibility.

#### SUPPORTING ACCESS TO MEANINGFUL EMPLOYMENT:

Supporting and increasing workplace diversity through employment, training, volunteering and work experience

Increase the number of people with disability in meaningful employment as an enabler to improve self-sustainability and quality of life.

#### **Our Actions**

- 1. Create meaningful pathways for people with disability to gain employment within Council
- 2. Work with local schools to develop meaningful pathways for employment for young people with disability.
- 3. Undertake a review of council recruitment processes to remove unintentional barriers for people with disability and increase opportunities for all roles to be inclusive.
- 4. Promote Council's inclusive practices and initiatives on public facing careers pages and external communication channels to encourage people with disability to apply for roles.
- 5. Conduct an annual whole of staff survey to understand the current level of understanding for inclusion for people with disability. What is understood about flexible work practices, workplace adjustments, level of participation for people with disability, and inclusion at events and other community initiatives.
- 6. Develop a workplace adjustment policy and process

#### **ACCESSIBLE SYSTEMS AND PROCESSES:**

Communicating and accessing information, providing feedback, improving quality of service and staff training. To ensure people with disability are able to make informed choices about available services and to easily access these opportunities.

#### **Our Actions**

- 1. Design and implement access and inclusion design guidelines to for use in future council owned premises, facilities and open spaces.
- 2. Create a guide for accessible communications and marketing and provide training to key communication staff.
- 3. Review Council's online content to ensure they are Web Content Accessibility Guidelines (WCAG) compliant to the latest standard.
- Ensure Council's procurement standards and guidelines include accessibility and disability considerations.
- 5. Review and investigate an inclusive approach to accessing and distributing information e.g. GIPA request

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#### **DOCUMENT CONTROL**

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	2017-2022	27 Oct 2017 to 13 Dec 2022	VF/17/230355	N/A
2	2022-2026	13 Dec 2022 to	VF/17/230355	N/A

Council reserves the right to review, vary or revoke this procedure at any time

#### 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.

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## 9.6 CORRESPONDENCE REPORT

### 9.6.1 CORRESPONDENCE REPORT

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

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

#### DISCUSSION

Due to the volume of correspondence that Council receives from Government Agencies, each Councillor has been forwarded the emails directly. As per resolution 290921 at the September 28, 2021, Council meeting, incoming emails from Government Agencies will not be included in this report unless by exception, only outgoing correspondence to Government agencies and general correspondence is recorded in the report.

#### **INCOMING CORRESPONDENCE:**

- RFDS letter to NSW rural councils RE: airstrips and B200s 6 Dec 2024
- Farewell from President Darriea Turley AM LGNSW 3 Jan 2025
- Helen Dalton MP Councillor letter 7-point plan 9 Jan 2025

#### **OUTGOING CORRESPONDENCE:**

Nil

## **ATTACHMENTS**

- 1. RFDS Letter to NSW rural councils re airstrips and B200s 🗓 🖫
- 2. Farewell from President Darriea Turley AM LGNSW 4 🖺
- 3. Helen Dalton MP Councillor Letter 7 Point Plan 🗓 🖺

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Level 5, 418a Elizabeth St Surry Hills NSW 2010 GPO Box 3537 Sydney NSW 2001 T 02 9941 8888 F 02 9262 1817

E enquiries@rfdsse.org.au

> www.flyingdoctor.org.au



6 December 2024

To all NSW rural councils

### Re: No need for concern about the RFDS's ability to continue serving rural airstrips

Thank you for your ongoing support and interest in the RFDS's lifesaving emergency retrieval and other aeromedical patient transport services. Our organisation exists to serve rural Australians, and we strive to maintain the high trust that rural communities place in us.

The recent NSW Regional Development Trust rural and remote airstrips <u>upgrade</u> <u>announcement</u> has sparked renewed interest in aeromedical services, both our own and those of others, and raised questions around accessibility at regional, rural and remote airports and airstrips.

As we know, rural and remote airports and airstrips represent critical infrastructure, and investment into the airports at White Cliffs, Deniliquin and Bourke (and other locations) will go a long way to future-proof these communities.

This is great news for all communities. However, there has been some media commentary about the upgrade package suggesting one of the reasons the upgrades are necessary is because the RFDS will be upgrading its fleet to different or larger aircraft.

I am writing to let you know that this is not correct. The RFDS has no imminent plans to upgrade its fleet – we will continue to fly to and land on small airstrips across regional and remote NSW.

To confirm: the RFDS operates two types of Beechcraft King Air aircraft, the B200 and the B350. The B350 is slightly larger and heavier, and requires a longer landing strip. However, it is not the case that the RFDS is replacing the B200s with the B350s.

We acknowledge that the B200s are no longer being manufactured. Based on our analysis, our aircraft have at least another decade in them before potentially needing to be replaced. With hundreds of B200s operating all around the world, there is a strong pipeline of parts to ensure the long-term maintenance of our aircraft.

Over the next decade, we will be assessing our options to replace the B200s with an aircraft that will still provide the flexibility to attend the rural and remote locations we support. This will involve community consultation when we are in a position to act. As technology advances, the aircraft we choose to go with in the future may not have been manufactured yet.

In the meantime, we expect our B200s will continue to service the many scores of locations across NSW, north-eastern South Australia and south-western Queensland that we have previously flown to.

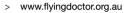
We work closely with the owners of small rural airstrips, so that they are properly maintained including kept free of vegetation and debris. We encourage owners to register their airstrips with us, and ensure information provided remains current, which they can do at this link (https://form.jotform.com/241140853458860).

>JOINT PATRONS: Her Excellency the Hon. Margaret Beazley AC KC Governor of New South Wales & Mr Dennis Wilson

Royal Flying Doctor Service of Australia (South Eastern Section) ABN 86 000 032 422

Level 5, 418a Elizabeth St Surry Hills NSW 2010 GPO Box 3537 Sydney NSW 2001 T 02 9941 8888 F 02 9262 1817

E enquiries@rfdsse.org.au





To help avoid any further unnecessary confusion, we would be grateful if you could consider sharing this reassurance with your communities. If it is helpful, we would also be happy to attend any meetings or community groups with your relevant stakeholders to provide additional reassurance and answer any further questions your communities may have.

I hope this information has been helpful to you. The RFDS looks forward to continuing our historic mission without interruption into the future.

Should you have any questions, please feel free to contact me at <a href="mark.davey@rfdsse.org.au">mark.davey@rfdsse.org.au</a>

Yours sincerely,

Mark Davey

Executive General Manager, Aviation & Operations

>JOINT PATRONS: Her Excellency the Hon. Margaret Beazley AC KC Governor of New South Wales & Mr Dennis Wilson

Royal Flying Doctor Service of Australia (South Eastern Section) ABN 86 000 032 422

The latest member message from LGNSW.



# **MEMBER MESSAGE**



## **FAREWELL TO MEMBERS**

#### Dear Cr Harvie,

I'm writing to you this afternoon to advise that I am finishing up in my role as President of LGNSW, effective from Tuesday 24 December. This is due to the fact that Broken Hill City Council has resigned from our organisation, meaning I am no longer eligible to serve as a Director.

It is a disappointing decision – not because of the impact on me - but because I worry that our council staff and our community will be disadvantaged by not being part of such a strong, active and determined peak body.

So while this departure from the role of President is not at a time of my choosing – or even of my expecting - I know that our organisation is in very capable hands as Cr Phyllis Miller OAM (Mayor of Forbes) will commence in the role of President. This is in accordance with the LGNSW Rules which provide that for the remainder of my term, the position of LGNSW President is to be filled by the LGNSW Vice President (Rural/Regional).

I have been honoured to serve as a Director at LGNSW since the combined organisation was created in 2013. Over the last decade, I have seen the organisation grow from strength to strength.

When I was elected President in 2021 we were still in the midst of the COVID-19 pandemic and our communities were reeling from the effects of unprecedented natural disasters. In taking on the office of President, I identified community resilience and the local government role in recovery as key priorities. I committed our organisation to supporting councils in their incredible work in helping to drive a locally led recovery from the impacts of drought, bushfires, floods and the pandemic.

I'm incredibly proud of the achievements of LGNSW over the past three years, which include:

- Strengthening our relationship with the new NSW Government by entering into a new Intergovernmental Agreement
- Hosting two successful and very popular Rural and Regional Summits, focussing on the unique challenges facing these communities and sharing the many success stories too. These annual summits were the result of a commitment I made when running for the role of President and I thank the staff at LGNSW for helping to implement that vision. The third summit is already planned for 8 May 2025.
- Forcing State and Federal governments to look seriously at the dire state
  of financial sustainability for local government. The recently released
  report from the NSW Parliamentary inquiry into the ability of councils to
  fund infrastructure and services acknowledged so many of the issues we
  have been highlighting over the years and the report's recommendations
  were consistent with the actions we have been calling for. That report
  now provides a robust foundation for reform on some of the longest
  standing priorities of our sector.
- The work that LGNSW has been doing on the growing burden of cost shifting has highlighted the significantly detrimental effect this practice has had on our sector. Last year's survey identified \$1.36 billion of cost shifting annually and drove the NSW Government to specifically include cost shifting in the above inquiry's terms of reference.

- Similarly, achieving a welcome change to the Rate Peg Methodology
  was a real win for our sector, as it recognised some of the unique and
  very real challenges facing our finances. We look forward to further
  improvement in the methodology in the future.
- The Minns Government taking significant steps on the issues of the Emergency Services Levy and Red Fleet Assets as a direct result of our advocacy. While discussions on these two issues are ongoing, it is real progress that our State Government has recognised these major concerns and is willing to work with us in addressing them. The current ESL consultation includes consideration of removing this impost from councils. Meanwhile, the Red Fleet issue is being looked at by a dedicated inquiry by the Public Accounts Committee. It was also the basis of a strong recommendation of the above mentioned inquiry which appropriately recognised that Rural Fire Service assets should be vested in the NSW Government, and not in councils.
- This year's announcement of the \$252.2 million Apprentices and
   Traineeships program came after a great deal of hard work and lobbying from LGNSW and the United Services Union. The benefits for our councils, our workforce and our communities will be incredible.
- Securing a commitment from the NSW Government to legislate to protect Local Water Utilities from privatisation was so important to our sector and to the communities we serve.
- Declaration of the statewide roads emergency following torrential rain and floods, resulted in hundreds of millions of additional funding for council roads.

As President, I have worked with three different local government State Ministers under the Perrottet and Minns Governments and I thank them all for their collaborative efforts and their willingness to listen to our united voice.

I would also like to thank my fellow Board members, who work so hard for our sector, particularly our Vice Presidents and Treasurer. They are all fierce advocates for local government and we are very lucky to have them in our corner.

Similarly, I would like to thank the two Chief Executives I've had the pleasure of working with over the last 3 years – Scott Phillips and David Reynolds. Their

knowledge of local government and their dedication to continuous improvement for LGNSW has positioned our organisation as a peak body of strength.

To the incredible staff at LGNSW, thank you for your combined efforts to support and strengthen the local government sector in NSW. From policy development and submissions, to events and conferences, legal advice, workplace relations, recruitment, communications and support for the organisation and for the board – all of you play such an important role in keeping local government strong and robust and ensuring LGNSW can deliver so much value for all our LGNSW members.

Finally, a big thank you to Darryl for all his constant support and never-ending encouragement. I look forward to spending a bit more time at home now – as always, you're all very welcome to drop in and visit us in Broken Hill!

Next year will mark 30 years since I was first elected to Broken Hill City Council back in 1995. I love serving my community and I have thoroughly enjoyed my time on the LGNSW Board. Local Government is THE most important sphere of government – we not only represent our community but we work with them to make our neighbourhoods more liveable, to provide essential services, to facilitate a sense of connectedness and to deliver vital infrastructure and facilities. I look forward to watching LGNSW to continue to grow from strength to strength. Best wishes to Phyllis and the team as I now hand over the reins.

Thank you all for your support over the last three years – it was one of the greatest honours of my life to serve as your President and your camaraderie and support has meant the world to me.

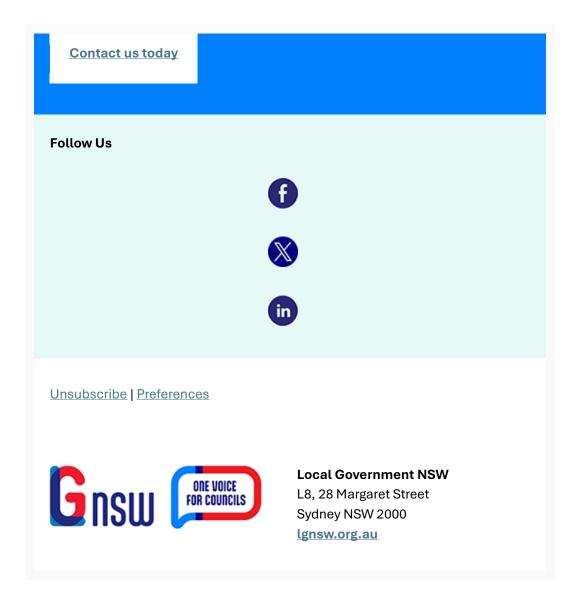
Wishing you all a very Merry Christmas and best wishes for 2025 and beyond.

Fond regards,

Darriea

#### **QUESTIONS?**

Feel free to send us an enquiry about this member message.





9 January 2025

Dear Councillor

I am writing to you in relation to the appalling state of the Murray-Darling Basin, and the need for urgent action to reform and protect it.

For years, federal and state governments, as well as the Murray-Darling Basin Authority, have failed the

Put simply, they have had their chance and they've blown it

For that reason, I have spent the last twelve months consulting environmental scientists and agricultural experts as well as hundreds of people in rural NSW whose lives and livelihoods rely on our neglected river systems.

The end result is a 7-point plan which I am proposing to fix the Murray-Darling Basin once and for all.

The plan is comprehensive, but in summary it involves:

- 1. No water buybacks if they hurt communities
- 2. The returning of South Australia's Lower Lakes to their natural state.
- 3. Increased desalination in order to provide water to South Australia.
- 4. Proper water metering throughout the Basin system.
- 5. A renewed focus on water quality
- 6. A ban on the government flooding of private wetlands
- 7. An increase in downstream water storage.

I am writing to request the opportunity to discuss this plan with you in person in order to explain how it will work in practice.

This matter is urgent.

The people of rural NSW have suffered from government inaction and incompetence for far too long.

Please contact me at your earliest convenience to discuss the possibility of discussing this plan.

And thanks for taking the time to read this.

Kind regards,

Helen Dalton MP

Griffith 02 6962 6644 | Deniliquin 03 5881 7034 | Buronga 0475 683 288

murray@parliament new gov au | + M@ Holon Dalton MP | helendalton com au

## 9.7 SUNDRY DELEGATES REPORT

### 9.7.1 SUNDRY DELEGATES REPORT

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

#### RECOMMENDATION

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 December 2024 through to 31 December 2024 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

#### DISCUSSION

The **Mayor**, **Councillor John Harvie** reported on his attendance at the following meetings and functions:

- 3 Dec: RAMJO Digital Connectivity Round Table Online
- 3 Dec: Echuca Regional Health Annual General Meeting Echuca
- 5 Dec: Meeting CEO Recruitment (GEM) Barham
- 6 Dec: Master of Ceremonies, MRC Small Business Breakfast Barham
- 6 Dec: Interview (General) 1521 2QN by phone
- 8 Dec: Attend Foundry Art Space, Members Exhibition Echuca
- 8 Dec: Deliver Christmas Message, Carols by Candlelight Moama
- 9 Dec: Attend Moama Public School, Presentation of Indigenous Artwork Moama
- 9 Dec: Weekly Meeting with CEO Moama Office
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 13 Dec: Ron Wood EMFM Radio Interview with Jack Bond Echuca
- 15 22 Dec: Leave of Absence During this period Cr Neil Gorey, Deputy Mayor, was Acting Mayor.

The **Deputy Mayor, Councillor Neil Gorey** reported on his attendance at the following meetings and functions:

- 05 Dec: Meeting CEO Recruitment (GEM) Barham
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 11 Dec: Moama Preschool AGM
- 17 Dec: Councillor workshop
- 18 Dec: Barham Public School Presentation
- 20 Dec: Staff Christmas breakup in Barham

Councillor Bianca Hurn reported on her attendance at the following meetings and functions:

- 09 Dec: Moama Lions Club Delegate meeting
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 11 Dec: Moama Anglican Grammar Primary School Assembly

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- 11 Dec: Moama Pre School Delegate meeting
- 17 Dec: MRC Councillor Workshop

**Councillor Joy Allan** did not supply a report on her attendance to meetings and functions for this time period.

## Councillor Kylie Berryman reported on her attendance at the following meetings and functions:

- 4 Dec: Traffic Committee meeting
- 5 Dec: Meeting CEO Recruitment (GEM) Barham
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 17 Dec: Councillor workshop & Meninya Street onsite overview

## **Councillor Gen Campbell** reported on her attendance at the following meetings and functions:

- 05 Dec: Meeting CEO Recruitment (GEM) Barham
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 11 Dec: Moama Preschool AGM
- 12 Dec: Moama Public School presentation
- 17 Dec: Councillor workshop

## Councillor Dennis Gleeson reported on his attendance at the following meetings and functions:

- 2 Dec: Wakool/Burraboi school
- 4 Dec: Meeting CEO Recruitment (GEM) Barham
- 10 Dec: Council Pre-briefing and December Ordinary Council Meeting Moama
- 10 Dec: Councillor / Executive Christmas Function Moama
- 12 Dec: One on one meeting with acting CEO Sarah Ryan
- 16 Dec: Wakool/Burraboi School presentation
- 17 Dec: Councillor workshop

## Councillor Dennis Gleeson reported on his attendance to earlier meetings and functions:

• 26 Nov: Council Pre-briefing, Community luncheon and Ordinary Council Meeting – Tooleybuc

**Councillor Gary Pappin** did not supply a report on his attendance to meetings and functions for this time period.

#### **ATTACHMENTS**

Nil

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## 10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

10.1 NOTICE OF RESCISSION - RESOLUTION 091024 FROM 8 OCTOBER EXTRA ORDINARY MEETING OF COUNCIL BE RECINDED AND A NEW MOTION CARRIED

File Number:

I, Councillor Gary Pappin, give notice that at the next Ordinary Meeting of Council to be held on 28 January 2025, I intend to move the following rescission motion:-

#### **MOTION**

That

- 1. The resolution 091024 titled Setting the Dates, Times and Places for the Ordinary Council meetings including November 2024 through to September 2025 that was passed at the meeting of 8 October 2024 be rescinded.
- 2. That the new motion be;
  - (a) That Council meetings be held at 1pm on the fourth (4<sup>th</sup>) Tuesday of each month commencing at 1pm. The pre-briefing should commence as needed at 9:30am or 10am.
  - (b) That Councillor workshops be held at Moulamein, Wakool & Mathoura and an invitation be extended to community members to meet with Councillors at a suitable time on those days.

## **RATIONALE**

The cost of using an external contractor at remote areas to ensure connectivity is maintained, was not considered when resolving the meetings taking place in areas away from Moama. The staff and travel involved for a full day adds up in cost and time and limits the time Councillors and high-level staff are able to spend with the community.

Holding community luncheons or morning teas in remote areas on the days Councillor Workshops are scheduled, would encourage the members of various communities to join Councillors in a more relaxed environment with great capacity to discuss what each community would like Council to address. There is not a requirement to livestream and record workshops and the need for expensive equipment to be used will be removed, saving time and money for Council and staff.

A schedule of community get togethers will be created and shared amongst the various remote areas within Murray River Council, to ensure engagement with the members of the community is high.

I commend this Notice of Rescission to Council.

## **ATTACHMENTS**

## 10.2 NOTICE OF MOTION - TO DE-AMALGAMATE MURRAY RIVER COUNCIL AND RE-ESTABLISH THE FORMER TWO COUNCILS

File Number:

I, Councillor Gary Pappin, give notice that at the next Ordinary Meeting of Council to be held on 28 January 2025, I intend to move the following motion:

#### **MOTION**

That Council initiate the process to de-amalgamate the Murray River Council under Section 218CC of the Local Government Act and re-establish the former Wakool Shire Council and Murray Shire Council.

To inform this decision, Council will:

- 1. Prepare an in-house business case outlining the financial, operational, and broader implications of de-amalgamation.
- 2. Consider conducting a poll of all voters in the area with the question:
  "Do you support the de-amalgamation of Murray River Council to re-establish Wakool Shire Council and Murray Shire Council?"

#### **RATIONALE**

I commend this Notice of Motion to Council.

#### **EXECUTIVE COMMENTS**

The Acting CEO recommends deferring consideration of this matter until the February Council meeting, scheduled for 25 February 2025. This deferral will allow for the preparation of a comprehensive report addressing the legal, strategic, financial, and policy implications relevant to this notice of motion.

#### **ATTACHMENTS**

# 10.3 NOTICE OF MOTION - THAT RESOLUTION 050624 IS REVISITED AT THE 28 JANUARY 2025 COUNCIL MEETING FOR DEBATE WITH THE VIEW TO RESCIND

File Number:

I, Councillor Gen Campbell, give notice that at the next Ordinary Meeting of Council to be held on 28 January 2025, I intend to move the following motion:

#### **MOTION**

That Council revisit the resolution 050624 "That Murray River Council (MRC) resolve to instruct the Chief Executive Officer (CEO) to commence administrative arrangements from February 2025 to apply to the Independent Pricing and Regulatory Tribunal (IPART) for a Special Rates Variation" for the purposes of debate and a view to rescind.

#### **RATIONALE**

I refer to Resolution 050624 and respectfully request that it be revisited as a matter of urgency at the next council meeting.

I am formally requesting that this resolution be reconsidered and debated with a view to rescinding the motion. This request arises from significant concerns regarding the associated expenditure and staff time, particularly in light of the priorities of the newly elected Council.

It is crucial that Council acts prudently and ensures that its decisions align with the expectations of both elected representatives and the broader community. Revisiting this resolution will allow Council to confirm whether it reflects these priorities.

I commend this Notice of Motion to the Council for its consideration.

## **ATTACHMENTS**

### 10.4 NOTICE OF MOTION - MENINYA STREET MOAMA DECISION ON PARKING

File Number:

I, Councillor Geoff Wise, give notice that at the next Ordinary Meeting of Council to be held on 28 January 2025, I intend to move the following motion:

#### **MOTION**

That Council:

- 1. Retain the current angle parking at the three existing sites on Meninya Street to preserve their integrity.
- 2. Direct Spire Planning to develop an updated streetscape plan that incorporates and retains all existing angle parking spaces.

#### **RATIONALE**

The current plan in place for the streetscape of Meninya street will have a dramatic flow on effect on moving customers away from the retailers who currently exist and rely on the parking in close proximity to satisfy their customers needs.

The Cole's precinct that already has expressions of interest signs up will have a further impact on Meninya street traders three hundred and fifty plus car parks are the very reason these shopping centres survive.

Why take the current easy access and great parking away from the traders which will help them keep their loyal local trade coming back.

This is only retail common sense.

Land values could also be affected by the wombat crossings these need to be sited in carefully designed places so as not to affect the driveways into lots that currently have no egress as they are currently not being used as retail sites.

Some parallel parks in less used areas could be sacrificed in the interest of beautification.

In any case not interfering with the current angle parks would have a huge downward bearing on the total cost of the projects end cost.

In summing up the traders just need a fair go in retention of their valued car parks.

Some traders would not be trading in current sites if the parallel parking was existing as is now planned.

If one travels to Noosa, they would soon realise the value of good parking in areas of high traffic through the holiday season.

I commend this Notice of Motion to Council.

#### **ATTACHMENTS**

## 11 CONFIDENTIAL MATTERS

## **RECOMMENDATION**

That Council moves out of Open Council into Closed Council at Enter time.

## RECOMMENDATION

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

## 11.1 Recommendation to Endorse Project Option - Barham River Estate Levee

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

#### RECOMMENDATION

That Council moves out of Closed Council into Open Council at Enter time.

#### **RECOMMENDATION**

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

# 12 CONCLUSION OF MEETING