

PRESENT

Administrator, Mr David Shaw (in the Chair)

IN ATTENDANCE

The following members of staff were also in attendance:

<i>S Arkinstall</i>	<i>Acting Interim General Manager</i>
<i>B Craggs</i>	<i>Exec Director Business Support & Organisation Management</i>
<i>L Robins</i>	<i>Director Engineering</i>
<i>P Arthur</i>	<i>Director Corporate Services</i>
<i>K Keogh</i>	<i>Executive Assistant (Minute Secretary)</i>

ACKNOWLEDGEMENT OF COUNTRY

A Council acknowledgement of country will be decided upon at a future date.

OPENING PRAYER

A Council prayer will be decided upon at a future date.

APOLOGY

010916

RESOLVED (Mr Shaw) that the apologies tendered on behalf of M Stork and P Higgins be accepted and that leave of absence from the meeting be granted.

CONFLICT OF INTEREST DECLARTATIONS

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

MINUTES OF THE ORDINARY MEETING HELD ON 02/08/16

- 020916** **RESOLVED (Mr Shaw)** that the minutes of the Ordinary Meeting held on 2 August 2016 be confirmed as a true and correct record.

DEPUTATIONS

Nil deputations were to be made on any matter within the meeting.

INTERIM GENERAL MANAGER'S REPORT

1. APPEALS AND DONATIONS

Information noted.

**2. HALF YEAR REPORT ON IMPLEMENTATION OF
COMMUNITY STRATEGIC PLAN –
OPERATIONAL PLAN 2015/2016**

- 030916** **RESOLVED (Mr Shaw)** that Council adopt the report on the implementation of the Greater Murray and Moama Wards 2015/2016 Community Strategic Plan to 30 June 2016.

3. MURRAY RIVER COUNCIL DELEGATIONS OF AUTHORITY POLICY

- 040916** **RESOLVED (Mr Shaw)** that:

- i. Council adopt the Murray River Council Delegations of Authority Policy – Part 1 (POL102).
- ii. Council note the approval of the Interim General Manager of the Murray River Council Delegations of Authority Policy – Part 2 (POL102), under delegated authority.

4. MURRAY RIVER COUNCIL COMMITTEES AND DELEGATES

- 050916** **RESOLVED (Mr Shaw)** that the list of Murray River Council staff representation on various Section 355 Committees of the Council and other community organisations/committees, as attached to the report, be adopted as the Murray River Council committee delegates, until amended by a further resolution of the Council.

5. STAFF PICNIC DAY

Information noted.

**6. MURRAY DARLING ASSOCIATION –
2016 NATIONAL CONFERENCE AND AGM**

Information noted.

**INTERIM GENERAL MANAGER'S
SUPPLEMENTARY REPORT**

**1. ADOPTING NEW MURRAY RIVER COUNCIL LOGO,
VISUAL IDENTITY AND STYLE**

060916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council adopt Design Option 2, as attached to the report, as the new Murray River Council logo, visual identity and style.

ADOPTION

070916 RESOLVED (Mr Shaw) that subject to the foregoing resolutions, the Interim General Manager's Reports be adopted.

OFFICER'S REPORTS

DIRECTOR CORPORATE SERVICES REPORT

**7. BANK BALANCES –
GREATER MURRAY AND MOAMA WARDS**

080916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The Statement of Balances for the month ending 31 August 2016 be adopted.
- iii. Council endorse the actions of staff investing funds greater than \$2million in various Australian affiliated banks.

**8. KEY PERFORMANCE INDICATORS –
GREATER MURRAY AND MOAMA WARDS**

Information noted.

**9. MONTHLY BUDGET REVIEW ITEMS –
GREATER MURRAY AND MOAMA WARDS**

Information noted.

**10. MURRAY RIVER COUNCIL –
2016/2017 GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009
AGENCY INFORMATION GUIDE**

090916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council adopts the 2016/2017 Government Information (Public Access) (GIPA) Act 2009 Agency Information Guide in accordance with Section 21 of the GIPA Act.

11. CENTRAL MURRAY REGIONAL LIBRARY

Information noted.

12. EMERGENCY SERVICES PROPERTY LEVY

Information noted.

13. LOCAL GOVERNMENT RATING SYSTEM

100916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Delegated authority be given to the Interim General Manager to make a submission to the Independent Pricing Regulatory Tribunal (IPART) on the Review of the Local Government Rating System (LGRS).

14. RURAL FIRE SERVICE LEVY

110916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Further representations be made through the Member for Murray, The Hon Adrian Piccoli MP, on the extra costs incurred with the Rural Fire Service's change of methodology for the calculation of the annual contribution by councils.

ADOPTION

120916 RESOLVED (Mr Shaw) that subject to the foregoing resolutions, the Director Corporate Services Report be adopted.

DIRECTOR CORPORATE SERVICES REPORT

**15. FINANCIAL STATEMENTS AND INVESTMENTS 31 AUGUST 2016 –
GREATER WAKOOL WARD**

130916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The report detailing Council's cashbook balance of \$25,279,695.56 as at 31 August 2016 is received.
- iii. The report detailing Council's investment balance of \$23,985,488.23 as at 31 August 2016 is received.

**16. DONATIONS, RATES & CHARGES ASSISTANCE POLICY –
FORMER WAKOOL SHIRE COUNCIL**

140916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council approves the financial assistance provided to the organisations listed on the former Wakool Shire Council's Donations, Rates & Charges Assistance Program, until such time as a new Murray River Council policy has been developed and adopted.
- iii. Council allocates \$1,095 from the Section 356 donations budget to sponsor three children selected from the Murray River Council area to attend the 2017 Portsea Camp.
- iv. Council's annual contribution to the Koondrook Pool Committee for 2016/2017 is increased to \$8,500.

**17. RENEWAL OF DEED OF LICENCE (LEASE) –
PART OF THE TOOLEYBUC RECREATION RESERVE NO. 55898 TO
NSW MINISTER FOR EDUCATION**

150916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council renew the Deed of Licence for part of the Tooleybuc Recreation Reserve No. 58898 to the NSW Minister for Education for a further period of 10 years, commencing 1 January 2017 to 31 December 2026.
- iii. All costs relating to the renewal of the Deed of Licence is to be met by the NSW Department of Education.
- iv. The Common Seal of Council be affixed to the Deed of Licence, if required.

**18. TOOLEYBUC RIVERSIDE RESERVE 72039 –
LOT 74, DP 728924 AND LOT 78, DP 1152889**

160916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Once the outcomes of the compulsory acquisition of the Tooleybuc Riverside Reserve 72039, Lot 78, DP 1152889 is known, that Council initiates a public consultation program to engage the community of Tooleybuc/Goodnight to seek their views on the future use of the land.

**19. SECTION 355 COMMITTEE –
OLD MOULAMEIN COURTHOUSE**

170916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council appoints the members of the Moulamein Men's Shed and Rice Museum Incorporated under Section 355 (b) of the Local Government Act 1993 to become the Management Committee for the care, control and management of the Old Moulamein Courthouse on Council's behalf.

**20. DEBT WRITE OFF –
SECTION 94 AND SECTION 64 CONTRIBUTIONS FOR DEVELOPMENT
APPLICATION 57/14 AND RATE ASSESSMENT 11160711 INTEREST –
RIVER LIFE CORPORATION PTY LTD**

180916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. \$16,506 is written off River Life Corporation Pty Ltd Development Application 57/14 for outstanding development contributions as a bad debt.
- iii. \$11.16 of interest is written off River Life Corporation Pty Ltd rate assessment 11160711 as a bad debt.

**21. GREATER WAKOOL WARD –
HALF YEAR REPORT ON IMPLEMENTATION OF COMMUNITY STRATEGIC
PLAN – DELIVERY PROGRAM & OPERATIONAL PLAN 2015/2016**

190916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council adopts the report on the implementation of the Greater Wakool Ward's 2015/2016 Community Strategic Plan to 30 June 2016.

ADOPTION

- 200916** **RESOLVED (Mr Shaw)** that subject to the foregoing resolutions, the Director Corporate Services Report be adopted.

DIRECTOR ENVIRONMENTAL SERVICES REPORT

**22. GREATER MURRAY AND MOAMA WARDS –
DEVELOPMENT APPLICATIONS APPROVED IN AUGUST 2016**

Information noted.

**23. GREATER WAKOOL WARD –
DEVELOPMENT APPLICATIONS APPROVED IN AUGUST 2016**

Information noted.

**24. RAN 6, CLIFTON STREET, MATHOURA –
PLANNING PROPOSAL UPDATE**

Information noted.

**25. DEVELOPMENT APPLICATION (040/17)
(FORMER MURRAY SHIRE COUNCIL)
REQUEST TO WAIVE DEVELOPMENT APPLICATION FEES
ZONE:- RU5 – VILLAGE
SOLDIERS MEMORIAL GARDENS, LOT 10, SECTION 40, DP 758656
LAWRENCE STREET, MATHOURA
OWNER:- MURRAY RIVER COUNCIL
APPLICANT:- MATHOURA ON THE MAP (CHRIS BILKEY)**

- 210916** **RESOLVED (Mr Shaw)** that:

- i. The Officer's report is received and noted.
- ii. Council waive the development application fee for Development Application 040/17.

FOR: Mr Shaw

AGAINST: Nil

- 26. DEVELOPMENT APPLICATION (027/17)
(FORMER MURRAY SHIRE COUNCIL)
REQUEST FOR REFUND OF DEVELOPMENT APPLICATION FEES
ZONE:- RU5 – VILLAGE
MATHOURA RECREATION RESERVE, LOT 7308, DP 1156706
BURNES STREET, MATHOURA
OWNER:- MURRAY RIVER COUNCIL
APPLICANT:- MATHOURA SPEED SHEAR (PAUL CLEAR)**
-

220916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council refund the development application fee for Development Application 027/17.

FOR: Mr Shaw

AGAINST: Nil

- 27. GREATER MURRAY AND MOAMA WARDS –
LOCAL HERITAGE GRANT FUND APPLICATIONS 2016 UPDATE**

Information noted.

- 28. 312 PERRICOTA ROAD, MOAMA –
PLANNING PROPOSAL UPDATE**

Information noted.

- 29. BOUNDARY ROAD, MOAMA –
PLANNING PROPOSAL UPDATE**

Information noted.

- 30. PRIVATE PLANNING PROPOSAL TO AMEND
MURRAY LOCAL ENVIRONMENTAL PLAN (LEP) 2011 –
REZONING OF LOTS 1, 2, 3 AND 4, DP 270496 FROM
E3 ENVIRONMENTAL MANAGEMENT ZONE TO SP3 TOURIST ZONE**

230916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The subject Planning Proposal be forwarded to NSW Department of Planning and Environment (DPE) for Gateway Determination.

FOR: Mr Shaw

AGAINST: Nil

**31. MURRAY RIVER COUNCIL –
PLAN OF MANAGEMENT FOR COMMUNITY AND CROWN LANDS**

240916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council place the Plan of Management for Community and Crown Lands for the Murray River Council on public exhibition.
- iii. On completion of the public exhibition period, a further report be presented to Council for consideration of the Plan of Management for Community and Crown Lands.

32. PLANNING PROPOSALS

250916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council not support **new external** planning proposals associated with residential development for a period of 12 months where such proposals do not meet the requirements of Council's Strategic Land Use Plan (SLUP), to minimise any potential impact on the planning policy review process required as a result of the Local Government merger process.
- iii. Council's staff develop tender specifications and seek Expression of Interest (EOI) for the review of the Murray River Council planning policies.

FOR: Mr Shaw

AGAINST: Nil

**33. REVIEW OF THE MERITS OF PROVIDING SMALLER LOTS IN RURAL
LANDS; AND REVIEW OF WAKOOL SHIRE LAND USE STRATEGY 2009**

Information noted.

34. MOULAMEIN SWIMMING POOL

260916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council not take on the management responsibility of the Moulamein Swimming Pool due to the potential cost (capital, maintenance and management costs) and liability implications.
- iii. Council's staff remove all disused plant, equipment and chemicals from within the Moulamein Swimming Pool surrounds to eliminate potential risk.

**35. LEGAL OPINION –
CLAUSE 6.6 OF THE WAKOOL LOCAL ENVIRONMENTAL PLAN; AND
CLAUSE 7.4 OF THE MURRAY LOCAL ENVIRONMENTAL PLAN**

Information noted.

**36. PLANNING PROPOSAL PP_2016_MRIV_001_00 –
ADDITION OF 'MODEL CLAUSES' INTO MURRAY LOCAL ENVIRONMENTAL
PLAN 2011 AND MINOR CORRECTIONS**

270916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council proceed with the Planning Proposal and send the Planning Proposal to the NSW Parliamentary Counsel's Office (PCO) requesting Parliamentary Counsel's opinion and drafting of a new Murray Local Environmental Plan (LEP) 2011, in accordance with Planning Proposal PP_2016_MRIV_001_00.

FOR: Mr Shaw

AGAINST: Nil

**37. DEVELOPMENT APPLICATION 037/16 –
REQUEST TO WAIVE FEES FOR ADVERTISING STRUCTURE**

280916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council waive the development application fee for Development Application 037/16.

FOR: Mr Shaw

AGAINST: Nil

**38. SECTION 355 COMMITTEE –
MOAMA RECREATION RESERVE MANAGEMENT COMMITTEE –
ECHUCA MOAMA CYCLING CLUB**

290916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The report be deferred and clarification be sought as to the requirement of the requested funding from the Echuca Moama Cycling Club in light of funding being received through the Stronger Communities Fund, Community Grants Program.

ADOPTION

- 300916** **RESOLVED (Mr Shaw)** that subject to the foregoing resolutions, the Director Environmental Services Report be adopted.

DIRECTOR ENGINEERING REPORT

**39. MURRAY RIVER COUNCIL –
INTEGRATED WATER CYCLE MANAGEMENT PLAN**

- 310916** **RESOLVED (Mr Shaw)** that:

- i. The Officer's report is received and noted.
- ii. Council accept the proposal and costs by NSW Water Solutions for the preparation of the Murray River Council Integrated Water Cycle Management Plan (IWCM).
- iii. \$77,769.00 for the preparation of the Murray River Council Integrated Water Cycle Management Plan (IWCM) be allocated from the Water and Sewer Funds' Reserves.

40. ROAD NAME

- 320916** **RESOLVED (Mr Shaw)** that:

- i. The Officer's report is received and noted.
- ii. The section of road which runs between Barnes Road and Old Deniliquin Road (Moama) be named O'Neill Road, and that the proposed name be notified and gazetted in accordance with the Roads Regulations 2008.

41. NSW GRAIN HARVEST SCHEME

- 330916** **RESOLVED (Mr Shaw)** that:

- i. The Officer's report is received and noted.
- ii. The extension of the NSW Grain Harvest Scheme be endorsed for the period 1 October to 30 April from 2016 to 2021.

**42. FLOOD RISK MANAGEMENT STUDY AND PLANS FOR THE TOWNS OF
BARHAM, MURRAY DOWNS AND TOOLEYBUC**

- 340916** **RESOLVED (Mr Shaw)** that:

- i. The Officer's report is received and noted.
- ii. Council place the Draft Flood Risk Management Study and Plans (FRMS&P) for Barham, Murray Downs and Tooleybuc on public exhibition.

- iii. The Flood Risk Management Committee proceed with the public consultations and seek public feedback on the Draft Flood Risk Management Study and Plans.

**43. RESTART NSW FUNDING DEED –
RNSW 977 DENILQUIN-BARHAM ROAD BRIDGE ASSESSMENT PROJECT**

350916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The Interim General Manager be authorised to sign and place the Common Seal of Council in execution of the Restart NSW Funding Deed for the RNSW 977 Denilquin-Barham Road Bridge Assessment Project.

ADOPTION

360916 RESOLVED (Mr Shaw) that subject to the foregoing resolutions, the Director Engineering Report be adopted.

MANAGER ECONOMIC DEVELOPMENT & TOURISM REPORT

**44. STRONGER COMMUNITIES FUND, COMMUNITY GRANTS PROGRAM –
RECOMMENDATIONS FOR FUNDING**

370916 RESOLVED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The list of recommended projects, as attached to the report, be funded under the Stronger Communities Fund, Community Grants Program.
- iii. The applications recommended for funding/not recommended for funding be advised accordingly of Council's decision.

ADOPTION

380916 RESOLVED (Mr Shaw) that subject to the foregoing resolutions, the Manager Economic Development & Tourism Report be adopted.

QUESTIONS ON NOTICE

There were no questions on notice received for the meeting.

CORRESPONDENCE

PART A

Nil.

PART B

B1/09 LOCAL GOVERNMENT NSW WEEKLY

Information noted.

B2/09 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NEWS

Information noted.

B3/09 DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION

Information noted.

B4/09 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA)

Information noted.

B5/09 OFFICE OF LOCAL GOVERNMENT

Information noted.

B6/09 OFFICE OF LOCAL GOVERNMENT

Information noted.

390916 RESOLVED (Mr Shaw) that the correspondence is received and noted.

SUNDRY DELEGATES REPORTS

Administrator Shaw reported on his attendance at the following meetings and functions:

- Pre-Briefing Meeting with Local Representation Committee (LRC) prior to LRC Meeting – Tooleybuc 01/08/16
- 'Meet the Administrator' Session – Tooleybuc 01/08/16
- Tour of Tooleybuc with Local Resident 02/08/16
- Pre-Briefing Meeting with Council's Director Environmental Services prior to Council Meeting 02/08/16
- Ordinary Meeting of Council – Barham 02/08/16
- Meeting with Local Developer, in company with Interim General Manager – Barham 02/08/16
- Meeting with CluBarham Representatives, in company with Interim General Manager – Barham..... 02/08/16
- 'Meet the Administrator' Session – Barham 02/08/16
- Briefing Meeting with Council's Economic Development Officer re: Stronger Communities Fund, Community Grants Program 06/09/16
- 'Meet the Administrator' Session – Bunnaloo 06/09/16

- Meeting with C4EM Representatives, in company with Interim General Manager and Council's Director of Environmental Services – Moama 07/09/16
- Stronger Communities Fund, Community Grants Program Assessment Panel – Mathoura 07/09/16
- Pre-Briefing Meeting with Local Representation Committee (LRC) prior to LRC Meeting – Mathoura 07/09/16
- 'Meet the Administrator' Session – Mathoura..... 07/09/16
- Minister Toole Meeting with Administrators – Sydney..... 08/09/16
- New Council's Implementation Meeting for Administrators and General Managers – Sydney 08/09/16

400916 **RESOLVED (Mr Shaw)** that the report is received and reasonable out of pocket expenses met by Council.

BIRTHS & CONDOLENCES

There were no notices of births or deaths tendered to the meeting.

CONFIDENTIAL REPORTS

410916 **RESOLVED (Mr Shaw)** that as provided by Section 10A(2), Subsection (c) and (g) being, information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, and the public interest in protecting confidential information outweighs the public interest in ensuring accountability through open meetings, Council move into Committee of the Whole at 1:20pm.

DIRECTOR CORPORATE SERVICES
CONFIDENTIAL REPORT

47. INDUSTRIAL LAND

RECOMMENDED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council endorses the actions of the Interim General Manager in negotiating the sale of Lot 13, DP 1175457, Gove Drive, Moama.
- iii. The Common Seal of Council be affixed to all applicable legal documents that pertain to the sale of the industrial land.

48. INDUSTRIAL LAND

RECOMMENDED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Council endorses the actions of the Interim General Manager in negotiating the sale of Lot 4, DP 1131939, Bowlan Street, Moama.
- iii. The Common Seal of Council be affixed to all applicable legal documents that pertain to the sale of the industrial land.

**DIRECTOR ENVIRONMENTAL SERVICES
CONFIDENTIAL REPORT**

49. MURRAY SHIRE COUNCIL ATS HILLINGTON VALLEY PTY LTD AND ANOR

RECOMMENDED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. The Interim General Manager executes the Deed of Release in relation to the matter Murray Shire Council ats Hillington Valley Pty Ltd and Anor.

**EXECUTIVE DIRECTOR
BUSINESS SUPPORT & ORGANISATION MANAGEMENT
CONFIDENTIAL SUPPLEMENTARY REPORT**

**1. REQUEST FOR PROPOSAL –
PROVISION OF INFORMATION TECHNOLOGY SERVICES**

RECOMMENDED (Mr Shaw) that:

- i. The Officer's report is received and noted.
- ii. Subject to the establishment of a State Government Panel for Information Technology (IT) Managed Services, Council undertakes a targeted Request for Proposal (RFP) for the provision of IT Services, in accordance with the RFP documents, as attached to the report.

ADOPTION

420916 RESOLVED (Mr Shaw) that Council move into Open Council at 1:25pm.

The Acting Interim General Manager, on behalf of the Administrator, advised the decisions of the Confidential Committee in Open Council.

430916 RESOLVED (Mr Shaw) that the recommendations of the Confidential Committee be adopted.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 1.27PM.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 18 October 2016, commencing at 1:00pm, at the Moulamein Bowling Club, Endeavour Drive, Moulamein.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 20 SEPTEMBER 2016, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 18 OCTOBER 2016.



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ADMINISTRATOR