

**INTERIM GENERAL MANAGER'S REPORTS TO COUNCIL MEETING
TO BE HELD THURSDAY 23 JUNE 2016**

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ITEMS FOR DECISION

ITEM NO. 1 – COMMUNITY GRANTS
FILE: 13.13.08
FROM: INTERIM GENERAL MANAGER

The former Murrumbidgee Shire Council provided up to \$20,000 in total funding per annum to local community organisations through its Community Grants Program. This program was held twice a year, with applications closing for the second round on 31 May, 2016.

Advertisements were placed in May seeking applications from community organisations seeking financial assistance under the Community Grant Program. At the close of applications on May 31, six (6) applications had been received for a total requested amount of \$15,970. Following the allocation of \$13,550 in Round One of the 2015/2016 Community Grant Program, this allocation has \$6,450 available to provide to community organisations.

Following is a summary of applications received for community grants for Round Two 2015/16, for determination by Council. A copy of grant applications will be available at the meeting.

Table 1 – Round Two 2015/16

ROUND TWO (Closed 31/5/16)	Organisation	Amount Requested	Purpose
1	Heritage Darlington Point	\$2,000.00	Museum Guttering Repairs
2	Coleambally Pre-School Ass Inc	\$3,000.00	Installation of Watering System
3	Coleambally-Darlington Point Country Education Fund	\$3,000.00	Oral History Project
4	Coleambally Community Projects Committee	\$1,970.00	Community Event-Murder Mystery Night
5	Coleambally Chamber of Commerce & Industry	\$3,000.00	Taste Coleambally Food & Farm Festival
6	Riverina Classic Fishing Competition	\$3,000.00	Fingerlings
TOTAL		\$15,970.00	

The table (attachment 1) provides an overview of grants provided by Council in the past five years to community groups.

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The Community Grant Guidelines state that Council may offer a grant of less than the amount requested. It must now be determine which grants are to be approved and whether that is for the full amount requested or a lesser amount.

Council should also be aware that the First Round of the 2016/17 grants will be advertised in September, 2016 and there is an opportunity for applicants to re-apply at that time. The applications made on behalf of Heritage Darlington Point and Coleambally Pre-School Ass Inc may also be considered as part of the Stronger Communities Fund process.

RECOMMENDATION

That funding recipients under the 2015/16 Community Grants Program Round 2 be determined.

ITEM NO. 2 - DRAFT INTERIM EXECUTIVE STRUCTURE
FILE: 03.13.08
FROM: INTERIM GENERAL MANAGER

Following the proclamation creating the new Murrumbidgee Council, a draft interim executive structure for the new organisation has been considered as required by the implementation process (attachment # 2).

Discussion has occurred with all previous Manex and Executive team members, with finalisation of the draft structure. The draft, as presented, has been endorsed by the Administrator during its preparation.

There are a number of requirements which have been considered and have an influence on the final result:

- The Proclamation dated 12 May 2016 appointed Craig Moffitt as interim General Manager
- The proclamation appointed Phil Pinyon as Deputy General Manager
- The existing permanent staff are protected in their current position for a period of three years
- The current permanent staff cannot be forced to relocate to a new work location in the new Council
- The numbers of staff employed in each of the communities is to be retained indefinitely wherever practicable
- The transition of the organisation will be carried out by a Project Management Office (PMO)
- There is a strong commitment to "business as usual", supported through the Office of Local Government and the Department of Premier and Cabinet.

Mr. Pinyon advised of his resignation from the position of deputy General Manager, to take up the Chief Executive Officer position at Loddon Shire Council in Victoria. Mr. Pinyon's last day on duty is Friday 17th June 2016.

The draft Interim Executive Structure presented retains this position which will have the major responsibility of managing the Project Management Office and therefore carriage of the transition to the new Council. In addition the position will manage the administration and finance operations of Council in the Darlington Point office. A fixed term appointment has been made to the position of Deputy General Manager commencing 20 June 2016 for a period of 18 months, allowing the newly elected Council to remove this position and the PMO from the staff structure if needed after the elections in 2017. The appointee is Andrew Crackenthorp, well known in senior Local Government management in this region.

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The draft interim structure minimises the members of MANEX which will be attending the Council meeting. Given the terms of reference and the intended level of involvement of the Local Representation Committee (LRC), these members of MANEX will also be in attendance to support the deliberations of that Committee as it considers the Council business paper. This provides a senior level of support while limiting to the usual levels the number of senior staff in attendance.

It will be crucial in the interim period that sufficient permanent staff resources are provided to carrying on the business of council, while external additional resources are sourced to carry out the analysis required to guide the transition period. One existing staff member will be seconded to the PMO, executive officer Alison Balind. The expected \$5M implementation funds were received into Council's Community Bank account in Coleambally on Thursday 16th June 2016. The Strengthening Community Funds (\$10M) were received the same day.

Other staff members will attend MANEX, Council and LRC meetings on a needs basis; however these additional staff will not be regularly in attendance at the Council and LRC meetings.

The Council is required to review the Executive staff structure within six months of the election scheduled for September 2017.

RECOMMENDATION

That Council:

- (i) adopt the Interim Executive staff structure as presented for the period to December 2017.
- (ii) Confirm the appointment of Craig Moffitt as General Manager
- (iii) Confirm the appointment of Andrew Crackenthorp as Deputy General Manager.

ITEM NO. 3 - DRAFT 2016/2017 OPERATIONAL PLAN
FILE: 03.13.08 / 03.38 / 05.33
FROM: GENERAL MANAGER

In accordance with the Integrated Planning and Reporting (IP&R) Guidelines, Council has reviewed its Delivery Program 2013/14 - 2016/17 of the former Councils whilst preparing the Operational Plan and Budget for the 2016/17 financial year. With the merger between Murrumbidgee and Jerilderie Shire Councils on May 12, 2016 the Operational Plan 2016/17 and associated budget, revenue policy and fees and charges are based primarily on the direction provided in the Delivery Programs and Long Term Financial Plans of the former Councils.

These draft documents are provided under separate cover and presented for endorsement by Council to go on public exhibition. Following a 28 day public exhibition period which will include a community consultation process, the draft documents and any submissions received will be presented to Council for adoption.

The IPR Guidelines state that Council must have an annual Operational Plan (the Budget), adopted before the beginning of each financial year, outlining the activities to be undertaken that year, as part of the Delivery Program. As a result of the amalgamation of Murrumbidgee and Jerilderie Shire Councils, it was necessary to prepare a combined Operational Plan (Budget) to include Council's detailed annual budget, statement of revenue policy, estimated income and expenditure, ordinary rates and special rates, proposed fees and charges, Council's proposed pricing methodology and proposed borrowings. The new Council must have an Operational Plan in place by August 1, 2016.

The draft budget includes \$16.4m operational expenditure (including \$5m Implementation Funds) and \$11.8m capital projects, some of which are dependent on grant funding not yet received.

RECOMMENDATION

That Council endorse for exhibition the draft Operational Plan (budget) 2016/17 and Draft Rates, Fees and Charges for 2016/2017, authorise placing the document on public exhibition for 28 days, during which time a community consultation process will be conducted.

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ITEM NO: 4 - AUTHORISATION OF EXPENDITURE JULY 2016
FILE: 03.13.08 / 03.38 / 05.33
FROM: INTERIM GENERAL MANAGER

In order to satisfy clause 211 of the Regulations, the Local Government (Council Amalgamations) Proclamation 2016, enables authorisation of money necessary to meet expenditures for the period from 1 July 2016 until the date of adoption of the Operational Plan. The draft Murrumbidgee Council Operational Plan (2016 – 2017) is presented at item 3 of this agenda for display for a period of 28 days, with plans to adopt the document at the next scheduled Council meeting, 28 July 2016.

We estimate that an amount of \$1,374,000 is required to be voted in order to enable the continuity of services and projects for the 28 day period until adoption of the Operational Plan. This equates to 1/12th of the operational expenditure required for the 12 month period for 2016-17.

In addition, a further amount of \$200,000 for estimated capital projects (eg. plant changeovers) is required to be provided for within this period.

RECOMMENDATION

That operational expenses in the amount of \$1,374,000 and capital expenses of \$200,000 be voted for the period 1 July 2016 to 28 July 2016 in order to provide for the provision of ongoing services and projects until the adoption of the 2016-17 Operational Plan.

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ITEM NO: 5 - COMMON SEAL OF COUNCIL
FILE: 03.13.08
FROM: INTERIM GENERAL MANAGER

Councils are required to have a seal for the purposes of authenticating documents. A seal is like a signature of the Council, approving the content of the document and showing what the Council has done or agreed to do.

Councils must adopt a new seal by resolution. There are no strict requirements as to how the seal should look, however it should refer to the properly constituted name of the Council and include the Council's ABN.

The seal should comply with Clause 400 of the Local Government (General) Regulations 2005, as detailed:

400 Council Seal

- (1) The seal of a Council must be kept by the Mayor or the General Manager, as the Council determines.
- (2) The seal of a Council may be affixed to a document only in the presence of:
 - (a) the Mayor and the General Manager, or
 - (b) at least one Councillor (other than the Mayor) and the General Manager, or
 - (c) the Mayor and at least one other Councillor, or
 - (d) at least 2 Councillors other than the Mayor.
- (2) The affixing of a Council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
- (3) The seal of a Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed.
- (4) For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the Council does not relate to the business of the Council.

The pricing for seals has been investigated and they are inexpensive, starting at \$42.00 for 40mm and \$64.00 for 55mm self inking styles. It is also possible to purchase an embosser style seal, from \$111.00. The seal can be generic or created to Council's design.

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Version 1



Version 2



RECOMMENDATION

That a common seal - version 1 - be purchased for use by Council in accordance with Clause 400 of the Local Government (General) Regulations 2005.

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ITEM NO: 6 - DOCUMENTS UNDER COMMON SEAL OF COUNCIL
FILE: 03.13.08
FROM: INTERIM GENERAL MANAGER

Under section 400 of the Local Government Regulation 2005 Council can only affix the Council seal to documents once a formal resolution of Council to affix the seal has been made.

The former Jerilderie Shire Council has a number of documents that were resolved to be entered into, however the resolutions do not include the required provision to affix the Council seal.

These documents include:

- Subdivision certificate for Stage 2 of the Wunnamurra Estate
- 88b Instrument for Stage 2 Wunnamurra Estate;
- Subdivision-Any contracts of sale for Stage 2 of the Wunnamurra Estate;
- Lease of the Jerilderie Sports Centre, 123 Jerilderie Street, Jerilderie to RC Lock, HQ Gym;
- Lease of The Willows, 11 Powell Street, Jerilderie to Four Creeks Festival Committee;
- Lease of Lot 2, DP 858670, South Coree Road to Energy infrastructure and Resources Pty Ltd;
- Transfer of Legacy Units to Jerilderie Legacy Management Committee-Lot 205 and Lot 206, DP 240764, 25 Southey Street Jerilderie

RECOMMENDATION

That the Council Seal be affixed to documents, where required, for the following arrangements:

- Subdivision certificate for Stage 2 of the Wunnamurra Estate
- 88b Instrument for Stage 2 Wunnamurra Estate;
- Subdivision-Any contracts of sale for Stage 2 of the Wunnamurra Estate;
- Lease of the Jerilderie Sports Centre, 123 Jerilderie Street, Jerilderie to RC Lock, HQ Gym;
- Lease of The Willows, 11 Powell Street, Jerilderie to Four Creeks Festival Committee;
- Lease of Lot 2, DP 858670, South Coree Road to Energy infrastructure and Resources Pty Ltd;
- Transfer of Legacy Units to Jerilderie Legacy Management Committee-Lot 205 and Lot 206, DP 240764, 25 Southey Street Jerilderie

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ITEM NO 7- APPOINTMENT OF AUDITOR
FILE NO : 05.08.02
FROM : INTERIM GENERAL MANAGER

The auditor for the new Council will be determined by the Council and must be a person who provided auditing services to one or more of the former Councils. Any contracts, agreements or other arrangements made by former Councils with any other person to provide auditing services is terminated under the proclamation. The termination of any contracts for auditing services under the proclamation is not regarded as a breach of contract.

The auditors for each of the former Councils have been requested to provide a proposal to Council detailing provision of these services to Council for the completion of their term. In each case they have been asked to consider subcontracting to the unsuccessful candidate, the work required to finalise the 2015/2016 audit already commenced by that candidate.

The proposals are to be received after closure of the business paper for printing; a report will be presented separately to this Council meeting, recommending appointment of one of the two candidates.

RECOMMENDATION

That Council receive a late report on appointment of Auditor.

ITEM NO. 8 - PLAN OF MANAGEMENT – TIDDALIK WETLANDS AND BIRD SANCTUARY

FILE: 03.16

FROM: INTERIM GENERAL MANAGER

Council resolved at the March, 2016 meeting that the draft Plan of Management for the Tiddalik Wetlands and Bird Sanctuary (attachment # 3) be placed on public exhibition for a period of twenty-eight days. Advertisements were placed in local newspapers, with submissions closing 5.00pm on 6 May, 2016.

Two submissions were received and are attached to this report (attachment 4) The following information is offered in response to the issues raised by the submitters:-

- The wetlands and surrounding area have not been adequately maintained for a number of years and lacked the necessary maintenance to allow the area to realise its full potential. A number of community members have been endeavouring to have the Committee of Management reinstated to provide a means for the necessary maintenance to be undertaken on a voluntary basis.
- The soil taken from the pit, that is now the wetlands, was used to fill low areas in the new subdivision. The reasoning behind the decision to use such soil was to create a retention basin for stormwater drainage from the south western part of the town.
- The ecosystem of the wetlands system is designed to control mosquito breeding, and anecdotal evidence is that residents of the area do not have any more issues with this pest than the rest of the town.
- The suggestion that "The purpose of the Wetland and Sanctuary is to attract and provide habitat for local wildlife" could be incorporated in documents to further clarify the thinking behind the project.

RECOMMENDATION

That the draft Plan of Management for the Tiddalik Wetlands and Bird Sanctuary be adopted, with the inclusion of reference to the purpose of the area being to attract and provide habitat for local wildlife.

ITEM NO. 9 - LOCAL TRAFFIC COMMITTEES
FILE: 06.16
FROM: DIRECTOR OF TECHNICAL SERVICES

The Local Traffic Committee (LTC) is to be made up of four formal members, as follows:

- One representative of Council
- One representative of NSW Police
- One representative of the RMS
- The Local State Member of Parliament (MP) or their nominee

Council's representative may be any Councillor or Council Officer. That Council representative may be a sub-delegate if Council has formally approved this.

Where a Council LGA is represented by more than one MP or covered by more than one NSW Police Local Area Command Centre (LAC), MP's or NSW Police Officers representing the relevant electorate or LAC are entitled to be members of the Local Traffic Committee and are only permitted to vote on matters which affect their electorate or LAC.

Council (in consultation with the formal members of the LTC) may also decide to have additional information (non-voting advisors to the LTC who can provide input into the process).

Advisors may include representatives such as Road Safety Officers, Ministry of Transport representatives, Fire Brigade, Ambulance Service, bus operators, Transport Workers Union or Chamber of Commerce.

Generally, information advisors are not required to attend every LTC meeting, attendance is only required when items appear on the Agenda which reflect their area of expertise or responsibility.

Local Traffic Committee meetings are conducted by Council. Council is to advise the frequency of meetings and the format of meetings (within guidelines).

Meeting Format

- The most common format for LTC meetings is a monthly face to face meeting held in Council offices;
- Convened by a Council representative. The convenor may be Council's voting member.

While there is no need for a specific quorum to allow an LTC meeting to proceed, it must be remembered that any advice can only be returned to the Elected Council by the LTC if the views of the RMS and the NSW Police have been obtained.

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Acceptable alternative meeting format:

- Electronic meetings – advice of the members if sought via facsimile or email.
- Combination of electronic (for minor issues) and face to face meetings, allows minor issues to be addressed between meetings.

Should Council wish to adopt these alternate formats then they should seek the advice of the RMS before making the final decision.

It is strongly recommended that any format where the LTC and the normal Council meeting are held concurrently is to be avoided.

The LTC is principally a technical review committee and due consideration and debate is required when considering a proposal.

All Local Traffic Committee meetings require an agenda. The agenda should be prepared by Council and circulated to members, recommended at least one week before meetings.

Voting

While an organisation, which is a voting member, may choose to send more than one representative, the organisation is still limited to one vote only.

Where the LTC is chaired by a convenor who is a member of the elected Council and the LTC also have a Council staff member on the Committee, the Council as an organisation is still only entitled to one vote. There is no casting vote available to the convenor in the case of a tied vote.

Where a Council LGA is represented by more than one State MP, only the MP representing the state electorate containing the proposal is permitted to vote. However, if the proposal is actually contained in more than one state electorate then each State MP for those electorates may vote.

The same voting rights apply to the NSW Police LAC if the proposal is actually contained in more than one LAC.

RECOMMENDATION

That Council delegate authority to specific representatives for its representation on the Traffic Committee.

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ITEM NO. 10 - COUNCIL COMMITTEE MEMBERSHIP
FILE: 03.11
FROM: INTERIM GENERAL MANAGER

At the Extraordinary Meeting of Council held on 25 May 2016, it was resolved that membership of Council Committees be referred to the Local Representation Committee for their determination.

Prior to May 12, 2016, the Councils of Murrumbidgee and Jerilderie Shires included a number of Operational Committees and Committees delegated under Section 355 of the Local Government Act. The membership of these Committees consisted of elected representatives and community members and the Committees' purpose was set out in Terms of Reference relating to the particular area of responsibility.

With the establishment of a new Local Government Area, there is a need to determine the makeup of the existing Committees. The Committee delegations outlined below are an amalgam of the former Committees of each of the previous Councils which require updated delegations.

Standing and Special Committees of Council		
Committee Name	Local Representation Committee	Community Representatives
Darlington Point Caravan Park Committee	Administrator, Deputy General Manager	
Darlington Point Levee Committee	Mr Curphey, Mr Gilbert, Mr Wells Deputy General Manager, Interim Director of Community Infrastructure and Sustainability	One Community representative DECC Representatives
Traffic Committee	Mr Curphey, Mr Black, Mr Wells, Mrs Smith, Interim Director of Community Infrastructure and Sustainability, Director of Technical Services, Road Safety Officer	
Local Emergency Management Committee	Mr Black, (alternate) Mrs McRae	

Section 355 Committees of Council		
Committee Name	Local Representation Committee	Community Representatives
Coleambally Australia Day Committee	Mrs Chirgwin, Director Corporate Performance and Community	Three/four community representatives
Coleambally Townlife Committee	Mrs Chirgwin, Mr Evans, Director Corporate Performance and Community	Five community representatives
Darlington Point Townlife Committee	Mr Gilbert, Mr Wells, Director Corporate Performance and Community	Three/four community representatives
Heritage Darlington Point	Mr Curphey, Manager Health Building and Planning	Three/four community representatives

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Tiddalik Wetlands Committee	Mr Curphey, Director Corporate Performance and Community	Two/three community representatives
Alf Hanna Legacy Units	Mrs Bryce	
Balmeringa Management Committee	Mrs Bryce, Mrs Smith	
Central Coree Sports Complex Management Committee	Mrs McRae	
Yamma Recreation Reserve Management Committee	Mr Hogan	
Jerilderie Tidy Towns Committee	Mrs Bryce and Mrs McRae	

Advisory Committee

Monash Park Users	Mrs Smith and Mr Henery
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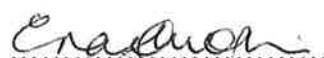
External Committees with Council representation

Committee Name	Local Representation Committee
Coleambally Irrigation Co-operative Ltd	Mr Wells and Interim General Manager
Kidman Way Promotional Committee	Mrs Chirgwin, Mrs McRae, Executive Officer
MIA Zone Bushfire Management Committee	Mr Black, Mr Hogan, (alternate) Mrs Smith & Manager Health, Building & Planning
MIA Zone Rural Fire Service Liaison Committee	Mr Wells and Deputy General Manager
Murray Darling Association	Mr Hogan, (alternate) Mr Evans and Interim General Manager
Western Riverina Libraries Committee	Mr Evans, Mrs Smith, Director Corporate Performance and Community, Finance Manager
Western Riverina Arts	Mrs Chirgwin and Mrs Bryce, Executive Officer
Riverina Regional Tourism Inc.	Mrs McRae, Interim General Manager, Executive Officer
Roads and Maritime Services Consultative Committee	Mr Evans and Director Technical Services

RECOMMENDATION

That membership and representatives for the above Committees be determined.

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**ITEM NO: 11 - ROAD CULVERT TRANSFERS FROM MURRAY
IRRIGATION LIMITED TO CUSTOMERS
FILE: 04.42.01
FROM: DIRECTOR OF TECHNICAL SERVICES**

Murray Irrigation Limited (MIL) is currently negotiating with some of its customers to transfer ownership of supply channels to the owners of the properties where the channels are situated. This applies to irrigation channels supplying to one property only and also channels that have property on both sides of the road.

Council has been advised recently of a proposal where MIL wishes to transfer ownership of the supply channel and also responsibility for a road crossing, therefore requested advice from Council as to whether such a transfer would be acceptable and if so under required conditions.

The current legal status of the structures is defined in the Councils Against Asset Transfers (CAAT) Agreement signed by the (then) Jerilderie Shire Council and Murray Irrigation Limited, 28 June 1995.

Effectively all structures across roads are owned by Council and leased to MIL, with MIL having the responsibility of operations and maintenance of the structures. Legally MIL cannot transfer the assets to other parties without the consent of Council.

Jerilderie Shire Council and Murrumbidgee Shire Council have, in the past, issued permits for private irrigation crossings across public roads, with conditions applied to the permits.

A Road Opening Permit with an Agreement for Water Pipeline within a Reserve is attached for Council's information and will need to be amended in due course (attachment 5). (Note: in this document water pipeline covers both stock and domestic pipelines and larger irrigation pipe structures).

The proposed transfer of the responsibility for the MIL structures is, in essence, not a lot different to a property owner seeking a Road Opening Permit to install a new irrigation crossing.

Transfer of MIL assets to private owners responsibility could increase Council's risk in regard to future maintenance and repairs carried out, and also a risk of recouping costs of repairs to/removal of the road network should the asset be abandoned.

The prospect of a number of such transfers could therefore increase Council's financial risk if adequate provisions are not made to ensure the property owners are held responsible in perpetuity.

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MIL has suggested the following proposal for dealing with these transfers, and it would appear to be a reasonable solution:

The transfer of obligations from MIL to the landholder should include the provision in the Council Against Asset Transfer (CAAT) Agreement. Clauses 5.11 and 5.12 relate to the indemnifying Council and keeping effective public liability insurance.

Clause 5.11

Murray Irrigation agrees to indemnify Council in respect of all claims for which Council might otherwise be liable for death, bodily injury or damage to property arising directly or indirectly within or outside the terms of this lease by reason of the existence of structure or water management works above, in or below public roads including the failure of such structures or water management works or the carrying on by or on behalf of Murray Irrigation of its business (including but not limited to use of the leased land, whether permitted or otherwise) or carry out or failure or omission by or on behalf of Murray Irrigation to carry out any of its obligations under this lease or failure to comply with any legislation, regulation, statutory instrument, direction order or conditions of a licence or consent, excepting only claims arising out of the negligence or deliberate act or omission of Council, its servants or agents.

Clause 5.12

Murray Irrigation must at its expense effect and keep at all times adequate public risk insurance cover to a sum not less than \$10,000,000 (or such greater sum as may be reasonable nominated by Council from time to time) in respect of death bodily injury or damage to property arising directly or indirectly within or outside the terms of this lease by reason of the existence of structure and water management works above in or below public roads including the failure of such structure or water management works or the carrying on by or on behalf of Murray Irrigation of its business (including but not limited to use of the leased land whether permitted or otherwise) or the carrying out of or failure or omission by or on behalf of Murray Irrigation to carry out any of its obligations under this lease or failure to comply with any legislation regulation statutory instrument direction order or conditions of a licence or consent excepting only claims arising out of negligence or deliberate act or omission of Council, its servants or agents.

RECOMMENDATION

That Council approve Murray Irrigation Limited (MIL) transferring its operation and maintenance responsibilities to the landholder (customer) for irrigation structures with the following characteristics:

1. The structure benefits one property owner.
2. The structure has a fence to fence configuration.
3. The structure is constructed using RCP RRJ Class 2 or HDPE PN8.
4. That structure has a minimum clear cover (to the top of the structure) of :
 - 800mm from the top of the centre of the road surface;
 - 400mm from the bottom of the table drain invert;
 - 600mm from the natural surface elsewhere in the road reserve;
 - The structure withstand SM1600 traffic loading.
5. Minimum length of the structure to be transferred:
 - A minimum of 8.0m road width to be assumed or existing if greater than 8.0m;
 - An additional safety space of 8.0m either side of the edge of the seal (ie if existing road with is 6.30m – minimum road width 8.0m plus 8.0m each side to give a total width of 24.0m)

To allow for structure transfer, the following steps be completed:

a) Amendments to Council / MIL Lease

Murray Irrigation Limited and the Council must enter into a Deed of Variation to vary Clause 5.16 of the Council's Lease agreement to allow for the transfer of MIL's Lease for the relevant asset to the Customer.

Existing Clause 5.16

"Murray Irrigation must not assign, transfer, demise, sublet, mortgage, part with possession of the leased land or any part of the leased land".

It is proposed that Clause 5.16 be amended to the following:

"Murray Irrigation may, by agreement with the Council, assign, transfer, sublet, mortgage, part with possession of the lease land or any part of the leased land, associated with a single delivery owner irrigation asset".

b) Transfer of Obligations to Landholder

Murray Irrigation the Landholder and the Council enter into a Deed of Transfer to formalise the transfer of Murray Irrigations rights and obligations for the relevant asset to the landholder. The Deed of Transfer will provide that the rights contained therein are from that point onwards attached to that landholding and must be transferred to any future successor of the landholding.

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- The obligations of the landholder are to be registered on title by means of a positive covenant in favour of the Council.
- c) Transfer of Obligations to Future Successors of the landholding
- The Deed of Transfer will require that:
- A covenant be registered on Title.
 - In addition, the following occur prior to any instrument for the transfer of land being executed and registered:
 - The landholder provide the successor a signed copy of the Deed of Transfer; and
 - A Deed of Accession be executed by all parties to the transfer (including the Council) which formally transfers those responsibilities from the landholder to successor.

The Council issue the Deed of Accession to the landholder when it receives an application for an information (conveyancing) certificate.

The Deed of Accession be conditional upon the Transfer of Land instrument being registered.

ITEM NO. 12 - GRAIN HARVEST MANAGEMENT SCHEME
FILE: 06.10.03
FROM: DIRECTOR OF TECHNICAL SERVICES

New South Wales Class 3 Grain Harvest Management Scheme Exemption Notice 2014 expires on 30 June 2016.

Roads and Maritime Services (RMS) have worked with Transport for NSW, the Grain Harvest Management Scheme Consultative Committee and the National Heavy Vehicle Regulator to amend and extend this notice.

The New South Wales Class 3 Grain Harvest Management Scheme Exemption Notice 2016 is a new notice and will contain the following changes:

1. The Expiry of the Notice will be extended for 5 years with an expiry date of 30 June 2021.
2. Schedule 1 has been removed and replaced with a link to the legally enforceable scheme network published on the RMS website.
3. Two (2) additional vehicle codes (2 configurations) have been included in the eligible vehicle list:
 - i) Code 4 – 5 axle semi trailer
 - ii) Code 49 – 3 axle truck with 4 axle dog trailer and 4 axle dog trailer

The addition of the above two vehicle codes was based on the stakeholder interest, concessional mass limits (CML) eligibility and calculated pavement wear at the additional scheme masses which found these vehicles to be within the criteria set.

Attached to this report is the amended information highlighted in yellow (attachment # 6).

The Grain Harvest Scheme covers a variety of grain grown throughout our Council area as listed on the attached Gazettal (attachment 6), the scheme applies to a heavy vehicle other than Performance Based Standards (PBS) vehicles.

If Council continues to participate in the scheme in accordance with the new notice, Council must advise Roads and Maritime Services, complete the National Heavy Vehicle Regulator (NHVR) Road Access Consent form and send directly to Grain Harvest Scheme.

Councils may restrict the time the scheme concessional limits apply in their area and may also request road or travel conditions as defined under the NHVL (National Heavy Vehicle Law).

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Council has and can continue to impose conditions on some roads with permits, such as no travel in school bus hours for some road train and b-double routes.

These conditions will still apply on the existing gazette routes, any further conditions would be very hard to enforce.

RECOMMENDATION

That Council participate in the NSW Grain Harvest Management Scheme for the period 1 July 2016 to 30 June 2021.

ITEM NO. 13 - DRAFT RIVERINA MURRAY REGIONAL PLAN
FILE: 04.25
FROM: MANAGER OF DEVELOPMENT

The Draft Riverina Murray Regional Plan is on exhibition until 21 July 2016. It is proposed that the plan will provide the strategic direction for the region for the next twenty years. The implementation of the plan will be undertaken by a Coordination and Monitoring Committee that will be made up of state and regional representatives, who will also be responsible for reviewing the plan. A full make up of the committee can be found on page 13 of the plan. The main input into the committee from Council level will be via the Joint Organisation of Councils or Regional Organisation of Councils.

The draft plan has four main goals, with directions and actions under each goal. The body of this report will make up the submission to the Department of Planning and Environment regarding the Draft Riverina Murray Regional Plan.

The Department acknowledges that the plan is a work in progress.

Goal 1 – Growing economy supported by productive agriculture and sustainable use of natural resources

Direction 1.1 Grow the economic potential of the agribusiness sector

Action 1.1.1 Provide enabling planning controls to facilitate diversification and attract investment in the agribusiness sector

Action 1.1.2 Encourage value-add manufacturing opportunities across the region to increase regional economic diversification

Direction 1.2 Manage productive agricultural lands in a sustainable way

Action 1.2.1 Identify and protect regionally important productive agricultural lands

Action 1.2.2 Establish a strategic planning framework that protects the productive values of agricultural land and manages land use conflict

Action 1.2.3 Encourage the increased use of bio-security measures to protect the region's agricultural assets

Direction 1.3 Manage and use the region's natural resources sustainably

Action 1.3.1 Support the sustainable use and conservation of water sources.

Action 1.3.2 Protect areas of mineral and energy, extractive and renewable energy potential

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Action 1.3.3 Avoid urban expansion and rural residential development on productive agricultural land identified mineral and energy resources

Action 1.3.4 Implement the NSW Renewable Energy Action Plan to increase renewable energy generation

Action 1.3.5 Support the protection of native plantation forests from encroachment.

Comment: The key actions for Murrumbidgee Council have been highlighted under Goal 1. Page 19 states:

The NSW Government will:

- *Work with Councils to identify potential local planning impediments to agribusiness industry diversification;*
- *Require Councils to undertake local strategic planning to protect the agricultural supply chain; and*
- *Work with key stakeholders across a number of sectors to identify opportunities and barriers to supply chain infrastructure investment to facilitate the growth of agribusiness.*

Murrumbidgee Council has a proactive approach to new development in the Council area, and developed their Standard LEPs to allow for the maximum flexibility available under the current planning system. Since the implementation of the LEPs in 2012 and 2013 there has been adequate flexibility to allow developments in the former Shires of Jerilderie and Murrumbidgee to occur. However the key areas to promote diversification of agribusinesses into the future will be the access to secure water supplies and the provision of adequate infrastructure to service new developments i.e. road network that can accommodate road-trains and B-doubles, power infrastructure, telecommunications infrastructure and transport access and accommodation for seasonal workers. These actions and issues will require a whole of State Government approach, along with input and co-operation with a number of Federal Agencies, i.e. the Murray Darling Basin Authority and the Federal Transport Authorities.

Murrumbidgee Council would like to see a stronger emphasis in the Plan regarding water and infrastructure in all goals, directions and actions.

Goal 2 – Improved regional transport networks and utility infrastructure to support economic activity

Direction 2.1 Enhance the region's freight networks through coordinated investment

Action 2.1.1 Identify and prioritise pinch points in the freight network.

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..... Interim General ManagerAdministrator

Action 2.1.2 Identify and protect intermodal freight terminals to facilitate growth in the freight and logistics sector.

Action 2.1.3 Identify and prioritise opportunities to improve regionally significant local road connections.

Action 2.1.4 Work with the Australian Government on the proposed Melbourne-Brisbane Inland Rail Corridor.

Direction 2.2 Improve inter-regional transport services

Action 2.2.1 Implement local planning controls that protect regional airports from the encroachment of incompatible land uses.

Action 2.2.2 Identify and protect future rail corridors.

Direction 2.3 Coordinate infrastructure delivery to facilitate economic opportunities.

Action 2.3.1 Coordinate the delivery of infrastructure to support the future needs of residents, business and industry.

Action 2.3.2 Establish monitoring mechanisms to enable better demand forecasting to inform infrastructure coordination.

Comment: Again, the relevant actions for Murrumbidgee Council have been highlighted. The biggest issue facing a number of Councils in NSW is the cost of maintaining their road networks in the face of pressure to open the road networks up to larger and larger vehicles, permanently and seasonally. For irrigation companies, the major cost is maintaining the supply networks and the amount of water that is available on the market (seasonal allocations). For the energy companies it is the ability to maintain the network and upgrade the network to supply new developments especially in rural locations, i.e. the Carrathool Cotton Gin.

Murrumbidgee Council would like the Plan to include 3 additional directions:

1. A review of the provision of water infrastructure and upgrade of existing infrastructure to improve water resource delivery
2. Identification of 'black spots' for power and telecommunications infrastructure in the region, which in turn will determine the best location for alternative energy supplies, i.e. solar farms.
3. Identify local roads that require upgrading to allow producers to get their product to key regional terminals or processing plants.

Goal 3 – Strong regional cities supported by a network of liveable towns and villages that meet the community's changing needs

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Direction 3.1 Grow the regional cities of Albury, Wagga Wagga and Griffith.

Action 3.1.1 Develop a regional cities strategy for Albury, Wagga Wagga and Griffith.

Action 3.1.2 Implement an industrial land monitoring program to maintain a supply of well-located and serviced industrial land.

Action 3.1.3 Develop and deliver strategies that strengthen the commercial function of CBDs and town centres.

Direction 3.2 Enhance the liveability and economic prosperity of the region's towns and villages.

Action 3.2.1 Deliver improved tools and partnerships to build community capacity in towns and villages to strengthen community resilience.

Action 3.2.2 Support the continued identification and protection of the region's heritage.

Action 3.2.3 Deliver enabling planning controls to diversify regional tourism markets and increase tourism opportunities.

Action 3.2.4 Deliver regionally specific urban design guidelines

Action 3.2.5 Identify opportunities to provide improved and increased transport connections between the region's towns and villages to the regional cities.

Direction 3.3 Enhance the economic self-determination of Aboriginal communities

Action 3.3.1 Conduct a strategic assessment of land held by the region's Local Aboriginal Land Councils to identify priority sites for further investigation of their economic opportunities.

Direction 3.4 Provide a continuous supply of appropriate housing to suit the different lifestyles and needs of the region's population.

Action 3.4.1 Deliver enabling planning controls that facilitate an increased range of housing options, including infill housing close to existing jobs and services.

Action 3.4.2 Facilitate a more diverse range of housing for seniors.

Action 3.4.3 Develop a framework to facilitate a range of accommodation options for seasonal and itinerant workers.

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Action 3.4.5 Facilitate the delivery of more affordable housing options through improved planning policies.

Direction 3.5 Enhance connections and planning between cross-border communities to improve service quality and infrastructure delivery.

Action 3.5.1 Investigate opportunities to improve cross-border planning outcomes, including infrastructure and service delivery.

Action 3.5.2 Develop a cross-border land monitoring program.

Comment: Again the relevant actions to Murrumbidgee Council have been highlighted. Goal three and its directions and actions, at first read comes across as being very Murray River and larger town centric. Murrumbidgee Council understands that the three centres are key to the future development and provision of large scale services in the region and that the Murray River focus is due in large part to the controls in the former Regional Environmental Plan No.2 – River Murray, however the Council would like to see the role of the rural communities strengthened in the document to ensure that services are maintained and improved not only in the regional centres but in the towns and villages as well, i.e. banking services are maintained, Doctors and multipurpose medical facilities are maintained.

Goal 4 – A protected environment and a community resilient to natural hazards and climate change.

Direction 4.1 Protect the naturally significant Murray River.

Action 4.1.1 Actively manage settlement and competing land uses along the Murray River.

Direction 4.2 Protect the region's environmental assets and biodiversity values

Action 4.2.1 Facilitate improved access to quality information relating to high environmental values, to avoid, minimize and mitigate the impacts of development on significant environmental assets.

Action 4.2.2 Maintain healthy waterways and wetlands, including downstream environments.

Direction 4.3 Increase the region's resilience to natural hazards

Action 4.3.1 Review and map natural hazards to inform land use planning decisions.

Action 4.3.2 Support communities to build resilience to the impacts of natural hazards and climate change.

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Action 4.3.3 Minimise the potential impacts of naturally occurring asbestos on communities.

Comment: Again the actions that will most affect Murrumbidgee Council have been highlighted. As with goal 3, goal 4 names the Murray River and no other waterways in the region. While this is known to be due to the planning controls on the Murray River, the Murrumbidgee Council would like to see Direction 4.1 and Action 4.1.1 changed to include the Murrumbidgee River and all tributaries of the Murray and Murrumbidgee River Systems.

General Comments:

The Regional Plan is a good starting point for the region. Murrumbidgee Council congratulates the Department of Planning and Environment on getting the document to exhibition.

As a newly merged Council, Murrumbidgee would be happy to work with the Department on some pilot programs to see how the actions in the plan can be turned into deliverable outcomes on the ground. Areas of interest to the Council include:

Action 1.2.1 Identify and protect regionally important productive agricultural lands

Action 1.3.1 Support the sustainable use and conservation of water sources

Action 1.3.4 Implement the NSW Renewable Energy Action Plan to increase renewable energy generation

Action 2.1.3 Identify and prioritise opportunities to improve regionally significant local road connections

Action 3.1.3 Develop and deliver strategies that strengthen the commercial function of CBDs and town centres

Action 3.2.3 Deliver enabling planning controls to diversify regional tourism markets and increase tourism opportunities

Action 4.3.1 Review and map natural hazards to inform land use planning decisions

RECOMMENDATION

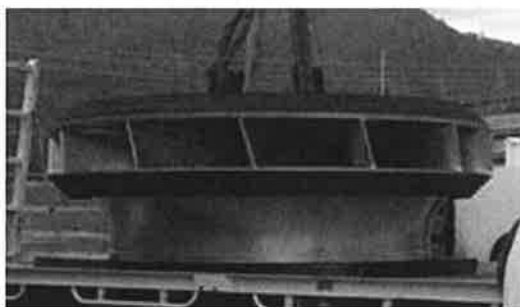
That this Report be adopted and submitted as Murrumbidgee Council's submission regarding the Draft Riverina Murray Regional Plan.

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ITEM NO. 14 – COLEAMBALLY LIONS CLUB – TURBINE RUNNER
FILE: ICR1664435
FROM: ACTING DIRECTOR COMMUNITY INFRASTRUCTURE AND SUSTAINABILITY

Council has received a request from the Coleambally Lions Club in relation to placing a disused Turbine Runner out of the T1 Power Station in the Lions Park, at the entrance to Coleambally township.



The Lions Club would mount the Turbine on a concrete mount, and Snowy Hydro has offered to donate a plaque outlining the history and details of the Turbine Runner. There would be no installation cost to Murrumbidgee Council.

The T1 Power Station is significant to the area, as all of the water entering the Coleambally Irrigation Area passes through this Power Station.

The unit will be mounted lying down. It weighs 12 tonnes, and has a bottom flange 2 metres in diameter that the unit will rest on. It will be approximately 1 metre in height when mounted.

There will be very little ongoing maintenance required for the Turbine. It has shown very little deterioration, even though it has been stored outside for the last twelve months.

The Lions Club believe it would add to the attractions of the Lions Park, and possibly encourage more visitors to stop.

RECOMMENDATION

That Council accept the Coleambally Lions Club offer to mount the Turbine in the Coleambally Lions Park at a location to be agreed on site by the interim General Manager or his representative.

ITEMS FOR INFORMATION

ITEM NO. 15 - REGIONAL JOINT ORGANISATIONS
FILE: 03.13.06
FROM: INTERIM GENERAL MANAGER

Minister for Local Government, the Hon Paul Toole MP, has announced the next steps towards the establishment of legislated Joint Organisations (JO) (attachment # 7).

For your information the "Joint Organisations Background Paper" is provided (attachment # 8). The 49 page background paper contains detailed information and poses key questions about JO model proposals.

Feedback and submissions are invited, closing 5:00pm Friday 15th July 2016.

Correspondence from RAMROC Chief Executive Ray Stubbs advises from a RAMROC regional perspective, this short timeline is difficult, because the next RAMROC Board meeting is not scheduled to be held until Wednesday 3rd August 2016 (the General Managers Group meeting is scheduled for Friday 15th July, which would generally discuss the matter and provide a report to the RAMROC Board meeting).

It is also noted in the Background Paper (Process to Build Joint Organisations) that Expressions of Interest for Early Starter JOs will be invited in conjunction with the JO model consultation phase. Again, this is a matter that will require consideration by the RAMROC Board, in line with previous intentions to lodge an EOI for an Early Starter Joint Organisation

It is the intent of RAMROC to discuss these issues with the Department of Premier and Cabinet, to canvass the possibility of a short extension of time, to enable a comprehensive RAMROC Board response.

Further information will be provided to Councils by RAMROC Chief Executive Ray Stubbs following response from the Department of Premier and Cabinet.

RECOMMENDATION

That the information on Joint Organisation legislation be received.

ITEM NO. 16 - STATEMENT OF BANK BALANCES & SCHEDULE OF INVESTMENT
FILE: 05.13
FROM: INTERIM GENERAL MANAGER

<u>STATEMENT OF BANK BALANCES</u>	2015-16	2014-15
NORTH		
Cash Book 30 APRIL 2016	236,435.98	217,400.24
ADD - Receipts - 31 MAY 2016	1,531,787.70	1,691,813.93
ADD - Receipts - Bendigo Bank	0.00	0.00
ADD - Cancelled	0.00	0.00
ADD - Adjustments	0.00	0.00
LESS - Cheques - MAY	0.00	0.00
LESS - Autopay	-812,736.39	-1,476,900.69
LESS - Payroll	-144,345.84	-145,988.93
LESS - Bank Charges	-594.76	-416.69
LESS - Visa Card Pymt	-1,747.92	-3,138.14
LESS - Caltex Fuel Card	-390.34	-481.73
LESS - Photocopy Rental	-438.90	-438.90
CASH AT BANK 31 MAY 2016	807,969.53	281,849.09
 Bank Statement 31 MAY 2016	 717,062.40	 216,474.17
Bank Statement - Bendigo Bank	108,672.80	145,818.18
PLUS Outstanding Deposits	16,547.84	9,145.48
LESS Unpresented Cheques	-34,313.51	-938.51
LESS Outstanding Autopay	0.00	-88,650.23
LESS Reverse Autopay	0.00	0.00
CASH AT BANK 31 MAY 2016	807,969.53	281,849.09
Add Investments	9,248,035.75	10,404,534.20
Total Cash and Investments	10,056,005.28	10,686,383.29
 Represented by:-		
Trust Account	171,741.37	151,001.78
Water Fund	1,388,261.84	1,165,747.96
Sewer Fund	1,734,893.21	1,627,294.69
Domestic Waste Management	80,000.00	20,000.00
Unexpended Grant Funds	97,925.31	129,829.24
Plant Reserve	629,379.01	541,996.87
Employee Leave Entitlement Reserve	400,000.00	350,000.00
Infrastructure Reserve	3,074,176.20	4,556,056.50
Residential Housing Reserve	120,000.00	120,000.00
General Fund	2,359,628.34	2,024,456.25

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SCHEDULE OF INVESTMENTS**NORTH**

Institution	Amount	Rate	Matures	NO.
SUNCORP	1,025,586.15	2.95	07/06/16	44/16
St George	500,000.00	3.00	07/06/16	43/16
SUNCORP	1,284,549.50	2.85	14/06/16	45/16
NAB	805,819.18	2.95	22/06/16	46/16
ANZ	52,658.89	2.15	29/06/16	47/16
Bendigo	221,919.74	2.45	30/06/16	48/16
IMB Ltd	510,947.84	2.80	05/07/16	49/16
ANZ	385,714.93	2.50	12/07/16	51/16
IMB Ltd	505,720.94	2.85	19/07/16	50/16
ANZ	511,180.87	2.35	26/07/16	52/16
NAB	537,916.42	2.70	02/08/16	55/16
ANZ	974,339.50	2.60	16/08/16	56/16
Bendigo	704,987.97	2.45	18/08/16	53/16
Bendigo	1,226,693.82	2.45	22/08/16	54/16
<u>Total Investments</u>	<u>9,248,035.75</u>			

Average Interest Rates	2013/14	3.52%
	2014/15	3.12%
	2015/16	2.74%

PERCENTAGE OF FUNDS HELD

SUNCORP	2,310,135.65	24.98%
St George	500,000.00	5.41%
NAB	1,343,735.60	14.53%
ANZ	1,923,894.19	20.80%
Bendigo	2,153,601.53	23.29%
IMB Ltd	1,016,668.78	10.99%

9,248,035.75

- I hereby certify that:
- 1) the cash book was reconciled with the bank balance as shown by the bank statements as at 31 May 2016
 - 2) the investments have been invested in accordance with the Local Government Act, Regulations and Council's policies.

RECOMMENDATION

That the Statements of Bank Balances and Schedules of Investments as at 31 May 2016 be noted and received.

Sue Mitchell


RESPONSIBLE ACCOUNTING OFFICER

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<u>STATEMENT OF BANK BALANCES</u>	2015-16	2014-15
SOUTH		
Cash Book 30 APRIL 2016	184,736.29	333,183.07
ADD - Receipts - 31 MAY 2016	1,412,360.45	1,309,087.11
ADD - Receipts - Bendigo Bank	805.05	896.45
ADD - Cancelled	0.00	0.00
ADD - Adjustments	0.00	0.00
LESS - Cheques - MAY	-12,526.06	-7,240.57
LESS - Autopay	-598,378.38	-797,847.27
LESS - Bank Charges	-3,905.74	-6,769.89
LESS - Loans	-10,753.99	-10,753.99
LESS - Investments	0.00	0.00
CASH AT BANK 31 MAY 2016	972,337.62	820,554.91
 Bank Statement 31 MAY 2016	 929,631.32	 790,389.25
Bank Statement - Bendigo Bank	43,188.30	32,396.77
PLUS Outstanding Deposits	0.00	0.00
LESS Unpresented Cheques	-482.00	-2,231.11
LESS Outstanding Autopay	0.00	0.00
LESS Reverse Autopay	0.00	0.00
CASH AT BANK 31 MAY 2016	972,337.62	820,554.91
Add Investments	5,530,494.78	5,768,423.46
Total Cash and Investments	6,502,832.40	6,588,978.37
 Represented by:-		
Trust Account	11,659.09	2,709.09
Water Fund	292,278.02	954,099.80
Sewer Fund	1,925,938.24	1,923,690.69
Domestic Waste Management	99,717.00	83,966.00
Unexpended Grant Funds	479,501.70	53,704.18
Plant Reserve	31,000.00	790,352.00
Employee Leave Entitlement Reserve	760,000.00	700,000.00
Infrastructure Reserve	295,447.00	353,094.00
Residential Housing Reserve	0.00	0.00
General Fund	2,607,291.35	1,727,362.61

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 Interim General ManagerAdministrator

SCHEDULE OF INVESTMENTS**SOUTH**

Institution	Amount	Rate	Matures	NO.
IMB Ltd	519,707.94	2.60	09/08/16	20
IMB Ltd	302,071.23	2.80	21/06/16	24
Bendigo	408,213.74	2.65	11/07/16	28
ANZ	522,861.54	2.95	14/06/16	29
ANZ	440,224.03	2.75	12/09/16	30
Bendigo	315,034.25	2.45	07/06/16	31
Bendigo	452,276.53	2.45	27/08/16	34
ANZ	300,000.00	2.90	02/08/16	36
ANZ	503,677.39	2.40	29/08/16	39
ANZ	668,617.96	2.75	19/09/16	41
Bendigo	572,187.12	2.45	03/07/16	43
IMB Ltd	525,623.05	2.85	05/07/16	44

Total Investments **5,530,494.78**

Average Interest Rates	2013/14	3.42%
	2014/15	2.85%
	2015/16	2.65%

PERCENTAGE OF FUNDS HELD

ANZ	2,435,380.92	44.04%
BENDIGO	1,747,711.64	31.60%
IMB LTD	1,347,402.22	24.36%

5,530,494.78

- I hereby certify that:
- 1) the cash book was reconciled with the bank balance as shown by the bank statements as at 31 May 2016
 - 2) the investments have been invested in accordance with the Local Government Act, Regulations and Council's policies.

RECOMMENDATION

That the Statements of Bank Balances and Schedules of Investments as at 31 May 2016 be noted and received.



Vicki Sutton

RESPONSIBLE ACCOUNTING OFFICER

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