

**REPORTS TO MURRUMBIDGEE COUNCIL MEETING
TO BE HELD THURSDAY 23 DECEMBER 2021**

INDEX

RECORDING & WEBCASTING OF MEETING.....	2
OFFICERS' REPORTS FOR CONSIDERATION.....	3
ITEM NO. 1 – OATH OR AFFIRMATION FOR COUNCILLORS	3
ITEM NO. 2 - ELECTION OF MAYOR & DEPUTY MAYOR	5
ITEM NO. 3 - DELEGATIONS FROM COUNCIL TO THE GENERAL MANAGER AND MAYOR.....	8
ITEM NO. 4 – APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES.....	13
ITEM NO. 5 - COUNCIL MEETINGS 2022	17
ITEM NO. 6 – COUNCILLOR INDUCTION PROGRAM	19
ITEM NO. 7 – CASUAL VACANCY IN THE OFFICE OF A COUNCILLOR	21
ITEM NO. 8 - REQUEST TO SUSPEND ALCOHOL FREE ZONE FOR 2022 AUSTRALIA DAY CELEBRATIONS.....	24
ITEM NO: 9 - COUNCILLOR TERM	26
ITEM NO. 10 - PUBLIC GATES AND GRIDS ON COUNCIL ROADS POLICY	30
ITEM NO. 11 – TENDER 2021-4 - PURCHASE OF BACKHOE 4WD	34
ITEM NO. 12 – TENDER – SPLASH PARK DARLINGTON POINT DESIGN AND CONSTRUCT	36
OFFICERS' REPORTS FOR NOTING	39
ITEM NO. 13 - MONTHLY CASH & INVESTMENT REPORT – NOVEMBER 2021	39
CONFIDENTIAL ITEMS	43
ITEM NO. 14 – TENDER 2021-4 - PURCHASE OF BACKHOE 4WD	43
ITEM NO. 15 – TENDER – SPLASH PARK DARLINGTON POINT DESIGN AND CONSTRUCT	43

This is page 1 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

RECORDING & WEBCASTING OF MEETING

In the spirit of open, accessible and transparent Government, and to ensure this meeting is open to the public, this Council meeting is being recorded and livestreamed to the Murrumbidgee Council facebook page. A recording will also be placed on Council's website following the meeting.

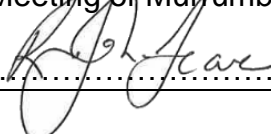
Murrumbidgee Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by Murrumbidgee Council.

Confidential meetings of Council will not be recorded or webcast.

Recordings and webcasts are protected by copyright and owned by Murrumbidgee Council. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the General Manager.

Any recording or webcast is not, and shall not, be taken to be an official record of Murrumbidgee Council meetings or discussion depicted therein. Only the official Minutes may be relied upon as an official record of the meeting.

This is page 2 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

 General Manager Mayor

OFFICERS' REPORTS FOR CONSIDERATION

ITEM NO. 1 – OATH OR AFFIRMATION FOR COUNCILLORS

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC51
Approval:	General Manager

EXECUTIVE SUMMARY

Under the *Local Government Act, 1993*, Councillors (including Mayors) are now required to take an oath or affirmation of office. A Councillor must take an oath of office or make an affirmation of office at or before the first meeting of the Council after the Councillor is elected. The General Manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

BACKGROUND

The oath or affirmation may be taken or made before the General Manager of the Council, an Australian legal practitioner or a justice of the peace, and is to be in the following form:

Local Government Act 1993 No 30
Chapter 9 Part 2 Division 3 Section 233A

233A Oath and affirmation for Councillors

Oath

I [*name of councillor*] swear that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Affirmation

I [*name of councillor*] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [*name of council area*] and the [*name of council*] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

This is page 3 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.......... General Manager Mayor

STATUTORY COMPLIANCE/POLICY

Section 233A of the Local Government Act 1993

FINANCIAL

NIL

INTEGRATED PLANS

Strategy 5.1 Transparent Leadership through Sustainability, Accountability and Community Representation

5.1.1 Provide leadership through ethical accountable and legislative decision making processes

RISK MANAGEMENT

A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.

Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.

Failure to take the oath of office by the time the third Council meeting is held will deem the Civic Office to be vacant

Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.

CONSULTATION / ENGAGEMENT

NIL

ATTACHMENTS

NIL

This is page 4 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

ITEM NO. 2 - ELECTION OF MAYOR & DEPUTY MAYOR

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC53
Approval:	General Manager

EXECUTIVE SUMMARY

Council must elect a Mayor from among their numbers every two years, unless they have a popularly elected Mayor. The Murrumbidgee Council Mayor is elected by the Councillors.

Councillors may also elect a Deputy Mayor. The Deputy Mayor may be elected for the mayoral term or a shorter term.

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

RECOMMENDATION

That:

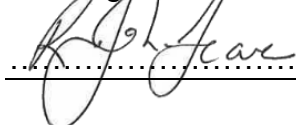
- (a) the method of election for the Office of Mayor and Deputy Mayor be by way of ordinary ballot; and
- (b) the Mayor and Deputy Mayor be elected until the September 2023 Council meeting.

BACKGROUND

The Murrumbidgee Council Mayor is elected by the Councillors. A Mayor elected by Councillors holds office for two years. However, in this case the appointment of the Mayor will be until September 2023, a reduction in the 2 year appointment due to the delayed ordinary election of Councillors.

The Murrumbidgee Council Deputy Mayor was previously elected for 2 years, to align with the term of appointment of the Mayor. Again, there will be a reduction in the 2 year appointment due to the delayed ordinary election of Councillors.

This is page 5 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021



.....General Manager

.....Mayor

OFFICER COMMENT

The General Manager acts as the Returning Officer for the election. Before the Council meeting at which the election is to be conducted, the Returning Officer will give notice of the election to the Councillors.

A nomination is to be made in writing by two (2) or more Councillors, one (1) of whom may be the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing. Nominations are to be in the Returning Officer's (General Manager's) hands before the commencement of this item of business. The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

If more than one candidate has been nominated, Council must determine by resolution the method of voting. In the past, this has been by "Ordinary Ballot", which is a secret ballot. "Open Voting" means voting by a show of hands or similar means. There is also the option of "Preferential Ballot" ie place 1, 2, 3 etc against each candidate.

SUSTAINABILITY

NIL

STATUTORY COMPLIANCE/POLICY

Local Government Act, 1993 - Sections 227 (a); 230 (1); 231 (1) (2) and 290(1)(b)
Local Government (General) Regulations, 2005 – Clause 394 and Schedule 7

FINANCIAL

NIL

INTEGRATED PLANS

Community Strategic Plan

5.1 Transparent Leadership, Sustainability, Accountability and Community Representation

5.1.1 Provide leadership through ethical, accountable and legislative decision making processes.

RISK MANAGEMENT

NIL

This is page 6 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

CONSULTATION / ENGAGEMENT

NIL

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

ITEM NO. 3 - DELEGATIONS FROM COUNCIL TO THE GENERAL MANAGER AND MAYOR

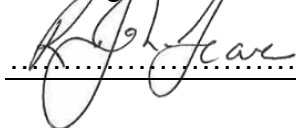
Council Meeting:	23 December 2021
Report Date:	8 December 2021
Author:	General Manager
File #:	SC54/
Approval:	General Manager

OFFICER COMMENT

The **general power of the Council to delegate** powers, authorities, duties and functions comes from **Section 377** of the *Local Government Act 1993*:

1. A Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council under this or any other Act, other than the following:
 - (a) the appointment of a General Manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the Council,
 - (j) the adoption of an operational plan under Section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the Council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,
 - (o) the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 8.3 of the *Environmental Planning and Assessment Act 1979*,

This is page 8 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021



.....General Manager

.....Mayor

- (p) the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the Council.

1A. Despite subsection (1), a Council may delegate its functions relating to the granting of financial assistance if:

- (a) the financial assistance is part of a specified program, and
- (b) the program is included in the Council's draft operational plan for the year in which the financial assistance is proposed to be given, and
- (c) the program's proposed budget for that year does not exceed 5 per cent of the Council's proposed income from the ordinary rates levied for that year, and
- (d) the program applies uniformly to all persons within the Council's area or to a significant proportion of all the persons within the Council's area.

2. A Council may, by resolution, sub-delegate to the General Manager or any other person or body (not including another employee of the Council) any function delegated to the Council by the Departmental Chief Executive except as provided by the Instrument of Delegation to the Council.

3. Council delegates its powers and authorities, duties and functions as set out in Part 1 'Delegations of Authority Register', to the **Mayor (S226), General Manager (S378), and Council Committees (S379)**.

4. **Section 226** of the *Local Government Act 1993*, defines the **role of the Mayor** as follows:

- (a) to be the leader of the Council and a leader in the local community,
- (b) to advance community cohesion and promote civic awareness,
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,
- (e) to preside at meetings of the Council,
- (f) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with this Act,
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,

- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,
- (i) to promote partnerships between the Council and key stakeholders,
- (j) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,
- (k) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,
- (l) to carry out the civic and ceremonial functions of the Mayoral office,
- (m) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
- (n) in consultation with the Councillors, to lead performance appraisals of the General Manager,
- (o) to exercise any other functions of the Council that the Council determines.

5. **Section 379** of the *Local Government Act 1993*, covers the **delegation of regulatory functions**:

(1) A regulatory function of a Council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:

- (a) a committee of the Council of which all the members are Councillors or of which all the members are either Councillors or employees of the Council, or
- (b) an employee of the Council, or
- (c) a county Council.

(2) A regulatory function of a County Council under Chapter 7 must not be delegated or sub-delegated to a person or body other than:

- a. a committee of the County Council of which all the members are members of the County Council or of which all the members are either members of the County Council or employees of the County Council, or
- b. an employee of the County Council, or
- c. a Council.
- d. However, if:
 - (a) a regulatory function is delegated to a County Council, the function may be delegated to the General Manager and by the General Manager to an employee of the County Council, or
 - (b) a regulatory function is delegated to a Council, the function may be delegated to the General Manager and by the General Manager to an employee of the Council.

6. The Council notes that the General Manger may delegate his or her power, authorities, duties and function at his or her discretion (S378). The **General Manager’s delegations to Staff** come under **Part 2 of the Act: ‘Delegations to Staff’**.

- (1) The General Manager may delegate any of the functions of the General Manager, other than this power of delegation;
- (2) The General Manager may sub-delegate a function delegated to the General Manager by the Council to any person or body (including another employee of the Council);
- (3) Subsection (2) extends to a function sub-delegated to the General Manager by the Council under section 377 (2).

7. **Section 381** of the *Local Government Act 1993*, refers to the exercise of **functions** conferred or imposed on Council employees **under other Acts**:

- (1) If, under any other Act, a function is conferred or imposed on an employee of a Council or on the mayor or a Councillor of a Council, otherwise than by delegation in accordance with this section, the function is taken to be conferred or imposed on the Council;
- (2) Such a function may be delegated by the Council in accordance with this Part;
- (3) A person must not, under any other Act, delegate a function to:
 - i. the General Manager, except with the approval of the Council;
 - ii. an employee of the Council, except with the approval of the Council and the General Manager.

RECOMMENDATION

That Council, in accordance with Section 377 of the *Local Government Act 1993*, by resolution at its meeting on 23 December 2021 delegates its power, authorities and function as set out in Part 1 of the Act – Delegations of Authority Register to the General Manager and Mayor.

BACKGROUND

Key points to note in relation to delegations include:

- 1. Section 380 of the Act refers to the review of delegations – each Council must **review all its delegations** during **the first 12 months** of office.
- 2. All Council delegations are subject to the following limitations:
 - a. The delegated power, authority, duty or function being performed in accordance with Council Policy;
 - b. The delegated power, authority, duty or function being performed in accordance with the Law; and
 - c. Part E outlines the limitations of delegations to the General Manager.
- 3. The delegation of Council remains in force until they are revoked or amended by a Council resolution.

4. Councils may also now delegate:
- a. Section 377 (1)(i) – Acceptance of tenders except for services currently provided by Council’s staff; and
 - b. Section 377 (1)(A) – payment of financial assistance as part of a program specified in the Council’s operational plan that is not more than 5% of the Council’s rates income and that applies uniformly to all person within the Council’s area or to a significant proportion of all the persons within the Council’s area.

SUSTAINABILITY

N/A

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993.

FINANCIAL

N/A

INTEGRATED PLANS

Strategy 5.1.1 Provide leadership through ethical, accountable and legislative decision making processes

RISK MANAGEMENT

N/A

CONSULTATION / ENGAGEMENT

N/A

OPTIONS

As per the recommendation.

ATTACHMENTS

Attachment # 1: Delegations of Authority Part 1 – Delegations from Council

ITEM NO. 4 – APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC64
Approval:	General Manager

EXECUTIVE SUMMARY

The current Standing and Special Committees, Section 355 Committees, Advisory and External Committees are detailed for review, determination of memberships and formal adoption by Council.

RECOMMENDATION

Council representatives be appointed to Standing and Special Committees, Section 355 Committees, Advisory, External and Internal Committees.

OFFICER COMMENT

Councillors annually resolve their membership and representation on various internal Committees and external bodies. At the Council workshop of 14 September 2021, the list of Committees was reviewed and representations were determined as detailed below:

BACKGROUND

Standing and Special Committees of Council	
Committee Name	Councillor Representation
Internal Audit, Risk & Improvement Committee	Cr Smith and 2 independents-at least one with financial expertise
General Manager's Review Committee	Mayor and Deputy Mayor
Traffic Committee	Cr Black (Chair) (alternate Cr Smith) Voting Delegate – Director of Infrastructure, Tom Dimec Mr Ian Girdwood represents Mr J Clancy MP Mr Shaun Gras represents Helen Dalton MP
Local Emergency Management Committee	Cr Black (alternate Cr McRae)

Section 355 Committees of Council	
Committee Name	Councillor Representation
Coleambally Australia Day Committee	Cr Chirgwin
Jerilderie Australia Day Committee	Cr McRae, Cr Bryce

This is page 13 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

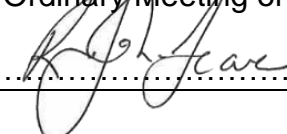
.....Mayor

Coleambally Townlife Committee	Cr Chirgwin, Cr Brown
Darlington Point Townlife / Australia Day Committee	Cr Wells
Heritage Darlington Point	Cr McRae
Balmeringa Management Committee	Cr Bryce, Cr Smith
Central Coree Sports Complex Management Committee	Cr McRae
Yamma Recreation Reserve Management Committee	Cr Chirgwin
Jerilderie Tidy Towns Committee	Cr Bryce, Cr McRae

Advisory Committee	
Committee Name	Councillor Representation
Monash Park Users	Cr Smith, Cr McRae
Coleambally Sports Precinct Advisory Committee	Cr Black (alternate Cr Chirgwin and Cr Brown)
Boat Ramp Darlington Point-Advisory Committee	Cr Curphey, Cr Wells and Cr Gilbert
Darlington Point Master Landuse Plan Advisory Committee	Mayor, Cr Curphey, Cr Gilbert, Cr Wells
Murrumbidgee Economic & Tourism Advisory Group (METAG)	Mayor
Darlington Point Caravan Park Committee	Mayor, Cr Wells, Cr Gilbert
Darlington Point Floodplain Risk Management Committee (formerly DP Levee Committee)	Cr Curphey, Cr Gilbert, Cr Wells

External Committees with Council Representation	
Committee Name	Councillor Representation
CICL/Coleambally Environmental and Reference Committee (CERC)	Cr McRae (3 year term from 1 July 2020)
Kidman Way Promotional Committee	Cr McRae (voting delegate) (alternate Cr Chirgwin)
Newell Highway Promotional Committee	Cr McRae (alternate Cr Smith)
Mid Murray Zone Bushfire Management Committee	Cr Smith
Berrigan Jerilderie Community Network	Cr Smith
MIA Zone Bushfire Management Committee	Cr Chirgwin (alternate Cr Black)
MIA Zone Rural Fire Service Liaison Committee	Cr Chirgwin
Murray Darling Association	Mayor (alternate Deputy Mayor)
Western Riverina Libraries Committee	Cr Smith (voting delegate)
South West Zone Library Committee	Cr Smith
Western Riverina Arts	Cr Bryce
Thrive Riverina	Cr McRae

This is page 14 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021


.....General Manager
.....Mayor

Roads and Maritime Services Consultative Committee	Mayor (alternate Deputy Mayor)
RAMJO	Mayor (alternate Deputy Mayor)
Riverina Valleys Spot On Spray Group	Cr Brown
Western Region Joint Planning Panel This is a three year appointment – members advised to Western Region Joint Planning Panel in September 2020.	Mayor and Deputy Mayor (alternate Cr Brown)

Internal Council Committee	
Committee Name	Councillor Representation
Scholarship Committee	Council as a whole
Community Grants Committee	Council as a whole

SUSTAINABILITY

NIL

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993, Section 355

FINANCIAL

NIL

INTEGRATED PLANS

Community Strategic Plan

5.1 Transparent Leadership, Sustainability, Accountability and Community Representation

Action 5.1.1.4 Ensure Council's Committees, focus groups and advisory bodies are relevant and provide appropriate community involvement

5.5 Investigating Funding, Services and Programs Supporting and Strengthening Communities in the Region

Action 5.5.1.1 Council representatives participate in regular engagement through meetings, events and activities

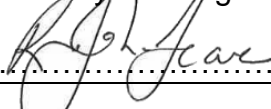
RISK MANAGEMENT

NIL

CONSULTATION / ENGAGEMENT

General Manager

This is page 15 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.......... General Manager Mayor

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

ITEM NO. 5 - COUNCIL MEETINGS 2022

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC218
Approval:	General Manager

EXECUTIVE SUMMARY

The date, time and venue of the monthly Council meetings for February to September 2022 need to be determined at today's meeting.

RECOMMENDATION

That:

- a) Council schedule monthly Council meetings for the fourth Tuesday of the months February 2022 to September 2022;
- b) Council meetings commence at 3.00pm;
- c) The meeting venues alternate between Darlington Point, Jerilderie and Coleambally.

OFFICER COMMENT

Each year at its September meeting, Council determines the schedule of meetings for the coming twelve months. However, with the Council elections having been postponed to 4 December 2021, the schedule for meetings February to September 2022 will be set today by the new Council.

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993

FINANCIAL

NIL

INTEGRATED PLANS

Community Strategic Plan

Strategy 5.1 Transparent Leadership through Sustainability, Accountability and Community Representation

This is page 17 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

RISK MANAGEMENT

NIL

CONSULTATION / ENGAGEMENT

NIL

OPTIONS

1. Adopt the recommendation;
2. Recommend alternative dates/times for the February to September 2022 meetings of Council.

ATTACHMENTS

NIL

ITEM NO. 6 – COUNCILLOR INDUCTION PROGRAM

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC51; SC58
Approval:	General Manager

EXECUTIVE SUMMARY

Councillor induction programs are a vital way to ensure new Councillors get the information they need to be effective leaders. It also allows the building of early positive relationships and teamwork between Councillors, increases productivity and provides essential knowledge.

RECOMMENDATION

The contents of the Councillor Induction Program Report be noted.

BACKGROUND

Councillor induction programs and ongoing professional development programs for Mayors and Councillors are mandatory in NSW under the Local Government (General) Regulation 2005.

Preliminary induction training by Councils should take place as soon as possible after the polls are declared following a new election.

OFFICER COMMENT

Forward planning has allowed us to book Local Government NSW to present the training on 13 and 14 January 2022 at the Darlington Point Chambers. Councillors will be provided with information needed to function in their role, including in Council meetings, from the start of their term of office.

The two day workshop will provide Councillors with an understanding of their role and responsibilities in leading and supporting their communities while following the legal requirements of Local Government.

Councillors should have access to continuing, needs-based training and skills development opportunities throughout their term to enhance Councillor effectiveness.

This is page 19 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

STATUTORY COMPLIANCE/POLICY

Councillor Induction and Professional Development Guidelines 2018
Local Government Act 1993
Local Government (General) Regulation 2005

FINANCIAL

Financial cost is \$6,330.

INTEGRATED PLANS

Community Strategic Plan

Strategy 5.1 Transparent Leadership through Sustainability, Accountability and Community Representation

5.1.1 Provide leadership through ethical accountable and legislative decision making processes

RISK MANAGEMENT

NIL

CONSULTATION / ENGAGEMENT

NIL

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

This is page 20 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

ITEM NO. 7 – CASUAL VACANCY IN THE OFFICE OF A COUNCILLOR

Council Meeting:	23 December 2021
Report Date:	1 December 2021
Author:	General Manager
File #:	SC51
Approval:	General Manager

EXECUTIVE SUMMARY

At the first meeting following the election, Council must declare, by resolution, that casual vacancies occurring in the office of a Councillor within 18 months of the election are to be filled by a countback of votes cast at the election if Councils want to fill vacancies by these means – Councils that do not resolve, at their first meeting after the election, to fill vacancies using a countback will be required to fill vacancies using a by election.

RECOMMENDATION

Casual vacancies occurring in the office of a Councillor within 18 months of 4 December 2021 election be filled by a countback of votes cast at that election.

BACKGROUND

LOCAL GOVERNMENT ACT 1993 - SECT 291A

291A Countback to be held instead of by-election in certain circumstances

- (1) This section applies to a casual vacancy in the office of a councillor if-
 - (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and
 - (b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.
- (2) This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected-
 - (a) in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or
Note: See section 285 (Voting system for election of councillors).
 - (b) in an election without a poll being required to be held.
Note: See section 311 (Uncontested elections).
- (3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.

This is page 21 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

(4) A countback election to fill a casual vacancy to which this section applies must be conducted--

(a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner-by a returning officer appointed by the Electoral Commissioner, or

(b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council-by a returning officer appointed by the electoral services provider.

(5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election-

(a) the returning officer must notify the general manager of the council concerned, and

(b) a by-election in accordance with this Part must be held to fill the casual vacancy.

(5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4) (b), a by-election in accordance with this Part must be held to fill the casual vacancy.

(6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.

STATUTORY COMPLIANCE/POLICY

Section 291A of the Local Government Act 1993

FINANCIAL

NIL

INTEGRATED PLANS

Community Strategic Plan

Strategy 5.1 Transparent Leadership through Sustainability, Accountability and Community Representation

5.1.1 Provide leadership through ethical accountable and legislative decision making processes

RISK MANAGEMENT

NIL

CONSULTATION / ENGAGEMENT

NIL

This is page 22 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

OPTIONS

1. Adopt the recommendation;
2. Not adopt the recommendation. Councils that do not resolve, at their first meeting after the election, to fill vacancies using a countback will be required to fill vacancies using a by election.

ATTACHMENTS

NIL

ITEM NO. 8 - REQUEST TO SUSPEND ALCOHOL FREE ZONE FOR 2022 AUSTRALIA DAY CELEBRATIONS

Council Meeting:	23 December 2021
Report Date:	9 December 2021
Author:	General Manager
File #:	SC5
Approval:	General Manager

EXECUTIVE SUMMARY

The annual Australia Day celebrations in Jerilderie are held in and around the Civic Hall and Luke Park. As part of the celebrations, Council's permission for alcohol to be consumed in the area surrounding the Council Chambers, Civic Hall, Luke Park and Powell Street, is sought.

RECOMMENDATION

That Council resolve to:

1. Allow the prohibition on the consumption of alcohol in the vicinity of the Council Chambers, Civic Hall, Luke Park and Powell Street to be lifted from midday to midnight on 26 January, 2022;
2. Allow the prohibition signs to be covered during the period of the celebrations;
3. Notify the local Police; and
4. Advertise Council's action.

BACKGROUND

The area surrounding the Civic Hall and Luke Park is a designated alcohol-free zone. Traditionally this zone is suspended for the annual Australia Day celebrations.

OFFICER COMMENT

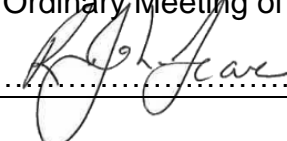
Under Section 644B of the Local Government Act, 1993 Council may establish an alcohol-free zone. However, Council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone under Section 645 of the Local Government Act 1993.

SUSTAINABILITY

STATUTORY COMPLIANCE/POLICY

Sections 644B and 645 of the Local Government Act, 1993

This is page 24 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

FINANCIAL

NIL

INTEGRATED PLANS

Community Strategic Plan

Strategy 1.4 - Enhancing Health and Wellbeing

Strategy 1.5 - Creating a Safe Community

RISK MANAGEMENT

A risk assessment is completed by Council's Risk Assessment Officer in conjunction with the Australia Day Committee.

CONSULTATION/ENGAGEMENT

Australia Day Committee

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

ITEM NO: 9 - COUNCILLOR TERM

Council Meeting:	23 December 2021
Report Date:	20 December 2021
Author:	General Manager
File #:	SC218
Approval:	General Manager

BACKGROUND

To provide a resolution to the upcoming LGNSW Special Conference 2022 in order to change the Councillor term.

RECOMMENDATION.

Council endorse the Notice of Motion in relation to Councillor Term, and submit for consideration to the Local Government NSW 2022 Special Conference.

1. Local Government Councillor Term LGNSW Conference Resolutions

An anomaly different to most every other Local Government jurisdiction in the world exists in the *Local Government Act 1993 NSW*, that is when a Councillor term ends. In NSW, the term of office ends on the day the Local Government election is held, in other jurisdictions it is when the election is declared.

Local Government Act 1993 NSW

230 *For what period is a mayor elected?*

- (1) *A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act.*
- (2) *A mayor elected by the electors holds the office of mayor for 4 years, subject to this Act.*
- (3) *The office of mayor—*
 - (a) *commences on the day the person elected to the office is declared to be so elected, and*
 - (b) *becomes vacant when the person's successor is declared to be elected to the office, or on the occurrence of a casual vacancy in the office.*
- (4) *A person elected to fill a casual vacancy in the office of mayor holds the office for the balance of the predecessor's term.*

233 *For what period is a councillor elected?*

- (1) *A councillor (other than the mayor) holds office for 4 years, subject to this Act.*
- (2) *The office of councillor—*

This is page 26 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

- (a) commences on the day the person elected to the office is declared to be so elected, and
 - (b) becomes vacant on the day appointed for the next ordinary election of councillors, or on the occurrence of a casual vacancy in the office.
- (3) A person elected to fill a casual vacancy in the office of councillor holds the office for the balance of the predecessor's term.

In QLD, the Councillor term ends on the declaration of the poll at the new election.

Local Government Act 2008 QLD

“159 When a councillor's term starts

A councillor's term starts on—

- (a) if the councillor is elected—the day after the conclusion of the councillor's election; or
- (b) if the councillor is appointed—the day on which the councillor is appointed.

160 When a councillor's term ends

A councillor's term ends—

- (a) if the councillor is elected at a quadrennial election or at a fresh election—at the conclusion of the next quadrennial election; or
- (b) if the councillor is elected at a fresh election and a declaration is also made under a regulation under section 160A—at the conclusion of the quadrennial election after the next quadrennial election; or
- (c) if the councillor is elected or appointed to fill a vacancy in the office of another councillor—at the end of the other councillor's term; or
- (d) when the councillor's office becomes otherwise vacant.

Note—

See section 162 for an explanation of when this happens.”

Local Government Act 1999 SA

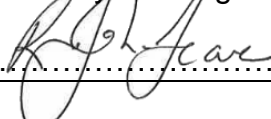
53—Term of office

Subject to this Act, the term of office of a member of a council is a term expiring at the conclusion of the next general election held after his or her appointment or election as a member of the council.

As such, I believe the NSW Act needs to be amended to end the Councillor term at the declaration of Poll. This way will have a continuity of elected representatives, and not a 21 day gap of no elected representatives.

There are many reasons why we should have a continuation of elected representatives, one in my mind that is a stand out, is the representative at ceremonial functions of the office. The people voted for the Councillor, not the General Manager, so they should expect that the people they voted would be present at all ceremonial functions, in their capacity as Councillor or Mayor.

This is page 27 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

..........General ManagerMayor

A Mayor who is popularly elected is the Mayor until the declaration of Poll, S 230 (3) (b).

The Mayor who is elected by the Councillors is no longer the Mayor as at the day the election is held.

Simply, the Act needs an amendment to section 233 (2) (b).

From (existing)

233 For what period is a councillor elected?

(2) The office of councillor—

(b) becomes vacant on the day appointed for the next ordinary election of councillors, or on the occurrence of a casual vacancy in the office.

To (proposed)

Section 233 needs to be amended.

233 For what period is a councillor elected?

(2) The office of councillor—

(b) Concludes on the day of the declaration of the election or when vacated in accordance with section 234

Recommendation

Council endorse the Notice of Motion in relation to Councillor Term, and submit for consideration to the Local Government NSW 2022 Special Conference.

Conference Motion

That Local Government NSW lobby the Minister for Local Government to amend section 233 of the *Local Government Act 1993 NSW* to end the term of the Council to be at the declaration of poll.

The proposed change be as follows

233 For what period is a councillor elected?

(2) The office of councillor—

Omit - (b) becomes vacant on the day appointed for the next ordinary election of councillors, or on the occurrence of a casual vacancy in the office.

Insert - (b) Concludes on the day of the declaration of the election or when vacated in accordance with section 234

This is page 28 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General Manager

.....Mayor

SUSTAINABILITY

N/A

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993 NSW

FINANCIAL

N/A

INTEGRATED PLANS

Theme 5: Our Leadership – Looking to our Future

5.1. Demonstrating Transparent Leadership through Accountability and Community Representation

RISK MANAGEMENT

N/A

CONSULTATION / ENGAGEMENT

N/A

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

ITEM NO. 10 - PUBLIC GATES AND GRIDS ON COUNCIL ROADS POLICY

Council Meeting:	23 December 2021
Report Date:	6 December 2021
Author:	Director of Infrastructure
File #:	SC49
Approval:	General Manager

EXECUTIVE SUMMARY

The draft Public Gates and Grids on Council Roads Policy was endorsed by Council on 26 October 2021 and placed on public exhibition for 28 days as per Section 160 of the Local Government Act 1993 - Public Notice and Exhibition of Draft Local Policy.

One submission was received during this time.

RECOMMENDATION

That Council:

- 1. Adopt the draft Public Gates and Grids on Council Roads Policy.**
- 2. Allocate \$10,000 in Council's draft budget estimates - Capital Work Program (Culvert Replacement Program) over the next six years to replace all existing public grids and gates. Council contribution to the replacement will be 30% of cost, with the landowner to support 70%.**

BACKGROUND

Concerns have been raised about the maintenance and replacement of public gates and grids. Our LGA has a total of 11 public gates and grids. Asset inspection has shown the grids range from poor to satisfactory condition and all require replacement to Council standard SD PG-01.

The draft Public Gates and Grids on Council Roads Policy outline the conditions under which a landowner may have public gates and grids in the road reserve. It also outlines the responsibilities concerning the management and maintenance of the public gates and grids, and the mechanism to remove the same.

The locations of the public gates and grids are set out within the policy, as are the condition of the existing grids.

During the exhibition period, feedback was received from (1) candidate, as outlined below:

Policy Section

1.1 Repairs and Replacement

In line with the requirements of the Roads Act 1993 Part 9 Division 3, the owner of the Public Gates and Grids or their successor in title is responsible for the satisfactory state of repair of the grid structure.

This includes twenty (20) meters of roadway on either side of the Public Gates and Grids, associated fencing, and the gates located within the road reserve.

Feedback - Do not agree - all roadway should be the responsibility of the Council – what road repair equipment eg graders or rollers would normally be owned by a landholder?

Maintenance of the grid and associated items are the responsibility of the landholder. This includes contacting Council if repairs are required, for approval to carry out work.

Feedback - Council should be responsible for any significant maintenance of roads and ramps where safety is a concern. Minor cosmetic issues regards the ramps and maintenance of adjoining fences and gates should be the landholder's responsibility but should not require prior approval from Council.

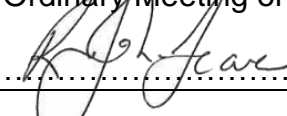
The landowner can request Council to undertake repairs and/or replacement of Public Gates and Grids subject to an agreement being entered by the Applicant and Council. Arrangements will be based on all costs being repaid to Council as set out in an agreement

Feedback - If the ramp needs significant repairs this should be the responsibility of the Council as stated previously – if the ramp requires replacement the Council should make a substantial contribution as they will invariably be responsible for the safety of the road – a reasonable compromise would be joint funding of 50% Council and 50% landholder for any replacement of grids. A natural alternative would be the landowner could be given the option of replacing the ramp with a gate at the landowners cost.

If a road pavement inspection by Council identifies that works are required to the Public Gates and Grids, Council will notify the owner in writing and the owner shall rectify any problems immediately. If the works are not carried out within thirty (30) days of the date of the letter, then Council may perform the works or remove the Public Gates and Grids, and invoice the landowner. If Council deems the Public Gates and Grids, to be unsafe or that it may require urgent maintenance work, Council will carry out these works and invoice the landowner for all works once the works are complete.

Feedback - These repairs should be the Councils responsibility as they are likely to be a safety issue.

This is page 31 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

Where an existing Public Gates and Grids, is, in the opinion of Council's engineer, in such a state of disrepair as to constitute a danger to traffic, it will be removed or replaced at the cost of the landowner.

Feedback - Refer to previous comments

SUSTAINABILITY

There are no direct environmental sustainability implications.

STATUTORY COMPLIANCE/POLICY

- Local Government Act 1993
- Roads Act 1993
- Government Information (Public Access) Act 2009

FINANCIAL

Allocation of \$10,000 in Council's draft budget estimates - Capital Work Program (Culvert Replacement Program) over the next six years to replace all existing public grids and gates. Council contribution to the replacement will be 30% of cost, with the landowner to support 70%.

INTEGRATED PLANS

STRATEGIC THEME 3: OUR INFRASTRUCTURE – What we have built

Strategies: 3.1 Responsible, sustainable asset management
3.4 Maintaining and improving transport infrastructure

RISK MANAGEMENT

That public gates and grids become unusable, causing vehicles to drive around them.

CONSULTATION / ENGAGEMENT

The draft Policy was placed on public exhibition for a period of 28 days, with submissions closing 1 December 2021. One submission was received during this time.

The comments made in the submission have been considered, but no changes to the draft Policy are recommended.

This is page 32 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

OPTIONS

1. That Council:
 - a) Adopt the draft Public Gates and Grids on Council Roads Policy;
 - b) Allocate \$10,000 in Council's draft budget estimates - Capital Work Program (Culvert Replacement Program) over the next six years to replace all existing public grids and gates. Council contribution to the replacement will be 30% of cost, with the landowner to support 70%.

Implications: This will allow Council to progress improvements to the ongoing asset and have a policy that both Council and the landowners manage.

2. Not adopt the recommendation.

Implications: That the current grids become unusable and Council has no policy for public gates and grids on Council roads. Removal of all public gates and grids from the Council road reserve.

ATTACHMENTS

Attachment # 2: Draft Public Gates & Grids on Council Roads Policy.

ITEM NO. 11 – TENDER 2021-4 - PURCHASE OF BACKHOE 4WD

Council Meeting:	23 December 2021
Report Date:	7 December 2021
Author:	Director of Infrastructure
File #:	SC477
Approval:	General Manager

BACKGROUND

Tenders were invited via the Vendor Panel (LGP Contractors), reference number: VP278178, on 16 November 2021, with the closing date being 23 November 2021. Eight (8) tenderers were selected and only four (4) tenderers submitted a quotation via the Vendor Panel portal.

Details relating to the evaluation of the tenders are contained in the confidential report.

RECOMMENDATION

That Council consider a separate confidential report on Tender – Purchase of Backhoe 4WD - in accordance with Section 10A (2) (d) (i) of the Local Government Act 1993

OFFICER COMMENT

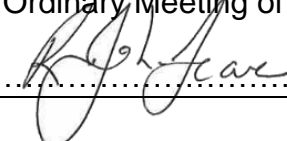
This report is to inform Council of the tender process for Vendor Panel reference number: VP278178 Backhoe 4WD. In accordance with Section 10A (2) (d) (i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person, and/or prejudice any person's legitimate business, commercial, professional or financial interests. This information will be considered under a separate confidential report.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Construction Equipment Australia (Taskers)	Deniliquin NSW
New Holland Agriculture and Construction	Lavington NSW
Earthmoving Equipment Australia Pty Ltd	Arndell Park NSW
WesTrac Pty Ltd	Casula NSW

This is page 34 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

 General Manager Mayor

Details relating to the evaluation of the tenders are contained in the confidential report.

SUSTAINABILITY

N/A

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993 and Regulation

FINANCIAL

Council proposes to fund the plant equipment from the plant funding FY21/22

INTEGRATED PLANS

Strategy 3.2.3 Efficiently manage and maintain Council's plant and equipment
Action 3.2.3.1 Optimize the procurement, usage and disposal of Council's plant and equipment within budget

RISK MANAGEMENT

Ultimately the awarded tender and price will be public information.

CONSULTATION / ENGAGEMENT

Plant Committee.

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

ITEM NO. 12 – TENDER – SPLASH PARK DARLINGTON POINT DESIGN AND CONSTRUCT

Council Meeting:	23 December 2021
Report Date:	10 December 2021
Author:	Director of Infrastructure
File #:	SC470
Approval:	General Manager

BACKGROUND

Tenders for Contract No: RFT 2021-03 Splash Park Darlington Point Design and Construct were invited by listing on Tenderlink from 2 November 2021, closing at 10:00am on 30 November 2021. Three (3) tenders were received at the time of closing. Details relating to the evaluation of the tenders are contained in the confidential report.

RECOMMENDATION

That Council consider a separate confidential report on the Tender - Construction of Splash Park Darlington Point Design and Construct - in accordance with Section 10A (2) (d) (i) of the Local Government Act 1993.

OFFICER COMMENT

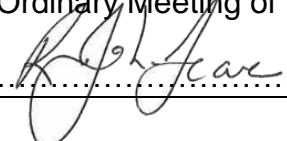
This report is to inform Council of the tender process for Contract No: RFT 2021-03 Splash Park Darlington Point Design and Construct. In accordance with Section 10A (2) (d) (i) of the Local Government Act 1993, some information should remain confidential as it would, if disclosed, prejudice the commercial position of the person who supplied it. It is not in the public interest to disclose this information as it may reveal commercial-in-confidence provisions of a contract, diminish the competitive commercial value of any information to any person, and/or prejudice any person's legitimate business, commercial, professional or financial interests. This information will be considered under a separate confidential report.

Tenders Received

Tenders were received from the following:

Tenderer	Location
Australian Waterslides & Leisure Pty Ltd	Coffs Harbour
ELM Group Pty Ltd	Hanwood NSW
Endeavour Pools and Spas Pty Ltd	Kiama NSW

This is page 36 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

 General Manager Mayor

Details relating to the evaluation of the tenders are contained in the confidential report.

SUSTAINABILITY

N/A

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993 and Regulation

FINANCIAL

Council proposes to fund the project wholly from grant funding which has been obtained under the Stronger Country Communities grant.

INTEGRATED PLANS

Strategic Theme 3: Our Infrastructure – What we have built

Our community is well serviced and connected to well-planned built, social and community infrastructure developed and maintained according to community and public safety needs and priorities and partnerships.

- 3.1 Responsible, Sustainable Asset Management
- 3.2 Infrastructure (Council buildings and facilities) which Meet Community and Public Safety Needs
- 3.3 Providing the Community with Open Spaces to be Active
- 3.5 Ensuring local utilities and communications infrastructure and connectivity meets future needs

RISK MANAGEMENT

Ultimately the awarded tender and price will be public information.

CONSULTATION / ENGAGEMENT

Community Consultation

Community engagement was undertaken at Council workshop of 28 September 2021. Councillors were asked to confirm the most suitable site, as the application listed the Lions Park in Darlington Point. The other proposed locations for the development of a splash park were CWA Park or alongside the existing swimming pool complex.

The location which was decided is alongside the existing swimming pool complex in Darlington Point.

This is page 37 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor

OPTIONS

As per the recommendation.

ATTACHMENTS

NIL

OFFICERS' REPORTS FOR NOTING

ITEM NO. 13 - MONTHLY CASH & INVESTMENT REPORT – NOVEMBER 2021

Council Meeting:	23 December 2021
Report Date:	13 December 2021
Author:	Finance Manager
File #:	SC133
Approval:	General Manager

EXECUTIVE SUMMARY

Information report provided on cash and investments as at 30 November 2021.

RECOMMENDATION

That Council note the monthly Cash and Investment Report containing the bank balances and schedule of investments as at 30 November 2021.

BACKGROUND

Cash at Bank: Council's consolidated cash position (cash and investments) as at 30 November 2021 was \$26,847,438.43, with the cash at bank amount for the same period being \$1,913,089.75.

Investments: As at 30 November 2021, Council's total invested funds were \$24,934,348.68. Average interest rates over the reporting period were 0.20%. The bulk of Council's investments are held with Bendigo Bank (56.07%), IMB Ltd (18.15%) and ANZ (7.48%), in accordance with the guidelines and requirements of the Financial Management Regulations.

OFFICER COMMENT

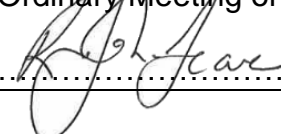
I certify that:

- 1) the cash book was reconciled with the bank balance as shown by the bank statements as at 30 November 2021;
- 2) the investments have been invested in accordance with the Local Government Act, Regulations and Council's policies.



Vicki Sutton
Responsible Accounting Officer

This is page 39 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

 General Manager Mayor

SUSTAINABILITY

NIL

STATUTORY COMPLIANCE/POLICY

- Local Government Act 1993;
- Local Government (General) Regulation 2005;
- Local Government Code of Accounting Practice and Financial Reporting (Guidelines);
- Murrumbidgee Council Investment Policy.

INTEGRATED PLANS

5.1 Transparent Leadership, Sustainability, Accountability and Community Representation:

Strategy 5.1.1

Provide leadership through ethical accountable and legislative decision making processes.

RISK MANAGEMENT

N/A

CONSULTATION / ENGAGEMENT

General Manager

OPTIONS

NIL

ATTACHMENTS

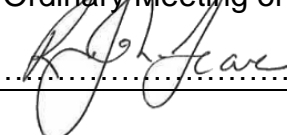
NIL

This is page 40 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

 General Manager Mayor

STATEMENT OF BANK BALANCES	2021-22	2020-21
	Consolidated	
CASH AT BANK 31 OCTOBER 2021	1,702,281.08	675,799.26
ADD - Receipts - 30 November 2021	520,916.68	1,065,424.11
ADD - Receipts - Bendigo Bank	2,177,771.90	2,933,214.17
ADD - Cancelled	0.00	3,206.89
ADD - Adjustments	0.00	0.00
LESS - Cheques	-687.50	-4,335.80
LESS - EFT - Autopay	-1,551,749.66	-1,756,591.52
LESS - Payroll	-373,512.78	-504,593.50
LESS - Bank Charges & Transfers	-58,245.34	-746.31
LESS - Loan Repayments	0.00	-10,753.99
LESS - Investments	-500,000.00	0.00
LESS - Visa Card Pymt	-3,148.20	-3,503.27
LESS - Fuel Card	-536.43	-379.56
LESS - Photocopy Rental	0.00	-329.58
CASH AT BANK 30 NOVEMBER 2021	1,913,089.75	2,396,410.90
CASH AT BANK 30 NOVEMBER 2021	610,538.58	1,173,219.24
Bank Statements - Bendigo Bank	1,382,500.87	1,229,537.24
PLUS Outstanding Deposits	0.00	0.00
LESS Unpresented Cheques	-1,329.41	-5,837.20
LESS Outstanding Autopay	-78,620.29	-508.38
LESS Reverse Autopay	0.00	0.00
CASH AT BANK 30 NOVEMBER 2021	1,913,089.75	2,396,410.90
Add Investments	24,934,348.68	25,332,299.23
Total Cash and Investments	26,847,438.43	27,728,710.13
Represented by:-		
Trust Account	358,150.74	199,626.71
Water Fund	2,930,600.12	2,653,210.66
Sewer Fund	4,432,343.97	4,304,371.66
Domestic Waste Management	73,804.00	73,804.00
Unexpended Grant Funds	2,513,985.81	2,543,588.48
Plant Reserve	1,522,039.00	1,662,992.00
Employee Leave Entitlement Reserve-South	1,070,781.00	1,220,000.00
Infrastructure Reserve	2,703,655.00	2,995,089.00
Residential Housing Reserve	0.00	0.00
Contributions Levy Reserve	406,630.00	493,080.00
New Council Implementation Fund	152,321.44	481,422.19
Stronger Communities Fund	6,299,776.48	7,789,469.58
General Fund	4,383,350.87	3,312,055.85
	26,847,438.43	27,728,710.13

This is page 41 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

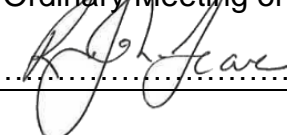
 General Manager

.....Mayor

SCHEDULE OF INVESTMENTS				
30 NOVEMBER 2021				
Institution	Amount	Rate	Matures	NO.
ANZ-Les Wallis	46,110.86	0.05%	25/02/22	21
IMB Ltd	1,013,058.35	0.20%	08/12/21	22
NAB	502,655.66	0.20%	07/03/22	23
IMB Ltd	510,023.59	0.22%	20/01/22	24
IMB Ltd	700,584.93	0.20%	4/01/22	25
Bendigo	500,189.04	0.25%	09/02/22	26
St George	508,831.01	0.32%	03/02/22	27
Bendigo	813,826.21	0.20%	02/02/22	28
ANZ	1,000,000.00	0.15%	24/01/22	30
St George	750,691.64	0.27%	18/01/22	31
NAB	716,993.78	0.05%	26/05/22	32
Suncorp	1,572,519.64	0.32%	28/03/22	34
Bendigo	803,572.19	0.10%	16/01/22	35
IMB Ltd	800,000.00	0.24%	21/02/22	36
Bendigo	3,532,315.28	0.25%	16/03/22	38
ANZ	819,631.59	0.10%	15/01/22	39
Bendigo	2,331,335.17	0.30%	16/05/22	40
IMB Ltd	500,495.21	0.30%	09/12/21	41
NAB	510,835.08	0.05%	07/01/22	43
IMB Ltd	1,000,679.45	0.22%	23/02/22	44
Bendigo	6,000,000.00	0.30%	16/01/22	45
Total Investments	24,934,348.68			

Average Interest Rates	2019/20	1.55%	
Average Interest Rates	2020/21	0.50%	
Average Interest Rates	2021/22	0.20%	
PERCENTAGE OF FUNDS HELD			
SUNCORP	1,572,519.64	6.31%	
ANZ	1,865,742.45	7.48%	
Bendigo	13,981,237.89	56.07%	
IMB Ltd	4,524,841.53	18.15%	
NAB	1,730,484.52	6.94%	
St George	1,259,522.65	5.05%	
TOTAL	24,934,348.68	100%	

This is page 42 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021


..... General Manager
..... Mayor

CONFIDENTIAL ITEMS

ITEM NO. 14 – TENDER 2021-4 - PURCHASE OF BACKHOE 4WD

Council Meeting:	23 December 2021
Report Date:	7 December 2021
Author:	Director of Infrastructure
File #:	SC477
Approval:	General Manager

RECOMMENDATION

This report is **CONFIDENTIAL** in accordance with Section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - i. Prejudice the commercial position of the person who supplied it.

ITEM NO. 15 – TENDER – SPLASH PARK DARLINGTON POINT DESIGN AND CONSTRUCT

Council Meeting:	23 December 2021
Report Date:	10 December 2021
Author:	Director of Infrastructure
File #:	SC470
Approval:	General Manager

RECOMMENDATION

This report is **CONFIDENTIAL** in accordance with Section 10A (2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - i. Prejudice the commercial position of the person who supplied it.

This is page 43 of 50 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Thursday 23 December 2021

.....General ManagerMayor