



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

Date: Tuesday, 20 September 2022

Time: 10:00 AM

Location: Council Chambers, Wanderer Street Deniliquin

AGENDA

Ordinary Council Meeting

Tuesday, 20 September 2022

**Philip Stone
General Manager**

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1. OPENING MEETING**2. ATTENDANCE****3. LIVE STREAMING STATEMENT**

Edward River Council wishes to advise members of the public that Council Meetings will be recorded and will be available after each meeting on Council's website [Councils Website](#). All care will be taken to maintain the privacy of those in attendance, however As a visitor in the public gallery, your presence may be recorded. By remaining In the public gallery, it is assumed your consent is given in the event your image is broadcast. This includes any filming by television cameras if attendance is approved by the General Manager or Mayor.

4. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

5. STATEMENT OF PURPOSE

I have come here as a Councillor freely and without bias to:

1. Represent the views of the community in considering the matters before us today
2. To vote in a matter I consider to be in the best interest of the community
3. To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES OF AUGUST COUNCIL MEETINGS

Author: Belinda Perrett

Authoriser: Philip Stone

RECOMMENDATION

That Council

1. Approve the draft minutes of the Ordinary Council Meeting held 16 August 2022.
2. Approve the draft minutes of the Extraordinary Council Meeting held 26 August 2022.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

ATTACHMENTS



MINUTES

Ordinary Council Meeting

Tuesday, 16 August 2022

**Philip Stone
General Manager**

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ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 16 AUGUST 2022

1. OPENING MEETING

Prior to the opening of the Council Meeting, Mayor Cr Peta Betts acknowledged Edward River Council's new Corporate Services Director, Shelley Jones and complemented Manager Information and Technology and Team in having the new Council Chambers located in the Estates Building up and running.

2. ATTENDANCE

In Attendance: Mayor Cr Peta Betts, Deputy Mayor, Cr Paul Fells, Cr Harold Clapham, Cr Shirlee Burge, Cr Linda Fawns, Cr Marc Petersen, Cr Shannon Sampson.

Staff in Attendance: Philip Stone (General Manager); Mark Dalzell (Director Infrastructure); Shelley Jones (Director Corporate Services); Alistair Cochrane (Acting Manager Finance); Belinda Perrett (Executive Assistant); Libby Braybon (Executive Assistant);

Gallery: 0

3. LIVE STREAMING STATEMENT

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- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**RESOLUTION 2022/0816/6**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council accept the apologies received from Cr Pat Fogarty and Cr Tarria Moore.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 16 AUGUST 2022

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 19 JULY 2022

RESOLUTION 2022/0816/7.1

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council approve the draft minutes of the Ordinary Council meeting held 19 July 2022.

CARRIED

7.2. DRAFT MINUTES EXTRAORDINARY COUNCIL MEETING 2 AUGUST 2022

RESOLUTION 2022/0816/7.2

Moved: Cr Marc Petersen

Seconded: Cr Paul Fellows

That Council approve the draft minutes of the Extraordinary Council meeting held 2 August 2022.

CARRIED

8. DISCLOSURES OF INTERESTS

Nil

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 16 AUGUST 2022

9. MAYORAL MINUTE(S)**9.1. MAYORAL MINUTE – ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS****RESOLUTION 2022/0816/9.1**

That Council:

1. Writes to the Treasurer the Hon Matt Kean MP and the Minister for Local Government Wendy Tuckerman MP, noting:
 - a. Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets.
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment.
 - c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Council's financial statements
 - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
 - f. Council has already written to the Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and Helen Dalton, MP
2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Council's position and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Council promotes these messages via its digital and social media channels and via its networks.
4. Re-affirms its complete support of and commitment to local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
5. That Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets
6. Council notes correspondence of 7 July 2022 from the General Manager to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

record RFS assets in Council' financial statements, noting that the State Government's own Local Government Accounting Code *of Practice and Financial Reporting* provides for councils to determine whether or not they record the RFS assets as council assets

10. URGENT ITEMS OF BUSINESS

Nil

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 16 AUGUST 2022

11. REPORTS OF COMMITTEES

11.1. AUDIT RISK AND IMPROVEMENT COMMITTEE DRAFT MINUTES 22 JULY 2022

RESOLUTION 2022/0816/11.1

Moved: Cr Harold Clapham

Seconded: Cr Paul Fellows

That Council review the draft minutes of the Audit Risk and Improvement Committee meeting held 22 July 2022.

CARRIED

11.2. AUDIT RISK AND IMPROVEMENT COMMITTEE - 1ST AUGUST 2022

RESOLUTION 2022/0816/11.2

Moved: Cr Paul Fellows

Seconded: Cr Marc Petersen

That Council approve the draft minutes of the Audit Risk and Improvement Committee (ARIC) held 1 August 2022.

CARRIED

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

12. REPORTS TO COUNCIL**12.1. MAYOR, COUNCILLOR, GENERAL MANAGER MEETING ATTENDANCE****RESOLUTION 2022/0816/12.1**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council note the Mayor, Councillors and General Manager meetings attended on behalf of Council during the month of July 2022, undertaken either remotely, or adhering to current health guidelines.

CARRIED**12.2. RESOLUTIONS OF COUNCIL****RESOLUTION 2022/0816/12.2**

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

That Council note the information in the Resolutions of Council as at 10 August 2022.

CARRIED**12.3. INVESTMENTS AND RESERVES REPORT JULY 2022****RESOLUTION 2022/0816/12.3**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council

1. Note and receive the July 2022 report on Investments totalling \$45,320,303 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of July 2022 was \$34,553.
3. Note that total interest earned for the year to 31 July 2022 was \$34,553.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED**12.4. COUNCILLOR EXPENSES REPORT****RESOLUTION 2022/0816/12.4**

Moved: Cr Marc Petersen

Seconded: Cr Shannon Sampson

That Council

1. Receive and note the Councillor Expenses Report for the period 01 January 2022 to 30 June 2022, attached.
2. Note that the Councillor Expenses Report will be published to Council's website in accordance with clause 15.2 of the Councillor Expenses and Facilities Policy.

CARRIED

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ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022****12.5. COUNCILLOR REPRESENTATION ON COMMITTEES**

The General Manager left the Chambers at 10.18am and returned at 10.19am.

RESOLUTION 2022/0816/12.5

Moved: Cr Paul Fellows

Seconded: Cr Linda Fawns

Council resolved to move into Committee of the Whole.

CARRIED**RESOLUTION 2022/0816/12.5.1**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

Council resolved to move out of Committee of the Whole at 10.52am.

CARRIED**RESOLUTION 2022/0816/12.5.2**

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

That Council

1. Seek nominations from its membership and formally appoint the following Councillors as determined.
2. Appoint Cr Shannon Sampson to the Deniliquin Airport Users Group; Appoint Cr Pat Fogarty to the Rotary Park User Group with Cr Shirlee Burge; Appoint Cr Harold Clapham to the Saleyards User Group with Cr Shirlee Burge; Blighty Reserve to include Cr Shannon Sampson with Cr Linda Fawns; Appoint Cr Shannon Sampson and Cr Linda Fawns to the Senior Livings Precinct; Appoint Cr Shirlee Burge and Cr Pat Fogarty to the Health Advocacy Committee.
3. Approve the removal of Cr Shirlee Burge from the RFS Committee
4. Calls for consideration of an Arts and Cultural committee.
5. Requests a future report to Council on options for the Booroorban Hall Committee.
6. Not participate in the Business Enterprise Centre and Murray Darling Association by way of councillor delegate representation.
7. Appoints Cr Marc Petersen to the NSW Library Association.

CARRIED

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

12.6. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE OCTOBER 2022**RESOLUTION 2022/0816/12.6**

Moved: Cr Harold Clapham

Seconded: Cr Shirlee Burge

That Council approve the Mayor Cr Peta Betts, Cr Linda Fawns, Cr Marc Petersen and the General Manager to attend the Local Government NSW Annual Conference from 23 to 25 October 2022 at the Crowne Plaza Hunter Valley.

CARRIED**12.7. LOCAL HERITAGE FUND - SMALL HERITAGE GRANTS 2022-23****RESOLUTION 2022/0816/12.7**

Moved: Cr Linda Fawns

Seconded: Cr Shirlee Burge

That Council

1. Fund the following projects as part of the Local Heritage Fund 2022-2023:

(a) 140 End Street , Local Heritage Fund contribution \$ 4,750

(b) 112 End Street , Local Heritage Fund contribution \$ 1,500

(c) 135 End Street , Local Heritage Fund contribution \$ 4,000

(d) 226 - 230 Cressy Street, Local Heritage Fund contribution \$ 5,250

2. Should a funding offer for an approved project not be accepted or fail to proceed to completion then those funds from the Local Heritage Fund 2022-2023 may be reallocated to the next approved project of highest priority.

CARRIED**12.8. DA 39/21 - INSTALLATION OF CULVERTS AND DE-SILTING - 625 HENRY STREET****RESOLUTION 2022/0816/12.8**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council resolves to: -

1. Approve the development application DA39/22 for the installation of 2 culverts and de-silting, on Lot 21, 22 & 23 DP 858765, 619, 623 & 625 Henry Street, Deniliquin & Lot 7012 DP 1023923 (Crown Land) - Henry Street Road Reserve as shown on the plans submitted and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:

- a. The application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.

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ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

- b. The proposal is appropriate on the site given the existing character of the area.
 - c. The development will have no significant adverse impacts on the natural or built environments.
2. Impose conditions as shown in Attachment 1

CARRIED**12.9. PLANNING PROPOSAL - CONSOLIDATION OF COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN****RESOLUTION 2022/0816/12.9**

Moved: Cr Marc Petersen

Seconded: Cr Harold Clapham

That Council

1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013 and Deniliquin LEP 1997 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to amend the Local Environmental Plans into a consolidated Local Environmental Plan for the Edward River Council area.
2. Forward the planning proposal to the Minister for Planning and Public Spaces in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, for Gateway Determination.

CARRIED

Cr Burge left the Chambers at 11.16am and returned at 11.19am

12.10. DEVELOPMENT SERVICES REPORT - JULY 2022**RESOLUTION 2022/0816/12.10**

Moved: Cr Fellows

Carried: Cr Petersen

That Council receive and note the July Development Services update report

CARRIED

General Manager and Senior Governance Officer left the Chambers at 11.37am. General Manager returned at 11.38am.

Acting Finance Manager left the Chambers at 11.38am and returned at 11.42am.

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022****12.11. SPECIAL EVENT APPLICATION - 2022 DENI PLAY ON THE PLAINS FESTIVAL UTE MUSTER****RESOLUTION 2022/0816/12.11**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

That Council:

1. Classify the Ute Muster Event as a Class 1 event under the Special Events Guidelines, and
2. Approve the special event application for the 2022 Ute Muster, subject to the endorsement of the Local Area Traffic Committee.

CARRIED**12.12. TOWN HALL EXTERNAL COLOUR REVIEW****RESOLUTION 2022/0816/12.12**

Moved: Cr Linda Fawns

Seconded: Cr Paul Fellows

That Council note this report and resolve not to amend the colour scheme as proposed by the contract architect.

CARRIED

Cr Shannon Sampson left the Chambers at 11.41am and returned at 11.43am
Acting Finance Manager returned to the Chambers at 11.42am

12.13. MONTHLY OPERATIONS REPORT - JULY 202**RESOLUTION 2022/0816/12.13**

Moved: Cr Petersen

Carried: Cr Fellows

That Council receive and note the July 2022 Operations Report.

CARRIED

Cr Paul Fellows left the Chambers at 11.47am and returned at 11.49am

Cr Linda Fawns left the Chambers at 11.49am and returned at 11.51am

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 16 AUGUST 2022

12.14. MAJOR PROJECTS REPORT - AUGUST 2022**RESOLUTION 2022/0816/12.14**

Moved: Cr Marc Petersen

Seconded: Cr Shannon Sampson

That Council receive and note the Major Projects Program – Progress Report for August 2022.

CARRIED

Cr Paul Fellows left the Chambers at 11.53am and returned at 11.55am.

13. NOTICES OF MOTIONS

Nil

14. QUESTIONS WITH NOTICE

Question With Notice: Cr Shirlee Burge

“Could the General Manager please reassure Councillors that the Town Hall Precinct Development requires no further funding from Council or from other sources eg: funding prior to completion and can he please confirm the completion date?”

At the most recent Town Hall Project Control Board meeting, the following information regarding this project was provided to Council's executive staff:

- Total available budget, including the \$300K recently resolved by Council: \$7,566,663
- Total expenditure to date: \$5,364,598
- Outstanding commitments, including contract payments and variations: \$2,158,546
- Total project expenditure: \$7,523,144
- Contingency remaining: \$43,519

Based on this information, the project is expected to be completed within the allocated budget.

The completion date for the projects is 7 October 2022 (a week later than the previously reported 29 September) and the contractor is on track to meet this date. (Note, this completion date allows Council Staff to “bed in” the building and associated infrastructure in time for the grand opening in early December)

The main risk to this completion date now is regarding the lifts for the rear of the Town Hall area. The lift contractor has advised the contractor and Council that their supplier can no longer supply the equipment and they are searching for another supplier. Council staff are working with all parties, as well as the Principal Certifying Authority, to provide a solution so that the completion date can be maintained. This issue is not expected to impact the project budget.

Questions on Notice: Cr Pat Fogarty

Question 1 - Would the Finance Department prepare a list of relevant overall costings for the Seniors Living Project and present to the Council Meeting of 16 August?

Land Acquisition

Purchase land parcel - LOT1 DP732067 318,000

Purchase land parcel - Lot 2 DP1220715 370,000

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ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

Site Preparation Costs 532,000

PM – Tenders, Advertising, Admin, internal costs 56,000

Sub Total 1,276,000.00

Consultants & ContractorsMarketing

ARCHIX PTY LTD (Concept renders) 9,326.00

Brand Partners 55,750.00

Sivonne Creative 6,000.00

Inside Creation 2,400.00

Sub Total 73,476.00

Engineering and design consulting

CAF CONSULTING 104,205.11

Collard Maxwell Architects 39,000.00

Rob Pickett Design 67,769.09

ENGINEERING MAN 1,892.10

SJE Consulting 11,250.00

The Garden Plan 8,200.00

Sub Total 232,316.30

Project Management

King Island Hire (Mark Goode PM) 164,700.00

Curry PM 64,019.97

Sub Total 228,719.97

Other

Cost Control (V 5,250.00

Equity One Ltd 33,000.00

ID Consulting P 7,500.00

Sub Total 45,750.00

Total Expended \$1,856,262.27

Grant Funding \$495,000

Total from Own Source Income \$1,361,262.27

Note: As part of the original works undertaken for the project, Council received \$495,000 from the Murray Darling Basin Regional Economic Diversification program in 2018 to assist with infrastructure works. This grant funding went towards the Site Preparation Costs related to the land acquisition.

Question 2 -

Were driveway, paving, landscaping, exterior lightening, gateway, and irrigation costs included in either the civic or housing construction tender prices - in relation to housing costs were floor and

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

window coverings, light fittings, heating and cooling, home and personal security systems covered, as I was unable to ascertain same - however I may not have been looking correctly?

The items have been included in the current scope of works as noted below, except for window coverings and home and personal security systems:

- Driveways and paving have been included in the dwelling costs (Section 6 of the Specification).
- Landscaping, gateway, and irrigation has been included as part of the civic infrastructure costs.
- Fencing has been included in the dwelling costs (Section 8 of the Specification).
- Floors covering included in the dwelling costs (Section 16 of the Specification)
- Window coverings have not been included in the dwelling costs or specifications.
- Light fittings have been included in the dwelling costs (Section 19 of the Specification).
- Heating and cooling have been included in the dwelling costs (Section 20 of the Specification).
- Home and personal security systems have been included in the budget as being optional and at the residents' cost.

15. CONFIDENTIAL MATTERS**RESOLUTION 2022/0816/15**

Moved: Cr Linda Fawns

Seconded: Cr Sampson

That Council move into confidential business at 12.04pm.

CARRIED

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022**

15.1. TENDER C2021/24 - PANEL OF CONSULTANTS**RESOLUTION 2022/0816/15.1**

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

That Council accepts all tender offers for C2021/24 - Panel of Consultants to be placed on the Panel of Consultants for external contractors to Council.

CARRIED**15.2. CONTRACT C2021/26 SEALING AND ENRICHMENT WORKS WITHIN THE EDWARD RIVER COUNCIL LGA****RESOLUTION 2022/0816/15.2**

Moved: Cr Shannon Sampson

Seconded: Cr Linda Fawns

That Council:

1. Accepts the tender submitted by Primal Surfacing Pty Ltd and award Primal Surfacing Pty Ltd Contract C2021/26 - Sealing and Enrichment Works in the Edward River Council LGA for the extended Schedule of Rates amount for the 2022/23 financial year of \$2,650,272.73 + GST, and
2. Authorises the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documents for Contract C2021/26 - Sealing and Enrichment Works in the Edward River Council LGA.

CARRIED**15.3. CONTRACT C2022/23 - OPERATION AND MANAGEMENT OF DENILQUIN SWIM CENTER AND HYDROTHERAPY POOL****RESOLUTION 2022/0816/15.3**

Moved: Cr Petersen

Seconded: Cr Fawns

That Council:

- 1) Accepts the tender submitted by Lifeguarding Services Australia Pty Ltd and award Lifeguarding Services Australia Pty Contract C2021/23 – Operation and Management of the Denilquin Swim Centre and Hydrotherapy Pool for the Lump Sum tender price of \$236,363.52 + GST for the 2022/23 season; and
- 2) Authorises the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the Contract document Contract C2021/23.

Against the motion - Cr Harold Clapham.

CARRIED

General Manager left the Chambers at 1.17pm and returned at 1.20pm.

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 16 AUGUST 2022****15.4. CONTRACT C2021/25 DENILQUIN AIRPORT RUNWAY AND LIGHTING UPGRADE****RESOLUTION 2022/0816/15.4**

Moved: Cr Shirlee Burge

Seconded: Cr Linda Fawns

That Council:

1. Not accept the tender submissions for Contract C2021/25 – Denilquin Airport Runway and Lighting Upgrade, in accordance with Clause 178(1)(b) of the *Local Government (General) Regulations* since all submitted tender prices were greater than the funding for the project,
2. Authorises the General Manager to enter into negotiations with all tenderers, in accordance with Clause 178(3)(e) of the *Local Government (General) Regulations*,
3. Receives a further report following negotiations with the tenderers.

CARRIED**RESOLUTION 2022/0816/16**

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

That Council move out of Confidential Business and the Mayor read out the confidential resolutions at 1.33pm.

CARRIED**16. CLOSE OF MEETING**

Meeting closed at 1.36pm



MINUTES

Extraordinary Council Meeting

Friday, 26 August 2022

Philip Stone
General Manager

Order of Business

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EXTRAORDINARY COUNCIL MEETING MINUTES**FRIDAY, 26 AUGUST 2022**

1. OPENING MEETING

Present: Mayor, Cr Peta Betts; Deputy Mayor, Cr Paul Fellows; Cr Shirlee Burge; Cr Linda Fawns; Cr Pat Fogarty; Cr Tarria Moore; Cr Shannon Sampson

Via Teams: Cr Harold Clapham; Cr Marc Petersen; Interim Finance Manager Alistair Cochrane

In Attendance: General Manager Phil Stone; Director Corporate Services Shelley Jones; Director Infrastructure Mark Dalzell; Executive Assistant Belinda Perrett; Executive Assistant Libby Braybon

The meeting opened at 10.20am

2. LIVE STREAMING STATEMENT

Edward River Council wishes to advise members of the public that Council Meetings will be recorded and will be available after each meeting on Council's website [Councils Website](#). All care will be taken to maintain the privacy of those in attendance, however As a visitor in the public gallery, your presence may be recorded. By remaining In the public gallery, it is assumed your consent is given in the event your image is broadcast. This includes any filming by television cameras if attendance is approved by the General Manager or Mayor.

3. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

4. STATEMENT OF PURPOSE

I have come here as a Councillor freely and without bias to:

- Represent the views of the community in considering the matters before us today
- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

5. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

6. CONFIRMATION OF MINUTES

Nil

7. DISCLOSURES OF INTERESTS

Nil

8. MAYORAL MINUTE(S)

Nil

EXTRAORDINARY COUNCIL MEETING MINUTES

FRIDAY, 26 AUGUST 2022

9. URGENT ITEMS OF BUSINESS**RESOLUTION 2022/0826/9**

That the rescission motion be considered as an urgent item of business.

Moved Cr Pat Fogarty

Seconded: Cr Shirlee Burge

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Pat Fogarty, Cr Paul Fellows, Cr Tarria Moore, Cr Marc Petersen, Mayor Cr Peta Betts

Against: Cr Shanon Sampson, Cr Linda Fawns

The motion was **carried 7/2**.

CARRIED**MOTION OF RESCISSION****MOTION:**

That the council's resolution Contract C2022/23 - Operation and Management of Deniliquin Swim Centre and Hydrotherapy Pool RESOLUTION 2022/0816/15.3 be rescinded.

Moved: Cr Pat Fogarty

Seconded: Cr Shirlee Burge

RESOLUTION 2022/0826/9.1

That Council move into a committee of the whole.

Moved: Cr Marc Petersen

Seconded: Cr Shirlee Burge

CARRIED UNANIMOUSLY**RESOLUTION 2022/0826/9.2**

That Council move out of committee of the whole

Moved: Cr Marc Petersen

Seconded: Cr Pat Fogarty

CARRIED UNANIMOUSLY**THE MOTION WAS PUT**

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Paul Fellows, Cr Pat Fogarty,

Against: Cr Linda Fawns, Cr Tarria Moore, Cr Marc Petersen, Cr Shannon Sampson, Mayor Cr Peta Betts

LOST

The motion to rescind resolution number 2022/0816/15.3 was **lost 4/5**.

Two members entered the gallery at 10.40am and left at 11am.

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EXTRAORDINARY COUNCIL MEETING MINUTES

FRIDAY, 26 AUGUST 2022

10. REPORTS TO COUNCIL

Nil

11. NOTICES OF MOTIONS

Nil

12. QUESTIONS WITH NOTICE

Nil

EXTRAORDINARY COUNCIL MEETING MINUTES

FRIDAY, 26 AUGUST 2022

13. CONFIDENTIAL MATTERS

RESOLUTION 2022/0826/13

That Council move into Confidential Business to discuss the following agenda item at 11.03am

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

13.1 Participation in Auction, Edwardes Street, Deniliquin.

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed, or considered in relation to this agenda item is:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

CARRIED UNANIMOUSLY

EXTRAORDINARY COUNCIL MEETING MINUTESFRIDAY, 26 AUGUST 2022

13.1. PARTICIPATION IN AUCTION, EDWARDES STREET, DENILIKUIN**RESOLUTION 2022/0826/13.1**

That Council:

1. Resolves to embargo any decisions or resolutions relating to this matter until after 31st August 2022, or any subsequent date should the auction be postponed, to prevent distorting market conditions,
2. Approves the purchase of Lot 21 DP1282569, located at 22 Edwardes Street, Deniliquin, through participation in an online auction to be held on 31st August 2022,
3. Sets an upper limit of \$350,000+GST for any bids made on behalf of Council,
4. Funds the purchase of Lot 21 DP1282569 from its unrestricted cash reserves,
5. Engages a suitably qualified agent to act on its behalf during the auction and lawyer to provide contract documentation, conveyancing, and other legal advice, and
6. If successful in the purchase of Lot 21 DP1282569, classify the land as Operational upon receiving the Certificate of Title.

Moved: Cr Pat Fogarty

Seconded: Cr Shirlee Burge

For: Cr Shirlee Burge, Cr Harold Clapham, Cr Paul Fellows, Cr Pat Fogarty, Cr Tarria Moore,
Cr Marc Petersen

Against: Cr Linda Fawns, Cr Shannon Sampson, Mayor Cr Peta Betts

The motion was **carried 6/3****CARRIED****14. CLOSE OF MEETING****RESOLUTION 2022/0826/14**

Moved: Cr Pat Fogarty

Seconded: Cr Tarria Moore

That Council move out of confidential business at 11.35am.

CARRIED UNANIMOUSLY**Meeting closed at 11.37am**

8. DISCLOSURES OF INTERESTS

9. MAYORAL MINUTE(S)

9.1. MAYORAL MINUTE - ABORIGINAL LIAISON COMMITTEE CULTURAL STATEMENTS

Author: **General Manager**

Authoriser: **Mayor Cr Peta Betts**

RECOMMENDATION

That Council:

1. Adopts the following statement as the Ed ward River Council's commitment to work in partnership with the traditional owners:
 - a. The Edward River Council acknowledges and embraces the First Nations Peoples, the Wamba Wemba/Perrepa Perrepa Peoples, as the Traditional Owners of the Lands within the Edward River Council area.
 - b. The Edward River Council also recognises the diversity of different cultures within our community and their contribution.
2. Adopts the following statement with regards to the Cultural Festival proposed for late 2022, early 2023:
 - a. This festival is being held within the homelands of the Wamba Wemba/Perrepa Perrepa Peoples and recognises the unique and diverse cultures within the Edward River Council community in and around the Kolety (Edward River)
 - b. The Wamba Wemba/Perrepa Perrepa people and Edward River Council invite people of all cultures to celebrate with them the diversity of each of our cultures within our community.

BACKGROUND

At the Aboriginal Liaison Committee meeting held 28 July 2022, I was privileged to be present as an observer of the committee under the Chairmanship of Cr Fawns.

This committee was incredibly positive and collaborative when discussing the working group for the Cultural Festival and made recommendations to Council to foster a positive environment.

The above statements have been developed by the Aboriginal Liaison Committee as statements of commitment to the culture of the First Nations People, as a part of the many different cultures in our beautiful community.

I am calling on all Councillors to support these statements for our Council.

9.2. MAYORAL MINUTE – MOTION FOR SUBMISSION TO LGNSW ANNUAL GENERAL CONFERENCE 2022 - DEPRECIATION

Author: General Manager

Authoriser: Mayor Cr Peta Betts

RECOMMENDATION

That Council adopts a motion to be submitted to the LGNSW annual conference as follows:

1. That Local Government NSW advocate to the NSW Government for a critical review to be undertaken to ascertain the relevance of the inclusion of depreciation expenses and that consideration be given to adopting the following methodologies, namely:
 - a. Eliminate all depreciation expenses from the calculation of the Operating Performance Ratio; or
 - b. Eliminate roads depreciation expenses and depreciation expenses applicable to asset equity funded from grants and contributions from the calculation of the Operating Performance Ratio.

BACKGROUND

Depreciation expenses are a material amount in all NSW local government councils' financial statements and as such have a significant impact on councils' bottom lines and the financial performance measures (namely the Operating Performance Ratio).

Due to the adverse and distorting impact on Operating Performance Ratios it is essential that a critical review be undertaken to ascertain the relevance of the inclusion of depreciation expenses.

Recently, Murray River Council requested Mr Graham Bradley, FCA B. Bus, retired local government auditor, to write a synopsis of recommendations with regard LG depreciation.

ISSUE/DISCUSSION

(Author; Mr. Graham Bradley, on behalf of Murray River Council)

General purpose financial statements for both commercial entities and local government councils determine depreciation expenses in accordance and compliance with AASB 116.

AASB 116

Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life.

Depreciable amount is the cost of an asset, or other amount substituted for cost, less its residual value.

Depreciation can be described/explained as follows:

"Depreciation is a planned, gradual reduction in the recorded value of an asset over its useful life by charging it to expense. Depreciation is applied to fixed assets, which generally experience a loss in their utility over multiple years. The use of depreciation is intended to spread expense recognition over the period of time when a business expects to earn revenue from the use of the asset."

It is also accepted that in commercial environment depreciation expenses are integral in determining the profit distribution through dividends.

In view of the above and from a practical perspective there are stark and fundamental differences between the relevance of depreciation expenses in a commercial environment as compared with a local government council.

From an Edward River Council perspective, these differences include:

- Councils roads will not depreciate if regular maintenance is scheduled to maintain its condition
- Grants and contributions are a major funding source of Council assets
- Most of Council assets are not held to generate revenue
- Council does not distribute any surpluses

Thus, the definition of depreciation expense as defined by AASB 116 does not really suit or apply to local government assets.

Depreciation is a significant cost to Council. Based on the 2020/21 NSW Council figures, Edward River Council has the third highest depreciation expense ratio at 35.2%, behind Liverpool Plains Shire Council (40.9%) and Balranald Shire Council (35.5%)

STRATEGIC IMPLICATIONS

Consideration of this matter has an effect on the long term sustainability of Council. It is understood that LGNSW is reviewing its position on depreciation. It is hoped that this will provide our Association with support and encouragement.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.2 Financially sustainable

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

10. URGENT ITEMS OF BUSINESS

NOTE: Business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- a. a motion is passed to have the business considered at the meeting, and
- b. the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

Only the mover of a motion can speak to the motion before it is put.

A motion of dissent cannot be moved against a ruling by the chairperson.

11. REPORTS OF COMMITTEES**11.1. MINUTES OF COMMITTEES OF COUNCIL**

Author: Executive Assistant

Authoriser: General Manager

RECOMMENDATION

That Council

1. Approve the minutes of the Aboriginal Liaison Committee meeting held 28 July 2022 and note the recommendations made to Council.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

ATTACHMENTS

Attachment 1 - Aboriginal Liaison Committee Minutes _



Aboriginal Liaison Committee

Meeting Minutes/Action Items

Group	Aboriginal Liaison Committee		
Date	28 July 2022	Time	9am
Location	Council Chambers		
Prepared By	Libby Braybon – Executive Assistant		
Attendees	Harold Clapham, Linda Fawns, Philip Stone, David Crew, Laura Hand-Ross, Jeanette Crew, Robert Phillips		
Apologies			
Additional Distribution	N/A		

Chairmen of Meeting

Linda Fawns chaired the meeting

Declaration of Meeting Open

Linda Fawns declared the meeting open at 9am.

Confirmation of Minutes

Received and confirmed.

Moved: Laura Hand-Ross **Second:** David Crew

Discussion and Action Items

Smoking Ceremony & Welcome to Country for Opening of New Buildings

- Harold Clapham would like to formalise a motion to Council that it becomes policy to hold a smoke ceremony at the opening of any new buildings in the Edward River Council LGA.
- Linda Fawns agreed with the addition of the National Anthem to be sung in Native language.

Recommendation

That the Edward River Council Aboriginal Liaison Committee recommend:

1. That Council develops a policy for the development of Culturally appropriate ceremonies for the purposes of activities undertaken by Edward River Council; and
2. This policy is developed in consultation with the Aboriginal community.

Moved: Cr Harold Clapham **Second:** Jeanette Crew

Partnership Program Idea – David Crew

- David Crew presented to the committee on ABCDE Learning Sites.
- The committee resolved to look further into the ABCDE Learning Sites and discuss at the next meeting. <https://www.abcdelarningsites.com.au/>
- Robert Phillips concluded that he is aware of ABCDE Learning and it has had a positive outcome in other communities.

**Aboriginal Liaison Committee****Working Group for Cultural Festival**

- Linda Fawns noted that a meeting was held yesterday to discuss what the Cultural Event will look like and the outcomes they want to achieve. Linda advised that the objective of the festival is to recognise that we live on Native land and that we are all part of the cultural landscape. David Crew added that the festival is going to be launch of a variety of things to celebrate.
- Philip Stone advised that the festival will be held early December to coincide with Town Hall opening.
- Linda Fawns asked the committee to seek clarification on what messaging Civic is going to deliver with regard to the Cultural Festival.

Recommendations

That the Aboriginal Liaison Committee recommend that Council adopts the following statement as the ER Council's commitment to work in partnership with the traditional owners:

1. The Edward River Council acknowledges and embraces the First Nations Peoples - the Wamba Wemba/Perrepa Perrepa Peoples, as the Traditional Owners of the Lands within the ERC area.
2. The Edward River Council also recognises the diversity of different cultures within our community and their contribution.

That the Aboriginal Liaison Committee recommend that Council adopts the following statement with regards to the Cultural Festival proposed for late 2022:

1. This festival is being held within the homelands of the Wamba Wemba/Perrepa Perrepa Peoples and recognises the unique and diverse cultures within the ERC community in and around the Kolety (Edward River)
2. The Wamba Wemba/Perrepa Perrepa people and Edward River Council invite people of all cultures to celebrate with them the diversity of each of our cultures within our community.

Moved: Laura Hand-Ross

Seconded: Cr Harold Clapham

- David Crew noted that it is important that actions arising from the Cultural Festival workshop meeting be actioned in a timely manner.

Welcome to Country Signage – Jerilderie Road

- David Crew advised that the signage on Jerilderie Road has not been replaced.
- David Crew would like council to locate the old Welcome to Country signage and pass onto him.

Opportunities to collaborate on mutually beneficial projects

- David Crew advised that the Minister for the Arts is visiting on the 13th of August. Linda Fawns noted that Council has reached out to meet with the Minister as well.
- David Crew requested that when Ministers visit, we do a Welcome to Country.

General Business**Language Project**

- David Crew advised that Yarkuwa is working on a Language Project/Policy and will present to Council. David noted that the project is around using appropriate indigenous language.
- David Crew asked Council to consider when naming the town square that Council take opportunity to create a dual naming space.



Aboriginal Liaison Committee

Actions	Whom	When	Status
Send paper to committee - meaning of Welcome to Country	Jeanette Crew		
Add Laura Hand-Ross to mailout.	Libby Braybon	ASAP	Complete
Dana or Carlee of the Cultural Festival Working Group to reach out to Kritika Patel and Annika Bull to join the cultural festival committee	Belinda Perrett	Information passed on	Complete
Missing signage on Jerilderie Road & old signage	Libby Braybon	ASAP	In Progress

Meeting closed at 10:25am

Next Meeting: 28 September 2022 at 9am.

12. REPORTS TO COUNCIL

12.1. SCHEDULE OF ORDINARY MEETINGS

Author: Executive Assistant

Authoriser: General Manager

RECOMMENDATION

That Council

1. Pursuant to section 365 of the *Local Government Act 1993* and clause 3.1 of Council's Code of Meeting Practice, adopt the proposed 2022/23 Schedule of Ordinary Meetings.
2. Ordinary Meetings will be held the third Tuesday of each month, with the exception of January with no scheduled meeting, from 10am in the Council Chambers, Estates Building, 180 Cressy Street, Deniliquin.
3. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.3 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting.

BACKGROUND

Section 365 of the Local Government Act 1993 ("the Act") requires Council to meet at least 10 times each year, each time in a different month. Clause 3.1 of Council's Code of Meeting Practice ("Meeting Code") provides that Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Section 9 of the Act and clause 3.3 of Council's Meeting Code requires Council to give public notice of the times and places of its meetings. Clause 3.4 of Council's Meeting Code provides that the notice must be published on Council's website, and in such other manner that Council is satisfied is likely to bring notice of the meetings to the attention of as many people as possible.

ISSUE/DISCUSSION

The proposed Schedule of Meetings for 2022-2023 ("the Schedule") recommends that Council hold 11 Ordinary Meetings in the 2022-2023 period, ensuring compliance with section 365 of the Act.

Prior to the December 4, 2021 New South Wales Council Elections no meetings were scheduled during January.

This Council has held the Ordinary Council Meeting on the third Tuesday of the month and the proposed schedule recommends continuing this practice.

All Ordinary Meetings are proposed to be held in the Edward River Council Chambers, Estates Building, Cressy Street, Deniliquin.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

Outcome 5.3 - Our local government is efficient, innovative and financially sustainable.

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

- Section 9 – Public notice of meetings

Section 365 – How often does the council meet?

ATTACHMENTS

Nil

12.2. LGNSW AND RURAL COUNCIL REPRESENTATION

Author: Senior Governance Advisor

Authoriser: Director Corporate Services

RECOMMENDATION

That Council:

1. Receive and note this report
2. Reply to Broken Hill Council and express its shared concerns that, despite the advantages of a unified sector response on many issues, LGNSW, in its current form, has operational issues associated with the competing interests of its two distinct membership groups being smaller non-metropolitan councils and larger metropolitan councils;
3. Write to LGNSW noting that Edward River Council is encouraged by recent contact with Broken Hill Council and looks forward to any LGNSW Board and executive proposals that may ameliorate the situation that sees smaller non-metropolitan councils disadvantaged in both representation and policy outcomes, and:
4.
 - a) Write to the Minister of Local Government advocating for a more risk management centred approach, noting available sanctions provided by the candidature process that do not further disenfranchise potential nominations for councillors, and that;
 - b) The Office of Local Government investigate why enforcement options have not been undertaken to date, noting recent ICAC investigations in respect of councillors and associations with developers.

BACKGROUND

Council has received further correspondence from Broken Hill Council in respect of LGNSW motions restricting potential candidates for council elections.

ISSUE/DISCUSSION

The specific concern of Broken Hill Council

The plenary meeting of LGNSW saw a number of metropolitan based motions seeking State Government intervention in respect of developers and real estate agents being barred from being nominated as councillors. Such a position conflates the inherent *risks* of conflicts of interests with *how* to appropriately manage them.

Council last considered this issue at its May 2022 meeting where it resolved to not make further comments until the term developer was formally defined. Currently, a number of Acts define the term developer (eg: *Home Building Act 1989*, *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*) however, the proposed legislative reform sees the expansion of the term found within the existing electoral funding provisions:

ELECTORAL FUNDING ACT 2018 - SECT 53

53 Meaning of "property developer", "tobacco industry business entity" and "liquor or gambling industry business entity"

(cf section 96GB EFED Act)

(1) Each of the following persons is a **"property developer"** for the purposes of this Division--

(a) an individual or a corporation if--

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a).

Note : If a person makes a [political donation](#) within 12 months before becoming a [property](#) developer, the person must pay double that amount to the State-- see [section 58\(3\)](#).

(2) Any activity engaged in by an individual or corporation for the dominant purpose of providing commercial premises at which the individual or corporation, or a related body corporate of the corporation, will carry on business is to be disregarded for the purpose of determining whether the individual or corporation is a [property](#) developer unless that business involves the sale or leasing of a substantial part of the premises.

(5) In this section--

"close associate" of a corporation means each of the following--

"close associate" of an individual means each of the following--

"officer" has the same meaning as in the [Corporations Act 2001](#) of the Commonwealth.

"related body corporate" has the same meaning as in the [Corporations Act 2001](#) of the Commonwealth.

"relevant planning application" has the same meaning as in [section 10.4](#) (Disclosure of [political donations](#) and [gifts](#)) of the [Environmental Planning and Assessment Act 1979](#).

"spouse" of a person includes a de facto partner of that person.

"stapled entity" means an [entity](#) the interests in which are traded along with the interests in another [entity](#) as stapled securities and (in the case of a stapled [entity](#) that is a trust) includes any trustee, manager or responsible [entity](#) in relation to the trust.

"voting power" has the same meaning as in the [Corporations Act 2001](#) of the Commonwealth.

Most legislative proposals (eg: Local Government Amendment (Disqualification from Civic Office) Bill 2020) seeking the banning of potential candidates propose to again enliven the meaning found in the previous electoral funding provisions (as noted in the current provisions):

Election Funding, Expenditure and Disclosures Act 1981 (repealed and replaced by above act)

Section 96GB EFED Act

(1) Each of the following persons is a property developer for the purposes of this Division:

(a) a corporation engaged in a business that regularly involves the making of relevant planning applications by or on behalf of the corporation in connection with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit,

(b) a person who is a close associate of a corporation referred to in paragraph (a).

(2) Any activity engaged in by a corporation for the dominant purpose of providing commercial premises at which the corporation or a related body corporate of the corporation will carry on business is to be disregarded for the purpose of determining whether the corporation is a property developer unless that business involves the sale or leasing of a substantial part of the premises.

(3) In this section: close associate of a corporation means each of the following:

(a) a director or officer of the corporation or the spouse of such a director or officer,

(b) a related body corporate of the corporation,

(c) a person whose voting power in the corporation or a related body corporate of the corporation is greater than 20% or the spouse of such a person,

(d) if the corporation or a related body corporate of the corporation is a stapled entity in relation to a stapled security—the other stapled entity in relation to that stapled security,

(e) if the corporation is a trustee, manager or responsible entity in relation to a trust—a person who holds more than 20% of the units in the trust (in the case of a unit trust) or is a beneficiary of the trust (in the case of a discretionary trust).

"Real estate agent" is defined as having the same meaning as it has in the Property, Stock and Business Agents Act 2002. In that Act, the definition is as follows:

"real estate agent" means a person (whether or not the person carries on any other business) who, for reward (whether monetary or otherwise), carries on business as an auctioneer of land or as an agent:

(a) for a real estate transaction, or

(b) for inducing or attempting to induce or negotiating with a view to inducing any person to enter into, or to make or accept an offer to enter into, a real estate transaction or a contract for a real estate transaction, or

(c) for the introduction, or arranging for the introduction, of a prospective purchaser, lessee or licensee of land to another licensed agent or to the owner, or the agent of the owner, of land, or

(d) collecting rents payable in respect of any lease of land and otherwise providing property management services in respect of the leasing of any land, or

(e) for any other activity in connection with land that is prescribed by the regulations for the purposes of this definition, but does not include a person who carries on business as an auctioneer or agent in respect of any parcel of rural land unless the regulations otherwise provide.

Parliamentary enthusiasm for the proposals is evident in the crossbenches and pressure on the government on this and related development and building issues is also popular. This response ignores the fact that current nomination forms have statutory declarations that demand potential candidates declare their developer status and this allows the electorate to make its own decision of suitability. The issue is that, despite the capacity to prosecute those who do not make a true declaration, which, if successful would immediately make the party unable to remain in or take office, electoral authorities and tribunals have failed to undertake this with any enthusiasm and even actively opposed such measures when undertaken by private electors. It should be noted that similar issues have been dealt with by the High Court of Australia in respect of current developer related provisions (*McCloy v New South Wales* [2015] HCA 34).

The wider general principle

Whilst this *candidature for election* matter is the specific issue of contention, the proposed severing of ties with LGNSW by Broken Hill Council is associated with a more fundamental issue that, whilst acknowledging many similar issue of concern, rural and regional councils have sectional interests at variance with the metropolitan councils. This is also further complicated with subscription costs and voting representation being based on a *per capita* formula that provides a significant advantage to larger metropolitan Councils rather than member councils having equal voting rights.

This situation has been inevitable since the 2014 unification of the previous organisational division between metropolitan and rural and regional councils, that, whilst having shared an administrative secretariat for over a century, operated as two distinct groups and conferences. The perceived benefits of a single voice to State Government competes with the need to acknowledge the differences in approach and capacity of different councils and communities. Devising a new membership and organisational model would be required to address these differences and are effectively something that the next LGNSW conference should address.

STRATEGIC IMPLICATIONS

Council needs to assess the benefits of remaining as a member of LGNSW and the capacity and likelihood of its current administration to address the dual representation issues noted.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

Council currently subscribes to LGNSW with membership costs of c. \$31k and additional associated attendance conference costs dependent on location and numbers of councillors attending.

LEGISLATIVE IMPLICATIONS

As noted in the report, there are no current legislative proposals or implications immediately pending.

ATTACHMENTS

Letter from Broken Hill Council.

Attachment 1 - Letter to all Councils - Broken Hill City Council

BROKEN HILL
CITY COUNCIL

Office of the Mayor

Quote No L22/1768 - 12/29
TK:LB

Telephone / Personal Enquiries
Ask for Mayor Tom Kennedy

Please address all communications to:
Broken Hill City Council
The Office of the Mayor
240 Blende Street
PO Box 448
Broken Hill NSW 2880
Phone 08 8080 3390
council@brokenhill.nsw.gov.au
www.brokenhill.nsw.gov.au

ABN 84 873 116 132

31 September 2022

To the Mayor/Administrator

Dear Mayor/Administrator

Broken Hill City Council's Possible Withdrawal from the NSW Local Government Association

Council at its meeting held 27 July 2022 considered a Notice of Motion 2/22 – Broken Hill City Council's Withdrawal from the NSW Local Government Association and resolved:

ITEM 2 - MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 2/22 - DATED JULY 08, 2022 - BROKEN HILL CITY COUNCIL'S WITHDRAWAL FROM THE NSW LOCAL GOVERNMENT ASSOCIATION D22/35718

Councillor Turley declared an interest in item 2 and left the Council Chambers at 6:52pm.

Motion

Councillor A Chandler move)
Deputy Mayor J Hickey seconded)

1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received.
2. That Broken Hill City Council withdraws from the NSW Local Government Association.

Amendment

Councillor M Browne moved

That any discussion be deferred pending a report from the GM on the cost benefit analysis of current membership of LGNSW and the implications for Council if our membership is withdrawn.

LAPSED
For want of a Seconder

The Mayor foreshadowed a motion if the motion before Council is lost.

AUSTRALIA'S FIRST HERITAGE LISTED CITY

L22/1768 – 12/29
TK:LB

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<p><u>Motion</u></p> <p>Councillor A Chandler moved) Deputy Mayor J Hickey seconded)</p>	<ol style="list-style-type: none"> 1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received. 2. That Broken Hill City Council withdraws from the NSW Local Government Association. <p style="text-align: right;">LOST</p>
<p>FOR: Deputy Mayor Jim Hickey, Councillors Alan Chandler and Ron Page</p> <p>AGAINST: Mayor Tom Kennedy, Councillors Michael Boland, Marion Browne and Hayley Jewitt</p> <p>ABSENT: Councillor Darriea Turley (conflict of interest), Councillors Bob Algate and David Gallagher (leave of absence)</p>	
<p>RESOLUTION</p> <p><u>Minute No. 46899</u></p> <p>Mayor T Kennedy moved) Councillor M Boland seconded)</p>	<p><u>Resolved</u></p> <ol style="list-style-type: none"> 1. That Motions of Which Notice has been Given No. 2/22 dated July 8, 2022, be received. 2. That correspondence be sent to LGNSW and all member Councils highlighting the discussions and vote to withdraw our membership from the LGNSW. 3. That the correspondence includes a request that the LGNSW acknowledge and pledge to address the current voting system that leans towards inner city councils having all say over the policy direction that in many cases has a severe negative impact on regional and remote councils. 4. That Broken Hill City Council readdress and vote on the continued membership of LGNSW at the November meeting of Council. <p style="text-align: right;">CARRIED</p>
<p>FOR: Mayor Tom Kennedy, Deputy Mayor Jim Hickey, Councillors Michael Boland, Alan Chandler, Hayley Jewitt and Ron Page</p> <p>AGAINST: Marion Browne</p> <p>ABSENT: Councillor Darriea Turley (conflict of interest), Councillors Bob Algate and David Gallagher (leave of absence)</p>	

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TK:LB

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Discussion

Discussion from Councillors centred around the cost to be a member of LGNSW and the benefits and alignment that the lobby group has with regional Councils in NSW. Specifically relating the Developer and Real Estate Motion of the February Conference and the most recent experience at the Australian Local Government Associations Annual Conference.

The motion to support the ban of real estate agents from being Councillors within NSW, does not support the best interests of all Councils within NSW and highlights the favouritism given to those in Inner Sydney and metropolitan Councils.

The role real estate agents play within a metropolitan and regional Community can be subjectively different with regional real estate agents usually being well embedded in the local community, providing facilitation for community representation and communication, participating and enabling community events and sponsorship as well as being a large employment provider. The proposed ban on Real Estate Agents and their close associates would eliminate a number of representatives from running and representing their communities in small regional centres.

In addition, at the recent ALGA conference over 50 motions were submitted for the agenda. Unfortunately, as there were so many motions submitted time did not allow for all of the motions to be heard, therefore, the remaining motions were not heard and were deferred to be considered only by the ALGA Committee.

On the surface it appears that regional councils and metropolitan councils are not aligned with their views on policy advocacy and platforms and unfortunately it is currently being presented that the policy views of metropolitan council's outweigh the views of regional councils.

It is however acknowledged, that recent correspondence from ALGA dated 24 August 2022, have stated that they have recognised this failing and have allocated further time for next years conference. I believe this is a result of the strong stance taken by many regional Council's at this years conference, that this was not acceptable given the hearing and debating of motions is the conference's primary purpose and the cost of travel for regional and rural Council's is significantly higher and more burdensome than our metropolitan counterparts.

Broken Hill City Council have resolved to put LGNSW on notice and to reconsider its membership at its November 2022 Council Meeting, following the October Annual Conference and the resulting support given to regional Councils.

Yours faithfully



TOM KENNEDY
MAYOR

12.3. DA2022/0057 - DEMOUNTABLE OFFICE - DENILIQUN AIRPORT - NSW RFS

Author: Planning Officer

Authoriser: Manager Development Services

DIVISION

In accordance with section 375A of the Local Government Act 1993, it is necessary for Council to call a division when voting of any resolution relating to a relevant planning application.

RECOMMENDATION

That Council resolves to: -

1. APPROVE the development application 2022/0057 for a demountable office for NSW RFS, on Lot 52 DP1189132, Cemetery Rd , Deniliquin as shown on plans dated 04/02/22 titled SITE PLAN, ELEVATIONS & FLOOR PLAN and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:
 - The application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.
 - The application is generally compliant with the key planning provisions contained within the DLEP 2013 and the Deniliquin Development Control Plan 2016.
 - The development will have no significant adverse impacts on the natural or built environments.
2. Impose the condition as shown in Attachment 1.

BACKGROUND

Development application 2022/0057 / (DA2022/0057) was lodged by Council on 1 July 2022. The DA relates to Lot 52 DP1189132, Cemetery Rd, Deniliquin at the Deniliquin Airport and Figure 1 shows the location of the subject site.



Figure 1 Location of subject site

The subject site is part of the Deniliquin Airport and is zoned IN1 - General Industrial.

The proposed development is to install a 6.1m x 4m demountable office with a toilet and kitchenette facilities, adjacent to an existing NSW Rural Fire Services airbase shed that is used to store firefighting equipment. The proposed office will be used by NSW RFS as an airbase for aviation firefighting during fire emergencies in the Bush Fire Danger Period from 31st October to 1st March. The office will be connected to town water, exiting septic system and electricity.

Attachment 2 shows the plans of the proposed development, and attachment 3 shows the statement of environmental effects.

The DA was exhibited for a period of 14 days and no objections were received.

The DA is being reported to Council because the subject land is Council owned. Land owner consent was submitted with the development application.

INTERNAL REFERRALS

Infrastructure - n/a

Health and Building - n/a

Trade Waste - n/a

Heritage Advisor - n/a

Contaminated Land - n/a

EXTERNAL REFERRALS

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

The following assessment of the Development Application is in accordance with section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Provisions of Environmental Planning Instruments (s4.15(1)(a)(i))

Deniliquin Local Environmental Plan 2013 (DLEP 2013)

The subject site is zoned IN1 - General Industrial under the DLEP 2013 and the proposed use is a NSW RFS Office which is defined as a 'Community Facility'. The use is permissible with development consent in the zone.

The following clauses of the DLEP 2013 apply:

Clause	Control	Response
6.1	Earthworks	Earthworks of a minimal extent will be required to construct the footings. Appropriate

Clause	Control	Response
	<p>Before granting consent for earthworks (or development involving ancillary earthworks), the consent authority must consider the following:</p> <ul style="list-style-type: none"> • Likely disruption of, and any detrimental effect on, drainage patterns and soil stability in the locality of the development; • The effect of the development on the likely future use or redevelopment of land; • The quality of the fill of the soil to be excavated, or both; • The effect of the development on the existing and likely amenity of adjoining properties; • The source of any fill material and the destination of any excavated material; • The likelihood of disturbing relics; • The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area; and • Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. 	<p>conditions of consent on any consent granted will mitigate any detrimental impact.</p>
6.2	<p>Flood Planning</p> <p>This clause applies to land identified as flood planning area on the Flood Planning Map and that is at or below the</p>	<p>Not applicable - the subject land is not identified as flood prone land.</p>

Clause	Control	Response
	<p>flood planning level and any other flood liable land.</p> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <ul style="list-style-type: none"> • Is compatible with the flood hazard of the land, • Will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties; • Incorporates appropriate measures to manage risk to life from flood; • Will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses; and • Is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding. 	
6.6	<p>Airspace Operations</p> <ul style="list-style-type: none"> • If a DA is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has 	Not applicable - the proposed development will not penetrate the Limitation or Operations Surface.

Clause	Control	Response
	<p>consulted with the relevant Commonwealth body about the application.</p> <ul style="list-style-type: none"> • The consent authority may grant development consent for the development is the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface but it has not objection to its construction or the development will not penetrate the Limitation or Operations Surface. • The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be carried out. 	
6.7	<p>Essential Services</p> <p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> • The supply of water; • The supply of electricity; • The disposal and management of sewage; • Stormwater drainage or on-site conservation; and 	<p>Water – town water available</p> <p>Electricity – available</p> <p>Disposal and management of sewage – existing septic</p> <p>Stormwater drainage – existing</p> <p>Suitable vehicular access – existing</p>

Clause	Control	Response
	<ul style="list-style-type: none"> Suitable vehicular access. 	

State Environmental Planning Policy (Infrastructure)

N/A

State Environmental Planning Policy 55 Remediation of Land (SEPP 55)

The Deniliquin Airport is identified on Councils potentially contaminated land register due to its use as an airport. In this instance Council it is satisfied that the land is suitable for the purpose for which the development is proposed to be carried out, and further investigation is not required to be carried out.

Murray Regional Environmental Plan

Council must consider the following planning principles when assessing a development application.

Planning Principle	Response
Access	The proposed development does not impact on public access to the river.
Bank disturbance	The proposed development will not result in any bank disturbance.
Flooding	The site is not identified as flood prone land.
Land degradation	The proposed development will not result in any land degradation.
Landscape	The proposed development will not impact on the riverine landscape.
River related uses	Not applicable.
Settlement	Not applicable.
Water quality	Not applicable.
Wetlands	Not applicable.

Provisions of any draft Environmental Planning Instrument (s4.15(a)(ii))

Not applicable.

Provisions of any Development Control Plan (s4.15(a)(iii))

The following provisions of the DCP 2016 apply to this development:

Clause	Requirements	Comments
		<i>Chapter 1 Notification</i>
1.11 Notification	DA exhibition required for DAs where Council is the applicant,	DA notified for 14 days - no objections received.

Clause	Requirements	Comments
	landowner or are in care and control of the land in question.	
		<i>Chapter 4 Industrial Zones</i>
4.1 Infrastructure and services	Development must be connected to town water supply, electricity, telephone and town sewage services.	The proposed development will be connected to town water, electricity and the existing septic.
	Development must be connected to Council's stormwater system or an alternative system approved by Council at cost to the developer. Connections to be in accordance with Council's Development Manual.	Drainage will connect into the exiting stormwater disposal system.
4.2 Access and parking	The number of car parking spaces provided on the development site shall be in accordance with Chapter 12 – Car Parking.	The proposed office is 24m ² , this does not trigger these requirements for any additional car parking. An existing car park area is located adjacent to the existing RFS shed on the site.
	Off street car parking is to include a minimum of 1 space for persons with a disability. 1 disabled access space is to be provided per 33 spaces or part thereof.	n/a - no trigger for additional car parking
	Car parking space must be clearly indicated on plans submitted with a DA for development within an industrial zone.	n/a
	The car parking space must be sited in a safe and convenient location for customers and staff.	n/a
	Stacked car parking will only be permitted for staff parking.	n/a
	Car parking areas, access driveways and vehicle movement areas are to be constructed of impervious materials and may include	existing car park area is sealed

Clause	Requirements	Comments
	compacted gravel or road based material.	
	Car parking may be included within the front setback provided the visual appearance from a public road is adequately softened by landscaping.	n/a
	Legal vehicular access from a public road is required for all development.	existing access off MacKnight Drive
	The location of new access points must achieve adequate sight lines.	n/a
	For development sites with frontage to an arterial road, access shall be provided from an alternative non-classified road where possible.	n/a
	All vehicles must be able to enter and leave the site in a forward direction.	considered satisfactory
	A DA must include details of the frequency and types of vehicles that are likely to access the site during the operation of the proposed development.	provided
	Adequate area must be provided on site to allow for access and manoeuvrability all vehicles likely to access the site for the operation of the proposed development	n/a
	A dedicated area for loading and unloading must be provided on site. The size of the loading and unloading area must be suitable for the type and size of vehicles that will be utilising the area.	n/a
	A Traffic Impact Study may be required for larger developments, such as and not limited to major developments on main roads, where adverse	n/a

Clause	Requirements	Comments
	local traffic impacts may be generated by the development.	
4.3 Building setbacks	The minimum setback from the front boundary is 10m or an average of the setback of the adjoining allotments (whichever is the lesser).	considered satisfactory
	Secondary setbacks for corner allotments will be considered on the merits of the site. Consideration will be given to the setback of existing buildings in the vicinity, the width of the road reserve and drivers line of sight	n/a
	Building setbacks from side and rear boundaries must comply with the relevant provisions of the Building Code of Australia.	n/a
4.4 Landscaping	not applicable	
4.5 Building appearance and design	The main building façade and entry must address the primary street frontage.	n/a
	Building exteriors must use high quality non-reflective materials and finishes.	considered satisfactory
	Proposed new buildings must not present large areas of blank walls to a public roadway.	n/a
4.6 Outdoor areas	not applicable	
4.7 Waste and trade waste	not applicable	
4.8 Impacts on surrounding land	not applicable	
4.9 Use of footpaths and public open space	not applicable	
4.10 Subdivision	not applicable	
		<i>Chapter 10 Hazards</i>
10.1 Bushfire prone land	not applicable - not identified as BFPL	
10.2 Contaminated land	Contaminated land	The Deniliquin Airport is identified on Council's potentially contaminated land

Clause	Requirements	Comments
		register due to its use as an airport. In this instance Council is satisfied that the land is suitable for the purpose for which the development is proposed to be carried out, and further investigation is not required.
10.3 Flood liable land	not applicable - not identified as flood prone land	
		<i>Chapter 14 Airport</i>
14.1 Height limit	Development within the vicinity of the Deniliquin Airport must not exceed the maximum height limits on Council's Future Obstacle Limitation Surfaces Plan.	The proposed development does not exceed the maximum height limits on Council's Future Obstacle Limitation Surfaces Plan.
	Development is not permitted within 60m of the non-directional beacon (NDB) location.	The NDB at Deniliquin Airport has been de-commissioned and is no longer operational.
	Development within 150 m of the NDB will be referred to the relevant Commonwealth body.	not applicable
14.2 Noise	Development that includes the construction of a building on land in the vicinity of the airport must, to the satisfaction of Council, incorporate measures detailed in AS 2021-2000 Acoustics – acoustics-aircraft noise intrusion- building siting and construction.	not applicable
14.3	A masterplan for the Deniliquin Airport (Engineering Management Styles) was adopted by Council in 2011. It provides a long terms development strategy for the airport to promote appropriate and organised development of the land while taking environmental and socio-economic issues into consideration. The land to	considered satisfactory

Clause	Requirements	Comments
	which this Plan applies is shown in figure 14-2.	

Provisions of any Planning Agreement or Draft Planning Agreement (s4.15(a)(iia))

N/A

Prescribed Matters in the Regulation (s4.15(a)(iv))

N/A

Likely Impacts of that Development (s4.15(b))

Any likely impacts of the proposed RFS office have been addressed throughout the report.

Suitability of Site for Development (s4.15(c))

The site is considered suitable for the proposed development, with minimal issues identified throughout the planning assessment.

Submissions (s4.15(d))

The DA was advertised for a period of 14 days, no objections were received.

The Public Interest (s4.15(e))

not applicable

Political Donations and Gifts Disclosure

The Applicant has advised that they have not made any reportable political donations to a Councillor and/or any gift to a Councillor or Council employees within a two (2) year period before the date of the application being submitted.

ATTACHMENTS

1. Conditions
2. Plans
3. Statement of Environmental Effects

Attachment 1 - CONDITIONS

CONDITIONS

DA2022/0057 – DEMOUNTABLE OFFICE (NSW RFS)

1. GENERAL / MISCELLANEOUS

a) Development as per Plans

The development shall take place in accordance with the approved plans and documentation, including any notations marked by Council thereon, as referenced in Schedule 1 - List of approved plans attached to DA 2022/0057 and the conditions of consent.

b) Construction Certificate Required

An application for a Construction Certificate is to be submitted to and approved by Council or an accredited Private Certifier prior to any building work commencing. The construction certificate plans are to be consistent with the approved development consent and shall include detailed plans and specifications to demonstrate compliance with the provisions of the National Construction Code Volume 1 2019 - Building Code of Australia (BCA).

c) No Liability for Flooding

The land may be subject to flooding and the development has been assessed using best available information concerning the likelihood of flooding at the date of determination. If the land is flooded, Council will not, pursuant to Section 733 of the Local Government Act 1993, incur any liability in respect of the granting of this consent.

d) Standard of Plumbing & Drainage Works

All plumbing and drainage work shall be carried out in accordance with the requirements of AS3500 National Plumbing and Drainage Code, the Plumbing and Drainage Act 2011, the Plumbing and Drainage Regulation, 2012 and the Local Government (General) Regulation 2005.

e) Stormwater connection

All stormwater from the roof of the proposed building, including the overflow from any rainwater tank, if any, is to be discharged via the existing stormwater drainage system.

f) Compliance Plate

A compliance plate is to be attached to the structure and shall include:

- (a) the name of the manufacturer of the structure;
- (b) the unique identification number for the structure;
- (c) the month & year during which the structure was constructed;
- (d) the design wind speed (minimum 41 m/s) for the structure;
- (e) a statement to the effect that the structure complies with the relevant requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

2. PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**a) Engineer Certification**

Prior to issue of a Construction Certificate, submission of a Certificate of Compliance for the slab and footing design plans, duly signed, by a suitably qualified and experienced Structural/Civil Engineer shall be submitted to and approved by Council.

3. PRIOR TO COMMENCEMENT OF WORKS**a) Appointment of PCA and Notice of Commencement**

The erection of the building the subject of this development consent **MUST** not be commenced until:

- (a) detailed plans/specifications of the building have been endorsed with a construction certificate by:
 - (i) the Council, or
 - (ii) an accredited certifier, and
- (b) the person having the benefit of the development consent:
 - (i) has appointed a principal certifying authority, and
 - (ii) has notified the Council of the appointment, and
- (c) the person having the benefit of the development consent has lodged a notice of commencement form with Council. This is to be lodged at least two days prior to commencing the building work.

b) Notice of Commencement

The erection of the building the subject of this development consent must not be commenced until the person having the benefit of the development consent has lodged a notice of commencement form with Council as the Principal Certifying Authority for the work. This is to be lodged at least two days prior to commencing the building work.

c) Site Protection

Prior to the commencement of works, the principal contractor is to ensure that the site has been appropriately protected and secured by a fence or hoarding to prevent access from the street and to prevent the possibility of any unauthorised access in accordance with WorkCover requirements.

Reason: To protect the safety of the public by restricting unauthorised access to the land.

d) Erosion and Sediment Control

Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilization has been completed.

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

4. DURING CONSTRUCTION**a) Comply with the BCA**

The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

b) Inspections Class 5 to 9

The following inspections are required for 48 hours notice is to be given to Council

or an accredited certifier to enable an inspection to be conducted.

- a) at the commencement of building work, and
- b) after excavation for and prior to the placement of, any footings, and
- c) prior to pouring any in-situ reinforced concrete building element, and
- d) Prior to covering all hot and cold water plumbing and sanitary plumbing and drainage.
- e) prior to covering any stormwater drainage connections, and
- f) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

Please note that failure to comply with this condition may result in the Occupation Certificate not being granted.

c) Hours of Operation (Demolition & Construction)

The hours of operation for demolition or building works on the site shall be limited to the daylight hours, between 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays without the prior written consent of the Council.

d) Removal of Spoil

Any spoil deposited on public roads during the cartage of materials from or to the site shall be removed on the same day. The cartage of spoil shall cease, as directed by Council, if the Council determines that excessive deposition of spoil onto the road is taking place.

e) Worksite Safety

If the work involved in the erection or demolition of a building:

- (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (ii) involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning / fence is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

f) Sign to be Erected on Building & Demolition Site

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (i) Showing the name, address and telephone number of the principal certifying authority for the work, and
- (ii) Showing the name for the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work had been completed.

g) Waste Bins for Construction

The builder / developer is to provide on-site waste bins for waste materials generated during construction and a bin with a tight fitting lid for food scraps or they are to remove waste from the site to an EPA approved waste depot on a daily basis.

h) Waste Containers

Suitable waste containers shall be provided within or external to the building whilst it is being used for the proposed development. Container bays shall be effectively screened or housed from view. Details are to be submitted.

i) Toilet Facilities

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this condition must be completed before the commencement of construction works.

5. PRIOR TO COMMENCEMENT OF USE

a) Satisfy Conditions of Approval

Use of the site for the proposed development shall not take place until all conditions required prior to commencement of work for this approval have been satisfied.

b) No Use Until Occupation Certificate Issued

The use of the building is not to commence until such time as an "Occupation Certificate" is issued by Council / the Principal Certifying Authority responsible for the work.

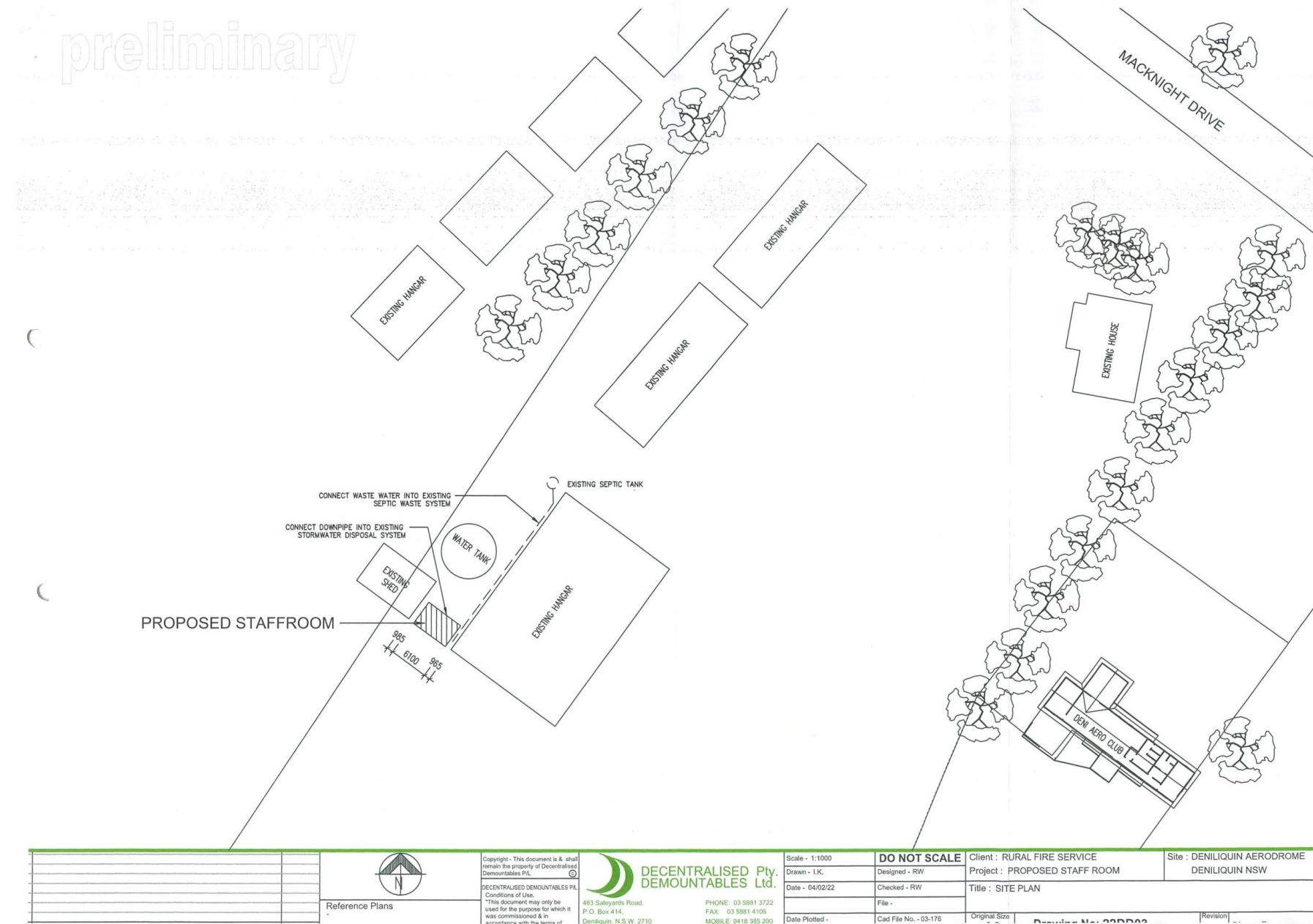
c) Repair of Damage to Council Infrastructure

Any damage to kerb and gutter, road surfaces, infrastructure or landscaping that is a result of the proposed work, must be reinstated at total cost to the person having the benefit of the consent and to the satisfaction of Edward River Council.

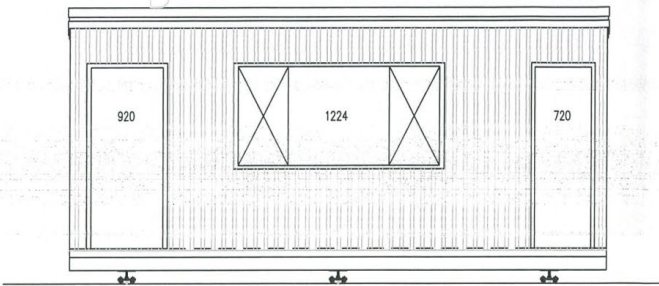
d) Public Utilities

Adjustments to the public utilities necessitated by the development shall be completed prior to occupation of the development and in accordance with the requirements of the relevant authority, all at no cost to Council.

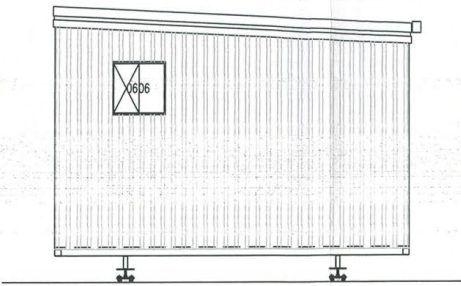
Attachment 2 - plans



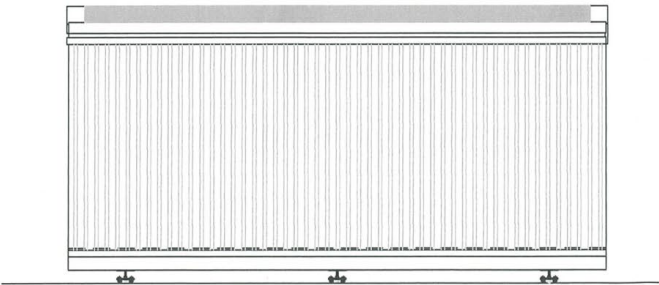
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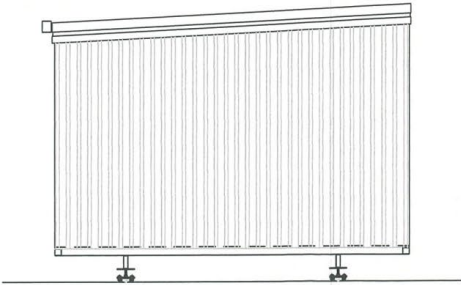
ELEVATION 1




ELEVATION 2



ELEVATION 3

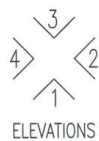
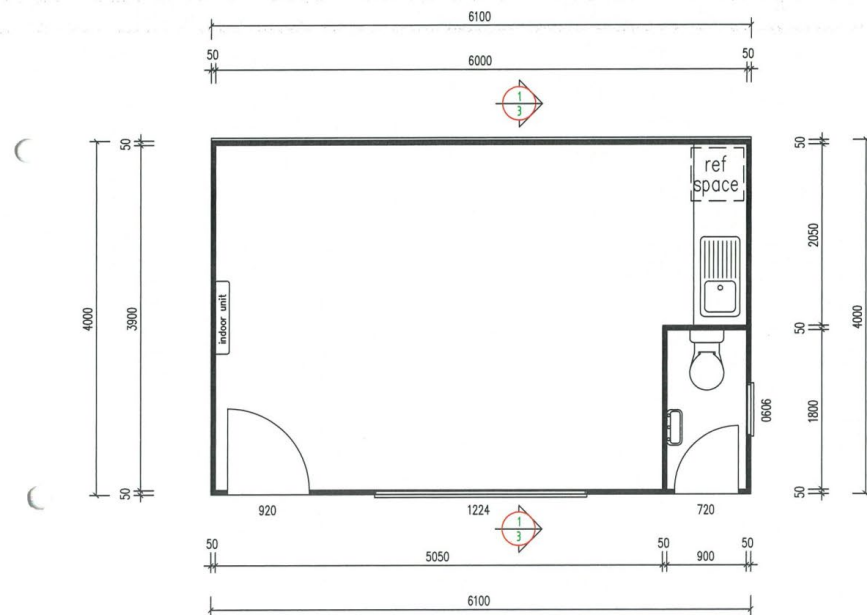


ELEVATION 4

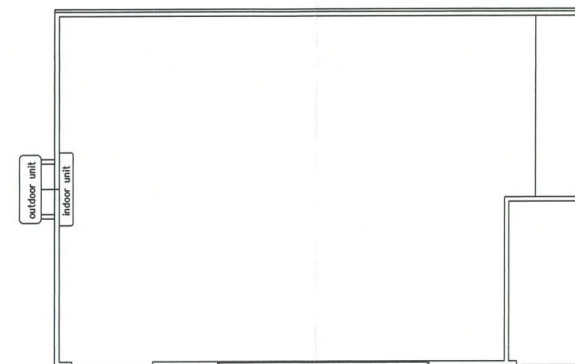
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				Drawn - I.K.	Designed - RW	Project : PROPOSED STAFF ROOM	DENILIQUIN NSW		
				Date - 04/02/22	Checked - RW	Title : ELEVATIONS			
					File -				
				Date Plotted -	Cad File No. - 03-176	Original Size	Revision		

Reference Plans

preliminary



FLOOR PLAN



MECHANICAL PLAN

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			Drawn - LK	Designed - RW	Project : PROPOSED STAFF ROOM		DENILIQUIN NSW		
			Date - 04/02/22	Checked - RW	Title : FLOOR PLAN				
				File -					
Reference Plans			Date Plotted -	Cad File No. - 03-176	Original Size	Drawing No. 002D02		Revision	

Reference Plans

Attachment 3 - Statement-of-Environmental-Effects_PAN-234281



**Edward
River**
COUNCIL

FORM 7 Statement of Environmental Effects for Minor Impact Developments

IMPORTANT INFORMATION

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000 a development application must be accompanied by a Statement of Environmental Effects.

QUALIFIER

This Statement of Environmental Effects template has been produced to assist applicants identify the environmental impacts of a development and the steps to be taken to protect the environment or lessen expected harm. The template is suitable for minor impact development. It may be necessary for Council to request additional information depending on the nature of the impacts of a proposal. Larger scale developments should be accompanied by a detailed and specific Statement of Environmental Effects.

1. Applicant Details

Applicant Name	NSW Rural Fire Service		
Postal Address <i>Your reply will be posted to this address</i>	P.O. Box 109, Deniliquin NSW 2710		
Phone	03 5898 4100	Email	doug.adamson@rfs.nsw.gov.au

2. Property Details (of the site to be developed)

Street Number		Street	Macknight Drive
Town	Deniliquin	Site Area m ²	24
Lot/DPs numbers	Lot 52 DP1189132		

3. Proposal details

Describe your proposal in detail, including:

- the physical description of building and any proposed buildings
- dimensions of building including height, proposed materials, nominated colour scheme, nature of use
- signage, disabled access and facilities, driveway access points, parking

Locate 6.1 m x 4 m demountable office with facilities at the Deniliquin Airport, Macknight Drive Deniliquin.
The office to be connected to water, existing septic and 240 volt power.
The office is to be used as an airbase for aviation firefighting during fire emergencies in the Bush Fire Danger Period from the 31st October to 1st March.
The office will be adjacent to an existing airbase shed that is used to store firefighting equipment.

4. Site details	
What is the area of the site?	24 square metres
What is the land zone?	Deniliquin Airport
Describe the site - Provide information on physical features of the site such as shape, slope, vegetation, waterways, access, existing services/infrastructure	
Proposed site is adjacent to RFS air base at Deniliquin airport.	
Describe the use of lands adjoining the site. Will the proposal impact on adjoining property? Consider issues such as noise, privacy, overland flows of storm water and other amenity impacts.	
Adjoining land is Deniliquin airport.	

5. Present and Previous Uses		
What is the present use of the site and when did this use commence? Did this use receive development consent?		
Airport hangars.		
List the previous use(s) of the site		
Existing Airport.		
Are you relying on existing use rights?	<input checked="" type="checkbox"/> Yes	No
Have any potentially contaminating activities been undertaken on the property?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please identify:		

6. Existing Structures	
List existing structures on the land	
Multiple aircraft hangars.	
List any structures to be demolished as part of the proposal	
No structures for demolition.	

7. Subdivision		
Do you propose to subdivide?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
How many existing lots?	1	
How many proposed lots?	1	

8. Planning Policies / Controls			
Does the proposal <u>seek a variation</u> to the provisions contained in the following controls?	Yes	No	N/A
Deniliquin LEP 2013	<input type="checkbox"/>	x	<input type="checkbox"/>
Conargo LEP 2013	<input type="checkbox"/>	x	<input type="checkbox"/>
Deniliquin DCP 2016	<input type="checkbox"/>	x	<input type="checkbox"/>
Other relevant SEPP / EPI Standards	<input type="checkbox"/>	x	<input type="checkbox"/>

9. Context and Setting			
	Yes	No	N/A
Will the Development be visually prominent in the surrounding area?	<input type="checkbox"/>	x	<input type="checkbox"/>
Will the Development be consistent with the existing streetscape or Council Policy?	x	<input type="checkbox"/>	<input type="checkbox"/>
Will the development be out of character with the surrounding area?	<input type="checkbox"/>	x	<input type="checkbox"/>
Comment Shed is single story only and will be clad with corrugate iron in Rural fire Service colours			

10. Access and Traffic			
	Yes	No	N/A
Is legal and practical access available to the site?	x	<input type="checkbox"/>	<input type="checkbox"/>
Are additional access points to road network required?	<input type="checkbox"/>	x	<input type="checkbox"/>
Has vehicle manoeuvring and onsite parking been addressed in the design?	x	<input type="checkbox"/>	<input type="checkbox"/>
Will the development increase local traffic movements/volumes?	x	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please specify how much: Not significant, Airbase in used infrequently during summer months.			

11. Utilities and Services	
Water supply - Please provide details of existing and any proposed arrangements	
Connect to town water	
Sewer - Please provide details of existing and any proposed arrangements	
Connect to existing septic tank.	
Storm Water connection / disposal - Please provide details of existing and any proposed arrangements	
Existing rain water tank.	
Septic Tank / Effluent disposal - Please provide details of existing and any proposed arrangements	
Existing septic tank.	
Other	

12. Threatened Species and Biodiversity Considerations

Is the land identified as a critical habitat or as part of a critical habitat?

☐ Yes

x No

If yes, you need to submit a Species Impact Statement to accompany your application

Is the development likely to significantly affect threatened species populations or ecological communities or their habitat?

☐ Yes

x No

If yes, you need to submit a Species Impact Statement to accompany your application

Does the proposal include land clearing of native vegetation?

Yes

x No

If no, proceed to Section 13

Does your proposal require land clearing of vegetation within an area identified on the Biodiversity Values Map as defined under the Biodiversity Conservation Regulation 2017?

☐ Yes

x No

Does your proposal exceed the Biodiversity Offset Scheme Thresholds in accordance with part 7.4 of the Biodiversity Conservation Act 2016?

☐ Yes

x No

If yes to EITHER of the above 2 questions, please attach a Biodiversity Development Assessment Report (BDAR) in accordance with part 6.12 of the Biodiversity Conservation Act 2016**If no to BOTH of the above 2 questions**, please attach a "test of significance" also known as the 5 part test, in accordance with section 7.3 of the Biodiversity Conservation Act 2016**13. Environmental Impacts**

Is your proposal likely to result in air, noise or water pollution? (Including during construction works)

☐ Yes

x No

If yes, please describe the source of pollution and what measures will be implemented to control pollution

Air (Dust, Odour)

Noise

Water

Is the development likely to result in any form of sediment run-off?

☐ Yes

x No

If yes, please describe what erosion prevention and sediment control measures you propose to implement

Is the land flood prone?

☐ Yes

x No

If yes, describe the proposed finished floor levels of habitable rooms

Is the land classed as bushfire prone?

☐ Yes

x No

If yes, and if your proposal is for the construction of a dwelling or dwelling additions/alteration, you will need to undertake BAL Risk Assessment in accordance with NSW RFS Planning requirements and provide to Council. If you determine your development is a higher risk BAL 40 or BAL FZ, you will need to consult with a Bushfire consultant to assist further.

Do you propose to clear any vegetation and/or trees (Non-Native) as part of your proposal?

Yes

x No

If yes, please provide details

14. Aboriginal Cultural Heritage

Is the proposed site of the development in close proximity to Aboriginal cultural heritage (ACH) indicators (such as the Edward River or sites that are registered within the Aboriginal Heritage Information Management System (AHIMS) which may include culturally modified trees and known burial)?

☐ Yes ☒ No

If yes, you must submit evidence that they have carried out due diligence in determining that the actions will not harm Aboriginal objects.

Attention is drawn to the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (the Code) and in particular the generic Due Diligence process on pages 10 – 14 of the Code. Anyone who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence if they later harm an object. Further information on the code is available at the OEH website: www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf

As a minimum the applicant is required to undertake a Due Diligence assessment in accordance with the Code to identify:

- Whether or not Aboriginal objects are, or are likely to be, present in the proposed development area, and
- To determine whether or not the proposed activities are likely to harm Aboriginal objects (if present)

To determine whether further assessment in the form of an Aboriginal Cultural Heritage Assessment (ACHA) and/or an Aboriginal Heritage Impact Permit (AHIP) application is required.

Briefly summarise below the findings of your Due Diligence assessment – detail your site inspection, results from your AHIMS basic search and any other relevant information sourced

AHIMS search reveals 0 Aboriginal sites present.

15. Presumptive Title

Is your development proposal located on the riverbank?

☐ Yes ☒ No

If yes, please advise / provide evidence if you have presumptive title (own to the middle thread of the river). This information can be obtained from Crown Lands – Phone 1300 886 235.

16. Operational and Management Details

NOTE

This section does not relate to residential development and is generally only applicable to commercial, industrial, rural industrial or tourism developments

Describe in detail the proposed business/activity				
Building will be used by the NSW Rural Fire Service volunteers during aviation firefighting operations.				
Hours of operation				
Monday to Friday	AM	to	PM	
Saturday	AM	to	PM	
Sunday	AM	to	PM	
Extended hours	AM	to	PM	
Total number of staff members		Up to 6		
Maximum number of staff members on duty at any one time		6		
Maximum number of clients/customers expected in a day		various		
Maximum number of clients/customers expected at any one time		various		
Expected vehicle types associated with the proposal		various		
Number of car parking spaces provided		4		
Location of car parking spaces provided		Adjacent to existing shed.		
Describe arrangements transport, loading, and unloading of goods (including expected frequency of deliveries, size of vehicles and frequency of truck movements)				
Rigid trucks loaded and unloaded by fork lift.				
List machinery associated with the proposed business / activity				
Trucks, aircraft, forklift, staff vehicles				
List the type and quantity of raw materials, finished products and waste materials				
N/A				
Describe how waste will be disposed				
N/A				
Identify any processes or materials that may be potentially hazardous and identify management				
N/A				

12.4. TRADE WASTE POLICY FOR PUBLIC EXHIBITION

Author: **Manager Engineering and Assets**

Authoriser: **Director Infrastructure**

RECOMMENDATION

That Council:

1. Endorse the draft Policy for Liquid Trade Waste Regulation and place on public exhibition for a period of not less than 28 days,
2. If submissions are received, receive a further report regarding the draft Policy for Liquid Trade Waste Regulation, and
3. If no submissions are received, adopt the draft Policy for Liquid Trade Waste Regulation.

BACKGROUND

Liquid trade waste is any discharge to a sewerage system other than sewage of domestic nature (i.e. wastewater from a hand wash basin, shower, bath, toilet or domestic laundry).

Sewerage systems are designed to safely collect, transfer and treat wastewater that is mostly of domestic origin. However, sewerage systems may also accept liquid trade waste discharges provided they are planned and controlled within acceptable limits.

It is important that councils implement best practice in administering, regulating, monitoring, and pricing sewerage and liquid trade waste. The current Policy is available on Council's website.

To assist councils in regional NSW with best-practice regulation of sewerage and trade waste, the Department of Planning and Environment develops and updates Trade Waste Management Guidelines and related documents.

Businesses or government agencies proposing to discharge liquid trade waste to a council's sewerage system must have prior approval from the council responsible for regulating sewerage and trade waste in that area.

ISSUE/DISCUSSION

Council's current Policy for Liquid Trade Waste Regulation adopted in 2017 has recently been reviewed and edited in accordance with the updated Liquid Trade Waste Regulation Guidelines 2021.

The Department of Planning and Environment have reviewed the policy (attached) and considered it satisfactory for public exhibition. The Department have noted however, some of Council's current Fees and Charges terminology does not align with the guidelines and will need to be updated as well (see attached).

The Policy itself looks significantly different from the last. Changes are listed below:

- Major layout change with Legislative information is at the back of the policy as opposed to the front.
- Expanded list of prohibited discharges.
- Updated due to changes to technology and business processes.
- Changes in categorisation of some business processes.

- Exempt now titled Deemed Approved with minimum requirements.

STRATEGIC IMPLICATIONS

Adoption and implementation of the Policy for Liquid Trade Waste Regulation is consistent with Council's responsibilities for Best Practice Management of sewerage services.

COMMUNITY STRATEGIC PLAN

1. Shaping the Future

1.1 Pristine natural environment

4. Delivering community assets and services

4.2 Reliable Water and Sewerage

FINANCIAL IMPLICATIONS

Council funds the management of the Policy for Liquid Trade Waste Regulation as part of the Sewer Fund.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

Liquid Trade Waste Regulation Guidelines 2021

ATTACHMENTS

Policy for Liquid Trade Waste Regulation (Draft)

DPE Comments

Attachment 1 - DPE comments TW policy

**Department of Planning and Environment**

Our ref: 22/11467

Your ref: Liquid Trade Waste Policy

Mr Philip Stone

General Manager

Edward River Council

PO Box 270

DENILIQUIN NSW 2710

1 August 2022

Attention: MS Monique Aarts

Subject: Edward River Council Liquid Trade Waste Policy

Dear Mr Stone

I refer to Council's email of 25 July 2022 regarding Council's draft Liquid Trade Waste Policy (Policy).

The draft Policy has been reviewed and is considered satisfactory. It is, however, noted that the Council's 2022/2023 Schedule for Fees and Charges is inconsistent with the Policy (refer to Attachment 1).

In accordance with section 3.4.2 of the Liquid Trade Waste Regulation Guidelines 2021, Council needs to provide its final Policy to the Department of Planning and Environment - Water for consent after publicly exhibiting the Policy for not less than 28 days and addressing any issues raised in public submissions. The 2023/2024 Fees and Charges need to be amended in accordance with the adopted Policy (as indicated in Attachment 1).

Please continue to liaise with Padmini Vitharana on 9842 8484 on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Blackmore".

Michael Blackmore

Director Water Utilities

Water Operations

Department of Planning and Environment**Attachment 1**

Council's Fees and Charges 2022/2023

Page 37

- Annual fees. These fees are described as Liquid Trade Waste access charge. This terminology is incorrect. The Council's Policy refers to "Annual trade waste fee" and the Schedule has to use the same description. Moreover, the same fee, \$123, is used for all trade waste charging categories and re-inspection fees. The Annual fee should reflect the complexity of an annual inspection and administration requirements for different types of waste. Accordingly, the annual fees for trade waste discharges in Charging Categories 2 and 3 should be higher than for Category 1.
- Excess Mass Charges are described as Liquid Trade Waste Usage Charge. Those should be referred to as in the Policy, e.g. Excess Mass Charges.
- The same applies to the description of Food Waste Disposal Charge on page 38 which should be referred to as in the Policy, not the Liquid Trade Waste Usage charge.

Attachment 2 - ERC Draft LTW policy July 2022

**Policy for liquid trade waste regulation
DRAFT**

Policy Statement

This policy sets out how Edward River Council will regulate liquid trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Liquid Trade Waste (Appendix F).

Sewerage systems are generally designed to cater for liquid waste from domestic sources that are essentially of predictable strength and quality. Council **may** accept liquid trade waste into its sewerage system as a **service** to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

This Policy is consistent with the *Liquid Trade Waste Management Guidelines 2021* developed by the Water Utilities branch of the NSW Department of Planning, Industry and Environment

(https://www.industry.nsw.gov.au/_data/assets/pdf_file/0010/147088/trade-waste-management-guidelines.pdf)

Note that the term 'Department' in this Policy refers to the state agency responsible for granting concurrence to Council's approval to discharge liquid trade waste to Council's sewerage system (under Clause 28 of the Local Government (General) Regulation 2021) .
Currently, it is the Department of Planning and Environment.

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Introduction

This Policy has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment, and Council's sewerage system. The policy also promotes waste minimisation, water conservation, water recycling and biosolids reuse.

In addition, the approval, monitoring and enforcement processes for liquid trade wastes discharged to Council's sewerage system and the levying of commercial sewerage and liquid trade waste fees and charges are described in this document. The procedure for liquid trade waste approval is governed by Chapter 7 of the Local Government Act.

Under section 68 of the *Local Government Act 1993* (Act), a person wishing to discharge liquid trade waste to the sewerage system must obtain prior approval from Council. Discharge of liquid waste other than domestic sewage without prior approval is an offence under section 626 of the Act.

What is liquid trade waste?

Liquid trade waste is defined in the Local Government (General) Regulation 2021 as below:

Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Liquid trade waste discharges to the sewerage system include liquid wastes from:

- industrial premises
- business/commercial premises (e.g. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, supermarket, etc.)
- community/public premises (including clubs, school, college, university, hospital and nursing home)
- any commercial activities carried out at residential premises
- saleyards, racecourses and stables and kennels that are not associated with domestic households
- tankered human waste, ship-to-shore waste from marina pump-out facilities, portable toilet waste and established sites for the discharge of pan contents from mobile homes/caravans
- any other waste tankered to the sewerage facilities, e.g. commercial or industrial waste from un-sewered areas.

Liquid trade waste excludes:

- toilet, hand wash basin (used for personal hygiene only), shower and bath wastes derived from all the premises and activities mentioned above
- wastewater from residential toilets, kitchens, bathrooms or laundries (i.e. domestic sewage)
- wastewater from common laundry facilities in caravan parks (Note that discharges from common kitchen facilities in caravan parks are liquid trade waste)
- residential pool backwash.

Objectives

The objectives¹ of this policy are:

- to protect public and workers health and safety and the environment
- to protect Council's assets from damage
- to minimise adverse impacts on the sewage treatment processes
- to assist Council meeting regulatory and licence compliance
- to promote water conservation, waste minimization, cleaner production, effluent recycling and biosolids reuse
- to provide an environmentally responsible liquid trade waste service to the non-residential sector
- to ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

Structure of the Policy

This policy comprises three parts:

- Part 1 specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to Council's sewerage system
- Part 2 specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval
- Part 3 specifies the application procedure and approval process, liquid trade waste discharge categories and applicable fees and charges, the NSW Framework for Regulation of Liquid Trade Waste, alignment with the *National Framework for Wastewater Source Management* and other relevant information

Part 1 – Exemptions

The list of discharges exempt from obtaining of Council's approval is provided in Appendix B. These discharges are known as 'Deemed to be approved'. Each such discharger must meet the standard requirements specified in Appendix B.

¹ The above objectives are consistent with the *National Framework for Sewage Quality Management* in the *Australian Sewage Quality Management Guidelines, June 2012*, Water Services Association of Australia (WSAA).

Part 2 - Criteria for approval to discharge liquid trade waste into Council's sewerage system

Factors for consideration

Council's decision to accept liquid waste into its sewerage system will be based on the discharger satisfying Council's requirements. Therefore, when determining an application to discharge liquid waste to the sewerage system, Council will consider the following factors:

- The potential impacts of the proposed discharge on Council's ability to meet the objectives outlined in s. 1.2 of this document.
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed contingency measures in an event of the pre-treatment system failure
- The capability of the sewerage system (reticulation and treatment components) to accept the quantity and quality of the proposed liquid waste
- The adequacy of chemical storage and handling facilities, and the proposed safeguards for prevention of spills and leaks entering to the sewerage system
- The adequacy of the proposed due diligence program and contingency plan, where required.
- Proposed management of prohibited substances and other liquid waste not planned to be discharged to the sewerage system and safeguards to avoid any accidental discharge
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls
- The potential for growth of the community

Discharge quality

Council's acceptance limits for liquid trade waste discharges are set out in Table 1. These limits are consistent with the acceptance limits specified in the *Liquid Trade Waste Management Guidelines*, 2021 by the Department of Planning, Industry and Environment.

Table 1: Acceptance limits for liquid trade waste into the sewerage system

Parameter	Limits
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is determined based on the available capacity of the sewer. Large discharges are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD ₅	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
Suspended solids	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
COD	Normally, not to exceed BOD ₅ by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. The acceptance limit may be reduced depending on available effluent disposal options and may be subjected to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.
Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works and 50 mg/L if the volume is greater than 10%.
Detergents	All detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes discharges.
Colour	Colour must be biodegradable. No visible colour when diluted to the equivalent dilution afforded by domestic sewage flow. Specific limits may be imposed on industrial discharges where colour has a potential to interfere with sewage treatment processes and the effluent management.
Radioactive Substances	If expected to be present (e.g. Iodine 131 from ablation), acceptance requirements will be set on a case-by-case assessment.

Acceptance limits for inorganic and organic compounds		Maximum concentration (mg/L)
Inorganic compounds	Ammonia (as N)	50
	Boron	5
	Bromine	5
	Chlorine	10
	Cyanide	1
	Fluoride	30
	Nitrogen (total Kjeldahl)	100
	Phosphorus (total)	20
	Sulphate (as SO ₄)	500
	Sulphide (as S)	1
Organic compounds	Benzene	< 0.001
	Toluene	0.5
	Ethylbenzene	1
	Xylene	1
	Formaldehyde	30
	Phenolic compounds non-halogenated	1
	Petroleum Hydrocarbons ² (non-halogenated)	5
	Refractory Hydrocarbons (TRH)	30
	Pesticides general (except organochlorine and organophosphorus)	0.1
	Polynuclear Aromatic Hydrocarbons (PAH)	5

² Always ask a laboratory to carry out a silica gel clean up, if other than petroleum products are expected to be present in a liquid trade waste sample, e.g. animal fats, plant oil, soil, etc.

Acceptance limits for metals	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
Aluminium	100	
Arsenic	0.5	2
Cadmium	1	5
Chromium ³	3	10
Cobalt	5	15
Copper	5	15
Iron	100	
Lead	1	5
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	15
Nickel	1	5
Selenium	1	5
Silver	2	5
Tin	5	15
Zinc	1	5
Total heavy metals excluding aluminium, iron and manganese	Less than 30 mg/L and subject to total mass loading requirements	

Notes:

1. Acceptance limits for substances not listed in above Tables will be determined on a case by case basis.
2. The quality of liquid trade waste from some low risk commercial activities in Classification A and B will exceed acceptance limits listed in above Table. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs, maintains and properly operates the required on-site pre-treatment. Similarly, septic and pan waste may exceed some acceptance limits.
3. The analytical testing methods for the above parameters should be in accordance with the Australian Sewage Quality Management Guidelines, June 2012, WSAA and Council's requirements

Prohibited or restricted substances and waste

Substances prohibited from being discharged into the sewerage system unless they are specifically approved under section 68 of the Act are listed in

³ Where hexavalent chromium (Cr⁶⁺) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr³⁺), prior to discharge into the sewer

Table 2. In addition, s 2.2.3.1 lists the discharges either prohibited or restricted. Refer to Appendix C for detailed description of substances and discharges either prohibited or restricted.

Table 2 Waste Prohibited from discharge to the sewerage system

<ul style="list-style-type: none">• Organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances• organophosphorus pesticides and/or waste arising from the preparation of these substances• per- and poly-fluoroalkyl substances (PFAS)• any substances liable to produce noxious or poisonous vapours in the sewerage system• organic solvents and mineral oil[#]• any flammable or explosive substance[#]• discharges from 'Bulk Fuel Depots'• discharges from chemicals and/or oil storage areas• natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions• roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the Local Government (General) Regulation 2021)• solid matter[#]• disposable products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable• any substance assessed as not suitable to be discharged into the sewerage system• liquid waste that contains pollutants at concentrations which inhibit the sewage treatment process – refer to Australian Sewage Quality Management Guidelines, June 2012, WSAA• any other substances listed in a relevant regulation
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[#] In excess of the approved limit

2.2.3.1 Other substances/discharges either prohibited or restricted

- Stormwater from open areas
- Contaminated groundwater
- Landfill leachate
- Discharge from float tanks
- Discharge from new service station forecourts and other refuelling points
- Discharge of liquid waste arising from liquefaction and/or pulverisation of solid waste by physical or chemical processes (e.g. garbage grinders/in-sinkerators, macerators, alkaline hydrolysis).
- Discharge from solid food waste processing units (digesters/composters, etc.)
- Use of additives in pre-treatment systems

For further details on limitations and restrictions applicable to above discharges, refer to Appendix C of this policy, Chapter 3 of the *NSW Liquid Trade Waste Management Guidelines, 2021* ([Link to Council website](#))

Part 3 –Matters relating to liquid trade waste approvals

Application procedures and approval process

Council's written approval is required prior to commence discharging liquid trade waste to its sewerage system, under s.68 of the Local Government Act 1993. Application forms are available from Council.

The applicant must lodge a trade waste application providing all requested information.

A trade waste application is not required to discharge liquid trade waste from 'Deemed to be approved' activities listed in Appendix B

Who can lodge an application

S. 78 of the Local Government Act states that an application may be made by the person seeking to carry out the activity or, if the application applies to a particular land, the owner of the land or a person who has the consent of the owner

Council's process in determination of applications

Council may request an applicant to provide further information to enable it to determine the application.

Approval of applications

Where an application is approved, Council will notify the applicant including any conditions of the approval and reasons for such conditions. The duration of the approval will be as stated in the approval.

An applicant may make a minor amendment or withdraw an application before it is processed by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the Local Government Act.

Refusal

If an application is refused, Council will notify the applicant of the grounds for refusal.

Under section 100 of the Act the applicant may request the review of Council's determination. Under section 176 of the Act, the applicant dissatisfied with Council's determination may appeal to the Land and Environment Court within 12 months.

Change of approval holder

An approval to discharge liquid trade waste to Council's sewerage system is not transferable. A new application must be lodged, and a new approval must be obtained if there is a change of the approval holder. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.

Validity of an existing approval

A new approval is required where there is a change of:

- approval holder (either owner or occupier can be an approval holder)
- activity generating the waste
- the quantity or the nature of liquid trade waste
- approval conditions.

Modification and revocation of approvals

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system under the circumstances described in s.108 of the *Local Government Act 1993*:

Concurrence

If Council supports an application and has a notice stating that concurrence of the Secretary, NSW Department of Planning, Industry and Environment can be assumed for the liquid trade waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence to its approval.

For concurrence purposes, liquid trade waste discharges are divided into four classifications.

- Concurrence Classification A – liquid trade waste for which Council has been authorised to assume concurrence to the approval subject to certain requirements
- Concurrence Classification B – liquid trade waste for which Council may apply for authorisation to assume concurrence to the approval subject to certain requirements
- Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out etc. Council may apply for authorisation to assume concurrence to the approval subject to certain conditions
- Concurrence Classification C – all other liquid trade waste that do not fall within Concurrence Classification A, B or S, and therefore require Council to forward the application for concurrence.

Refer to Appendix E which lists type of discharges that Council have assumed concurrence (i.e. that Council can approve without seeking concurrence from the Department).

Liquid trade waste from existing premises/dischargers

At Council's discretion, a period of time may be granted for an **existing** discharger to install liquid trade waste pre-treatment equipment or perform other works required to achieve compliance with the conditions of a liquid trade waste approval. The period of time granted will generally not exceed 12 months and will be assessed on a case by case basis taking into account the capacity of the receiving sewage treatment plant to accept the discharger's liquid trade waste and the cost and/or difficulty of works to be undertaken. The scope of works required, results to be achieved and timetable for completion shall be laid out by the discharger and agreed to by Council.

Existing dischargers who have nil or inadequate liquid trade waste pre-treatment equipment at their current premises are generally required to improve their discharge quality by installing or upgrading pre-treatment equipment to the current standards.

Where installation of the prescribed liquid trade waste pre-treatment equipment is not considered by Council as feasible or reasonable in order to treat an **existing** discharge, an exception from installing such equipment may apply.

At premises where liquid trade waste pre-treatment equipment is undersized and it is not considered by Council or the Department as feasible or reasonable to upgrade the pre-treatment equipment to treat the **existing** discharge, an exception from upgrading the equipment may apply.

Existing premises undergoing refurbishment/renovation must allow for the installation of the appropriate liquid trade waste pre-treatment equipment.

Where Council considers an application for exception should be approved, the application will need to be forwarded to the Department for consideration and concurrence.

In the event the business is sold (new documentation requirements supporting an exception may apply) or if renovations/refurbishments are carried out then Council may require the appropriate prescribed pre-treatment equipment to be installed.

Where the prescribed liquid trade waste pre-treatment equipment (or alternative acceptable to Council and the Department) cannot be installed or the effluent quality is not improved to a standard satisfying Council and the Department, the non-compliance liquid trade waste usage charge will be applied.

Details to be provided with the application for an exception from installing prescribed liquid trade waste pre-treatment equipment:

- An explanation from the applicant requesting an exception and on what grounds this exception is sought;
- A letter from a hydraulic consultant, plumber or the company that provides the pre-treatment equipment stating that the pre-treatment installation required by Council is not feasible and the reason(s) why;
- Details of the proposed frequency of cleaning, maintenance and the nominated licensed contractor undertaking these functions;
- A site plan.

Upon receiving the application, Council will carry out:

- An inspection in order to assess the feasibility of installing the prescribed pre-treatment equipment. This inspection report is to be signed off by a senior Council officer with appropriate delegated authority.
- An assessment of the sewerage system capacity to accept the proposed untreated waste load and that the modifications, alterations or undersized pre-treatment equipment will not adversely impact on the sewage treatment process, sewage transportation system, by-product management and the environment.

Sewerage and liquid trade waste fees and charges

Council provides sewerage and liquid trade waste services on a commercial basis to non-residential dischargers, with full cost recovery through sewerage and liquid trade waste fees and charges. Council implements best practice pricing for non-residential sewerage and liquid trade waste services to ensure that dischargers bear a fair share of the cost of providing sewerage services and to facilitate appropriate pre-treatment, waste minimisation and water conservation

The current sewerage and liquid trade waste fees and charges are provided on Council's website **<Council to provide the web link>**

Council's liquid trade waste fees and charges may include:

- general fees and charges (application fee, annual liquid trade waste fee, inspection and/or re-inspection fees and renewal fee)
- category specific charges (trade waste usage charges for Charging Category 2 discharges, excess mass charges for Charging Category 3 discharges, charges for Charging Category 2S discharges and non-compliance charges)
- other charges related to the nature of waste (eg. charges for the discharge of stormwater from large areas)

Detailed description of the liquid trade waste fees and charges and the methodology of calculating them are provided in Appendix D.

Liquid trade waste charging categories

For charging purposes there are 4 liquid trade waste charging categories:

- Category 1 – discharges requiring minimal pre-treatment, or prescribed pre-treatment but low impact on the sewerage system. These dischargers will only pay an annual fee. If pre-treatment equipment is not provided or maintained, non-compliance charges will be applied.
- Category 2 – discharges with prescribed pre-treatment⁴ and other activities listed under this charging category in Appendix D. These dischargers will pay trade waste usage charge and annual trade waste fee. If pre-treatment equipment is not provided or not maintained, then such dischargers will be required to pay non-compliance usage charge.
- Category 2S – transporters who tanker human waste to Council's STWs, owners/operators of ship-to-shore pump out facilities and owners/operators of 'dump points' directly connected to sewer
- Category 3 – large (>20 kL/d) and industrial discharges (excluding shopping centres and institutions). Such dischargers will pay excess mass charges. If the discharge fails to comply with Council's acceptance limits, dischargers will be required to pay non-compliance excess mass charges and pH charges

Note that these charging categories are different to four classifications that have been established for concurrence purposes (i.e. Classification A, B, C and S). The relationship between Concurrence Classifications and Charging Categories are shown in Figure 1 in Appendix D.

Non-compliance liquid trade waste charges

In order to encourage compliance, Council may apply non-compliance trade waste charges. Refer to Appendix D for further details of non-compliance charges for different charging categories.

Council will continue applying non-compliance charges until the discharge meets Council's approved quality (or the liquid trade waste policy) limits, within the timeframe determined by Council for remedying the problem. If the discharger fails to rectify the problem within an agreed timeframe, the discharger may be required to cease discharging liquid trade waste into Council's sewerage system. Council may also consider issuing penalty infringement notice to a non-compliant discharger or may prosecute the discharger

Other applicable liquid trade waste charges

Additional fees and charges may be levied by Council if wastewater is discharged to Council's sewerage system from the following equipment and or processes, with Council's approval.

- Food waste disposal units (ie. garbage grinders/insinkers)⁵
- Solid food waste processing unit
- Discharge of stormwater to the sewerage system from large open areas or large quantities of groundwater

Refer to Appendix D for further details.

Charges for premises with multiple liquid trade waste streams

Examples of premises with multiple waste streams include:

- shopping centres
- commercial strata units

⁴ Excludes activities in Category 1.

⁵ For existing installations only. New installations are not permitted.

- institutions, e.g. hospitals, tertiary educational facilities and correctional centres
- other premises with multiple waste streams,

Refer to Appendix D and *Trade Waste Management Guidelines 2021* for further details.

Summary of category specific fees and charges

The summary of fees and charges are indicated in Table 3 below:

Table 3 Summary of fees and charges

Fee/Charge	Category 1	Category 2	Category 3	Category 2S
Application fee	Yes ⁶	Yes	Yes	Yes
Annual non-residential sewerage bill with appropriate sewer usage charge/kL	Yes	Yes	Yes	No
Annual liquid trade waste fee	Yes ⁷	Yes	Yes	Variable ⁸
Re-inspection fee (when required)	Yes	Yes	Yes	Optional ⁹
Trade waste usage charge/kL	No	Yes	No	No
Human waste disposal charge/kL	No	No	No	Yes
Excess mass charges/kg	No	No	Yes	No
Non-compliance trade waste usage charge/kL	Yes ¹⁰	Yes ¹⁰	No	No
Non-compliance excess mass/kg and pH charges/kL (if required)	No	No	Yes	No

Note: Refer to Appendix D for other applicable charges not included in this Table.

Responsibility for payment of fees and charges

Property (land) owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade waste services. This includes property owners of marinas, caravan parks, etc.

Where another party (lessee) leases premises, any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

In relation to tankered human waste, transporters who collect and discharge waste at the STW are responsible for the payment. A waste transporter who tankers liquid trade waste to the STW may pay only the liquid trade waste fees and charges as non-residential sewerage fees are not applicable.

Note that a liquid trade waste discharger (except for tankered waste) pays both the non-residential sewerage charges and liquid trade waste fees and charges.

The NSW framework for regulation of sewerage and trade waste and alignment of with the national framework.

The NSW framework for regulation of sewerage and trade waste and the alignment with the national framework for wastewater source management are listed in Appendix F.

Liquid trade waste service agreement

In addition to its approval under the Local Government Act, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge >20 kL/d) or industrial waste (Concurrence Classification C discharges) or some Classification S discharges into its sewerage system to execute a liquid trade waste services agreement. The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council.

Enforcement of approvals and agreements

⁶ Not applicable for discharges listed as Deemed to be Approved

⁷ May not be applicable for discharges listed as 'Deemed to be Approved'.

⁸ Refer to Appendix D for guidance on applying annual fees to Category 2S discharges.

⁹ Applicable if re-inspection of facilities is required, e.g. ship-to-shore pump-out facility.

¹⁰ Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment. Refer to Council's Management Plan

If the discharge is not approved or fails to comply with the approval conditions, the discharger is subject to prosecution and imposition of fines under the *Local Government Act 1993* (under s. 626 and s. 627).

Above offences are also prescribed as penalty notice offences under the Act and Council may issue a penalty infringement notice (i.e. on the spot fine) to such discharger (Refer to Schedule 12 of the *Local Government (General) Regulation 2021*).

In addition to fines, Council may recover costs of damages and fines incurred by Council as a result of an unauthorised liquid waste discharge. Temporally suspension or cease the discharge may also be required.

Note that sections 628 and 634 to 639 also list other offences related to water, sewerage and stormwater drainage.

Polluting of any waters by a discharger of liquid trade waste who does not have a Council approval or who fails to comply with the conditions of the approval is also an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty infringement notice to such a discharger.

Prevention of waste of water

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Appendix G) to waste or misuse water.

Dilution of liquid trade waste with water from any non-process source including Council's water supply, bore water, groundwater, stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

Effluent improvement plans

Where the quality of liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an Effluent Improvement Plan setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.

Due diligence programs and contingency plans

A discharger may be required to submit a due diligence program and a contingency plan for some liquid trade waste discharges (generally in Concurrence classification C, Charging Category 3) where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a due diligence program and contingency plan must be submitted to Council within the time specified in the liquid trade waste approval.

Appendix A - Glossary

Authorised assumed concurrence—Councils with significant experience in liquid trade waste regulation are encouraged to apply to the Secretary, Department of Planning, Industry and Environment seeking to obtain concurrence for Council's approval for Classification B and Classification S discharges. If granted, Council will no longer need to forward such applications to the department for concurrence, provided that Council complies with the conditions outlined in the notice of concurrence.

Automatic assumed concurrence—Council has been granted assumed concurrence for approval for Classification A discharges, provided that Council complies with conditions outlined in the notice of concurrence. Such applications may be approved by Council without forwarding the application to the department for concurrence.

Biochemical Oxygen Demand (BOD₅) —the amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.

Biosolids—primarily organic solids produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.

Blackwater—wastewater containing human excrement (i.e. faeces, urine).

Bunding—secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.

Chemical Oxygen Demand (COD) —a measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.

Chemical toilet—toilets in which wastes are deposited into a holding tank containing deodorizing or other chemicals. Stored wastes must be pumped out periodically.

Commercial retail discharge: commercial discharges can be described as wastes that are discharged from businesses dealing directly with the public.

Commercial caterer—a commercial caterer is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition does not apply to a food processing factory supplying pre-prepared meals to a third party.

Council—for the purpose of this document, "Council" refers to a local government body (including Local Water Utility) which provides water supply and sewerage services in regional NSW

Contingency plan—a set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste, leaks and spillages from stored products and chemicals.

Concurrence—under s. 90(1) of the *Local Government Act 1993* and cl. 28 of the Local Government (General) Regulation 2021, Council must obtain the written concurrence of the Secretary of the Department of Planning Industry and Environment prior to approving the discharge of liquid trade waste to Council's sewerage system. The department's Water Utilities Branch provides concurrence on behalf of the Secretary.

Due Diligence Program—a plan that identifies potential health and safety, environmental or other hazards (e.g. spills, accidents or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.

Effluent—the liquid discharged following a wastewater treatment process.

Effluent Improvement Plan (EIP)—the document required to be submitted by a discharger who fails to meet the acceptance limits set down in Council's approval conditions and/or liquid trade waste agreement. The document sets out measures taken by a discharger in order to meet the acceptance limits within the agreed timeframe.

Fast food outlet —a food retailing business featuring a very limited menu, precooked or quickly prepared food, and take-away operations. Premises of this nature include KFC, McDonalds, Red Rooster, Pizza Hut, Hungry Jack's, Burger King, etc.

Galley waste —liquid waste from a kitchen or a food preparation area of a vessel; not including solid wastes.

Greywater—wastewater from showers, baths, spas, hand basins, laundry tubs, washing machines, dishwashers or kitchen sinks.

Heavy Metals—metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.

Housekeeping—a general term, which covers all waste minimisation activities connected within the premises as part of its operation.

Industrial Discharges—industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes. Examples are provided in Trade Waste Management Guidelines 2021.

Liquid Trade Waste—all liquid waste other than sewage of a domestic nature discharged to the sewerage system.

Mandatory Concurrence—for the liquid waste in Classification C, Councils need to obtain concurrence for approval of each discharge. The Water Utilities Branch of the Department of Planning, Industry and Environment provides concurrence on behalf of the department's Secretary.

Methylene Blue Active Substances (MBAS)—anionic surfactants. Their presence and concentration are detected by measuring colour change in a standard solution of methylene blue dye.

Minimal Pre-treatment—for the purpose of this document this means sink strainers, basket arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.

Mixed Business—a general store that sells a variety of goods and may also prepare some food.

Open Area—any unroofed process, storage, washing or transport area where rainwater potentially can be contaminated.

Pan—any moveable receptacle kept in a closet and used for the reception of human waste.

PFAS—group of manufactured chemicals, containing a component with multiple fluorine atoms, with many specialty applications. Examples are perfluoro octane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They are used in a range of products, such as textiles, leather, cosmetics, non-stick coatings in cookware, food packaging, and in some types of fire-fighting foam. These chemicals take a long time to break down in humans and the environment and their persistence and bioaccumulation potential pose concerns for the environment and for human health.

Pit latrines/long-drop toilet/pit toilet—a type of toilet that collects faeces and urine directly into a tank or a hole in the ground

Portable Toilet—toilet in which wastes are deposited into a holding tank used on construction sites, caravans, motor homes, boats, trains and at outdoor gatherings. If chemicals are used to control odours, it is referred to as a chemical toilet.

pH—a measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H^+) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.

Premises—has the same meaning as defined in the Local Government Act Dictionary and includes any of the following:

- a building of any description or any part of it and the appurtenances to it
- land, whether built on or not
- a shed or other structure
- a tent
- a swimming pool
- a ship or vessel of any description (including a houseboat)
- a van.

Prescribed Pre-treatment Equipment—standard non-complex equipment used for pre-treatment of liquid trade waste, e.g. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit.

Regional NSW—the areas of the state that are not serviced by the Sydney Water Corporation or the Hunter Water Corporation.

Regulation—Local Government (General) Regulation 2021 under the *Local Government Act 1993*.

Secretary—the head of the Department of Planning, Industry and Environment.

Septage—material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.

Septic Tank—wastewater treatment device that provides a preliminary form of treatment for wastewater. It provides sedimentation of settleable solids, flotation of oils and fats, and anaerobic digestion of sludge.

Septic Tank Effluent—the liquid discharged from a septic tank after treatment.

Sewage Management Facility—a human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device.

Sewage of a Domestic Nature—human faecal matter and urine and wastewater associated with ordinary kitchen, laundry and ablution activities of a household, but does not include waste in or from a sewage management facility.

Sewerage System—the network of sewage collection, transportation, treatment and by-products (effluent and biosolids) management facilities.

Sewage treatment works—this is the facility designed to treat sewage. The level of treatment will vary based on the expected quality of the effluent.

Ship-to-Shore Pump-out—liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes, galley wastes and dry dock cleaning waste from maintenance activities.

Sludge—the solids that are removed from wastewater by treatment.

Stormwater Run-off—run-off resulting from rainfall.

Surfactants—the key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform-soluble complex. The intensity of colour is proportional to concentration.

Suspended Solids (SS) —the insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter.

Total Dissolved Solids (TDS) —total amount of dissolved material in the water.

Total Recoverable Hydrocarbons (TRH)—Both biological and petroleum hydrocarbons which have been extracted (recovered) from a sample. TRH are equivalent to the previously reported Total Petroleum Hydrocarbons (TPH). TRH is reported in fractions with Carbon chain ($C_6 - C_{40}$). TRH with carbon chain $C_6 - C_{10}$ are flammable.

Waste Minimisation—procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer

Appendix B – Deemed to be Approved Activities

The list of discharges exempts from obtaining of Council's approval (ie considered as Deemed to be approved) is shown in Table B1. Each such discharger must meet standard requirements specified in this Table.

Table B 1 Discharges deemed to be approved

Activity generating waste	Requirements
Beautician	Solvents not to be discharged to sewer
Bed and Breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas Housekeeping practices (see Note 4)
Cooling tower <500L/h	No chromium-based products to be discharged to the sewer
Crafts ceramic, pottery, etc. (including hobby clubs) flows <200 L/d	Nil
flows 200-1,000 L/d	Plaster arrestor required
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas Housekeeping practices (see Note 4)
Dental technician	Plaster arrestor required
Dental mobile (no amalgam waste)	Nil
Dog/cat grooming/animal wash only	Dry basket arrestor for floor waste outlets and sink strainer required (see Note 3) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Florist	Dry basket arrestor for floor waste outlet and sink strainer required Herbicides/pesticides are not permitted to be discharged to sewer
Fruit and vegetable – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Notes 3 and 5)

Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer, hair trap
Jewellery shop miniplate	Miniplate vessel to contain no more than 1.5 L of precious metal solution
ultrasonic washing	Nil
precious stone cutting	If: < 1000 L/d plaster arrestor required > 1000 L/d general purpose pit required
*Medical centre/doctor surgery/physiotherapy *(Only if plaster cast are made onsite)	Plaster arrestor required, if plaster of paris casts are used
Mobile cleaning units carpet cleaning	20-micron filtration system fitted to a mobile unit
garbage bin washing	Dry basket arrestor for floor waste outlet required. Discharge via grease arrestor (if available)
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3)
Optical service - retail	Solids settlement tank/pit required
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Pizza reheating for home delivery	Housekeeping practices (see Note 4)
Venetian blind cleaning	Nil (see Note 2)

Notes:

1. Where “required” is used, it means as required by Council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. Dry basket arrestors must be provided for all floor waste outlets.
4. Food preparation activities need to comply with sound housekeeping practices including:
 - (a) floor must be dry swept before washing
 - (b) pre-wiping of all utensils, plates, bowls etc. to the scrap bin before washing up
5. Use of a food waste disposal unit (garbage grinder) and/or a food waste processing unit (food waste digester, composter etc) is not permitted.

Appendix C - Prohibited or restricted substances and wastes from discharge to sewer

This Appendix provides additional information regarding substances and waste either prohibited or restricted from being discharged to sewer (as indicated in Table 2 of this Policy).

C1 Stormwater from open areas

The ingress of stormwater into the sewerage system can cause operational problems and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Under clause 137A of the Regulation, the discharge of roof, rain, surface, seepage or groundwater to a sewerage system is prohibited unless specifically approved.

However, it may not be practical or feasible to totally prevent stormwater contamination and ingress into a sewerage system from some non-residential premises.

The discharge of limited quantities of stormwater (generally, 10 mm of rain) from sealed areas can be considered when roofing cannot be provided due to safety or other important considerations. In such instances, the applicant should take measures to minimise the contamination of stormwater and the volume of stormwater entering the sewerage system (e.g. first flush systems, flow separation, bunding, on-site detention, etc.). The discharge from unsealed areas is not permitted.

Refer to Trade Waste Management Guidelines 2021 for further information

C2 Contaminated groundwater

Similar to stormwater, discharge of groundwater or seepage water to a sewerage system is prohibited under clause 137A of the Regulation. Accordingly, groundwater extracted during construction activities (e.g. building/road construction activities, vacuum excavation, mining/exploration works, etc.) is not permitted to be discharged to Council's sewerage system directly or indirectly.

However, groundwater previously contaminated by human activities (e.g. service station remediation sites) may be considered for discharge to the sewerage system. Limited quantities of groundwater from remediation projects may be accepted under controlled conditions after appropriate pre-treatment for a limited period.

C3 Discharge of landfill leachate

The discharge of leachate from municipal waste landfills to the sewerage system may be considered under controlled conditions, if there is no other viable option of managing this waste and the discharge is within the Council's acceptance limits.

The proponent when seeking approval to discharge leachate to sewer needs to demonstrate that a sound stormwater management plan has been developed and implemented. The plan needs to address:

- segregation of potentially contaminated areas from uncontaminated areas
- prevention of surface runoff entering leachate collection ponds/dams and to Council sewerage system.
- appropriate pre-treatment to meet Council's acceptance limits

Only the excess leachate after on-site management within the premise will be considered for sewer discharge, if it meets Council's acceptance criteria. On-site pre-treatment to reduce ammonia levels (and other substances, e.g. PFAS) may also be required.

C4 Discharge from float tanks

Float tanks, often referred to as floatation pods, iso-pods (isolation tank), sensory deprivation systems, or REST tanks (restricted environmental stimulation therapy tanks) are typically small, enclosed pods containing about 1,000 litres of water. This water usually contains large quantities of Epsom salts (300 - 700 kg of magnesium sulphate), resulting in total dissolved solids concentration up to 700,000 mg/L.

Discharge of such water to sewer is not permitted due to potential adverse impacts associated with the high salt content on the sewer infrastructure and treatment processes. It is also not appropriate to dispose of such waste to septic tanks or on-site soak wells.

If wastewater is proposed to be transported away for off-site management, the operator of such facilities must provide details of liquid waste transporters and written verification from the receival facilities acknowledging and agreeing to receive such wastewater.

C5 Discharge from Service station forecourts and other refuelling points

C5.1 New premises

The discharge of wastewater from service station forecourts and other refuelling points (e.g. at bus depot, etc.) is not permitted.

Refer to NSW EPA Practice Note, titled *Managing Run-off from Service Station Forecourts*, June 2019, for options for managing such wastewater.

C5.2 Existing premises

The discharge from existing service stations and other refuelling areas may be permitted, provided appropriate pre-treatment and discharge control requirements are adhered to. Further information is provided in Chapter 3 and Appendix F of the Liquid Trade Waste Management Guidelines 2021.

If a refuelling area is refurbished, then the discharge from this area must be disconnected from the sewerage system.

C6 Discharges from liquefaction and/or pulverisation of solid waste by physical or chemical processes

The wastewater arising from liquefaction or pulverisation of solid waste by physical (e.g. pulping, macerating) or chemical means (e.g. dissolving solid waste in highly acidic or alkaline solutions) is not permitted to be discharged to the sewerage system.

Accordingly, discharges from the following devices/processes are not permitted.

- **Macerators** or similar devices that pulverising of solid waste. Solid waste includes, but not limited to sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan/urine containers, food waste, disposable products and animal waste (dog/cat faeces, cat litter).
- **Food waste disposal units**, also known as in-sink food waste disposers or garbage grinders in commercial premises. Discharges from existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor (additional charges will be applied).

If the kitchen is refurbished, the food waste disposal unit must be removed.

- **Alkaline hydrolysis waste**, process where a human or animal tissue is broken down using alkaline solutions at elevated temperatures and pH. The process may be used in animal care facilities, veterinary premises, animal research laboratories, funeral parlours etc. The generated wastewater is of a high strength and may exhibit high loadings on the sewerage system. Accordingly, the wastewater generated by this process is **not** permitted to be discharged to the sewerage system.

C6.1 Discharge from Solid Food Waste Processing Units (digesters/ composters, etc.)

Discharge from a solid food waste processing unit (digesters/composters, etc) to a Council's sewerage system is a Concurrence Classification C discharge (ie. Charging Category 3), hence Council needs to obtain concurrence to its approval from the department for individual applications.

The quality of wastewater from this equipment depends on the type of solid waste feed into it and the effectiveness of the on-site pre-treatment, hence frequent sampling will be required for monitoring and charging purposes. Sampling needs to be undertaken by either a Council officer or an independent party acceptable to Council.

Appropriate on-site pre-treatment needs to be provided prior to combining with any other liquid waste stream that discharges to the Council's sewerage system.

Each application will be assessed on a case by case basis.

C7 Use of additives in pre-treatment systems

The use of bacterial, enzyme and/or odour controlling agents in pre-treatment equipment (eg. in grease arrestors) is prohibited unless specifically approved by Council with the department's concurrence.

C8 Discharge of disposable products marketed as flushable

Any disposable solid products including those marketed as "flushable" (eg. wet wipes, cleaning wipes, cat litter, etc.) is not permitted to flush down the sewerage system.

Contrary to manufacturers' claims, flushable wet wipes do not breakdown in the sewerage system similarly to a toilet paper and may cause blockages within the premises or in the Council's sewerage system and may cause raw sewage overflow to the environment.

Appendix D - Non-residential sewerage and liquid trade waste fees and charges

This Appendix provides information on Council's charging criteria for liquid trade waste customers. Some guidance is also provided on the applicable non-residential sewerage charges.

The best practice pricing for non-residential sewerage and liquid trade waste services are to ensure that liquid trade waste dischargers pay a fair share of the cost of sewerage services provided by Council. Appropriate pricing is essential to provide relevant pricing signals to non-residential and liquid trade waste customers to use water and sewerage system efficiently.

D1 Non-residential sewerage pricing¹¹

A non-residential sewerage bill is based on a cost-reflective two-part tariff with an annual access charge and a uniform sewer usage charge per kL. The total discharged volume to the sewerage system can be either measured (by a flow meter) or estimated using the customer's total water consumption multiplied by a sewer discharge factor.

The sewerage bill for a non-residential customer is calculated as follows:

$$B = SDF \times (AC + C \times UC)$$

Where: B = Annual non-residential sewerage bill (\$)
C = Customer's water annual consumption (kL)
AC = Annual non-residential sewerage access charge as shown below (\$)
SDF = Sewer discharge factor
UC = Sewer usage charge (\$/kL)

Access charge

The sewerage access charge is proportional to the square of the size of the water supply service connection.

$$AC = \left(AC_{20} \times \frac{D^2}{400} \right)$$

Where: AC_{20} = Annual non-residential sewerage access charge for 20 mm water service connection (\$)
D = Water supply service connection size (mm)

Sewer Usage charge

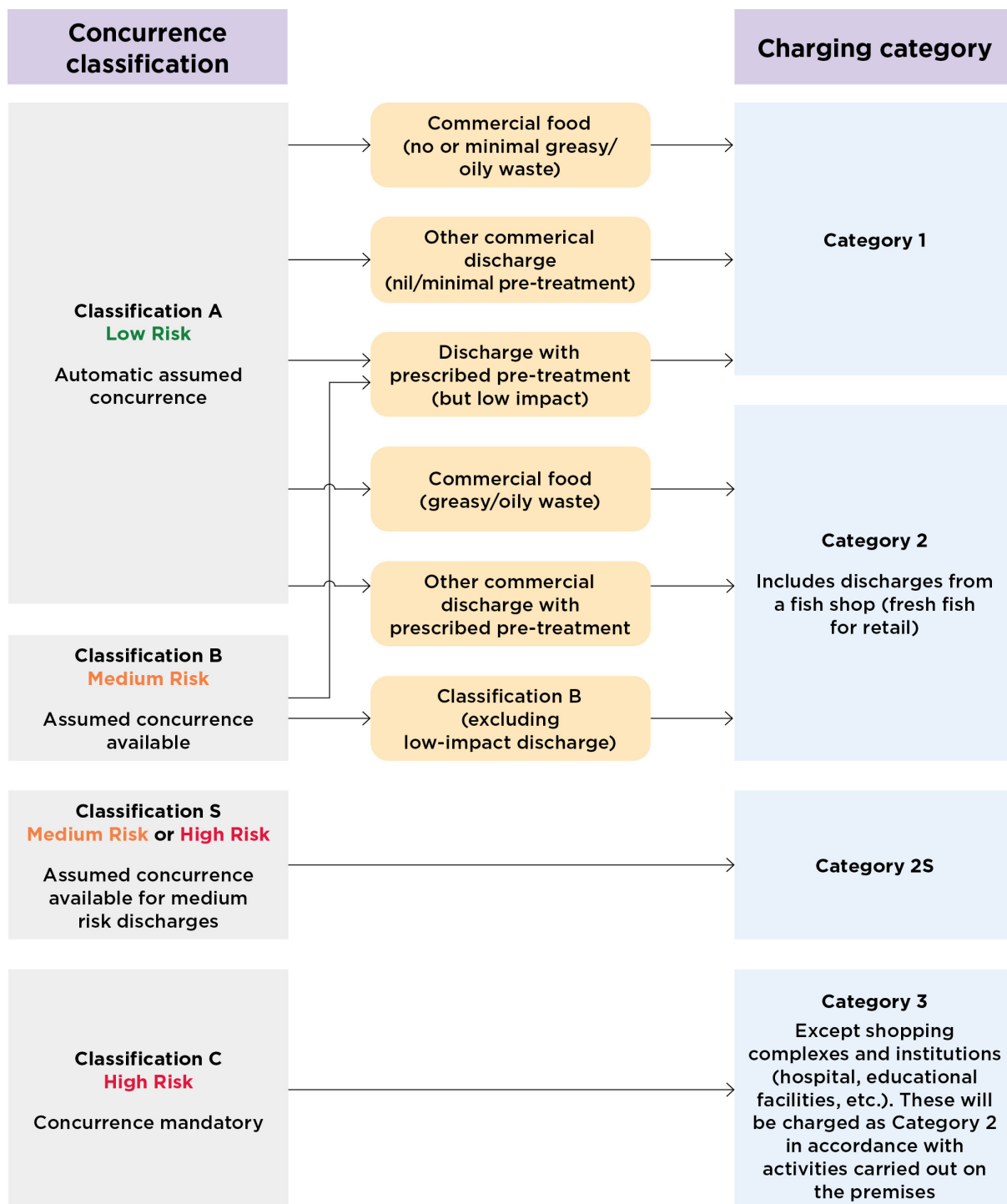
The sewer usage charge (\$/kL) is applied for the total volume of wastewater discharged to the sewerage system.

¹¹ Detailed guidance for calculation of non-residential sewerage prices are provided in the Department's Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002, Department of Land and Water Conservation

D2 Liquid Trade Waste fees and charges

This section describes various fees and charges associated with liquid trade waste and fees and charges applicable to charging categories. Figure 1 shows the relationship between concurrence classifications and charging categories.

Figure 1 Charging categories for liquid trade waste



In summary, Classification A discharges fall into Charging Category 1 or Category 2. Classification B discharges fall into Charging Category 2, except for a few discharges with low impact on the sewerage system which fall into Category 1. Classification S discharges fall into Charging Category 2S and Classification C discharges fall into Charging Category 3.

D2.1 Description of various trade waste fees and charges

Following sections describe various trade waste fees and charges and the methodology of calculating them.

D2.1.1 Application fee

The application fee recovers the costs of administration and technical services provided by Council in processing a liquid trade waste application. This fee varies for different charging categories to reflect the complexity of processing the application.

D2.1.2 Annual trade waste fee

The purpose of this fee is to recover the costs incurred by Council for ongoing administration and scheduled inspections, in order to ensure that the discharge complies with the approval conditions.

As part of an inspection, Council may undertake monitoring which may include, but is not limited to, flow measurement and the sampling. In general, cost of one inspection is included in the annual fee, in particular for Category 1 and 2 discharges.

Annual liquid trade waste fee varies for different charging categories in order to reflect the complexity of their inspection and administration requirements. In particular, for Category 3 discharges, Council may opt to set the annual fee on a case by case basis to reflect the complexity of monitoring requirements and the extent of inspection.

Refer to section D8.4 with regard to annual fees applicable to premises with **multiple activities**.

Council may require a discharger to pay for monitoring (quantity and quality) based on full cost recovery.

D2.1.3 Inspection fee/re-inspection fee

Cost of one inspection is usually included in annual liquid trade waste fee for charging categories 1 and 2.

However, it may be required to conduct un-planned inspections or re-inspections of a premise (e.g. non-compliance with approved conditions, investigating an accident, etc.). Also, more frequent inspections may be necessary for large and industrial discharges.

Where **more than one inspection** is undertaken in a financial year and/or the cost of inspections is not included in the annual fee, the cost may be recovered from the discharger as the re-inspection fee.

Council may recover the cost of sample analysis from the discharger, in addition to the re-inspection fee.

D2.1.4 Renewal fee

Council may apply a renewal fee if an existing approval needs to be renewed or modified.

D2.1.5 Category specific charges

The following sections describe the charging categories and relevant fees and charges. If a discharge is not listed, Council will determine (with the consultation of the department) the relevant charging category, based on the quality and the quantity of discharge.

D3 Category 1 discharger

This charging category includes:

- Classification A discharges (both commercial retail non-oily/greasy food preparation and other commercial discharges, listed below)
- Classifications B discharges identified as low risk.

Some of the above discharges may require prescribed pre-treatment to be installed however, the treated effluent is considered to have a low impact on the sewerage system.

Classification A discharges – commercial retail food preparation activities that do not generate or generate minimal oily/greasy waste: bakery (only bread baked on-site), bistro (sandwiches, coffee only), boarding/hostel < 10 persons, café/coffee shop/coffee lounge (no hot food), canteen/cafeteria (no hot food), community hall/civic centre (minimal food), day care centre (minimal hot food), delicatessen (minimal or no hot food), fruit and vegetable shop, hotel/motel (minimal hot food), ice cream parlour (take away only), juice bar, mobile food van (no hot food), mixed business (minimal hot food), nightclub (no hot food), nut shop, pie shop (re-heating only), pizza no cooking/reheating (pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar/snack bar (no hot food), take away food outlet (no hot food), school canteen with minimal hot food.

Classification A discharges from other commercial activities: animal wash, beautician/tanning booths/hairdressing, crafts ≤ 1,000 L/d, dental surgery/dental technician (plaster casts), dry cleaning, florist,

funeral parlour, jewellery shop, medical centre/physiotherapy (plaster casts), mobile cleaning units, morgue, optical service, pet shop, plants retail (no nursery), non-residential swimming pool/hydrotherapy, veterinary.

Classification A or B discharges with prescribed pre-treatment and low impact on the sewerage

system: boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry/laundromat, primary and secondary school¹², vehicle washing/detailing (excluding truck washing).

D3.1 Category 1 discharger - Liquid trade waste charges

D3.1.1 “Deemed to be approved” discharges

For “deemed to be approved” dischargers (refer to Appendix B), the annual category 1 liquid trade waste fee will be applicable.

D3.1.2 Category 1 discharger, other than “deemed to be approved”

Category 1 discharger who installs recommended appropriate pre-treatment equipment and maintains them regularly will be required to pay **only** the annual fee nominated for Category 1.

Liquid trade waste bill for Category 1 discharger (TW₁)

$$TW_1 = A_1$$

A₁ = Annual liquid trade waste fee (\$) for Category 1

D4 Category 2 discharger

Category 2 liquid trade waste dischargers are those discharging waste generated by an activity listed below:

Classification A discharges – commercial retail food preparation/serving activities that generate

oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen (exceeding 10 persons), butcher, café/coffee shop/coffee lounge (with hot food), cafeteria/ canteen (with hot food), chicken/poultry shop –fresh/roast, retail BBQ/charcoal chicken, day care centre with hot food, club, civic centre/community hall¹³, commercial kitchen/caterer, delicatessen with hot food, fast food outlet, fish shop (retail and cooking on-site), function centre, hotel, ice cream parlour, mixed business (hot food), mobile food van (base), motel, nightclub, nursing home, patisserie, pizza cooking, restaurant, sandwich shop/salad bar/snack bar (with hot food), supermarket, take away food outlet with hot food, school canteen with hot food.

Classification A discharges – other commercial discharges: car detailing, craft activities > 1000 L/d, lawnmower repairs, mechanical workshop, stone working, surfboard manufacture (wet process only).

Classification B discharges: auto dismantler, bus/coach depot, bakery (wholesale), butcher (wholesale) construction equipment maintenance and cleaning, boutique or artisan foods, engine reconditioning, equipment hire, maintenance and cleaning, fish co-op, graphic arts, hospital, micro-brewery, oyster processing – shucking, panel beating, radiator repairer, screen printing, service station forecourt, shopping complex, truck washing (platforms/flat beds) and truck washing (external).

D4.1 Category 2 discharger - Liquid trade waste charges

Category 2 discharger who installs appropriate pre-treatment equipment and maintains them will pay annual fee nominated for Category 2 plus the trade waste usage charge.

Liquid trade waste bill for Category 2 discharger (TW₂),

$$TW_2 = A_2 + Q_{TW} \times C_2$$

A₂ = Annual liquid trade waste fee (\$) for Category 2

Q_{TW} = Total liquid trade waste discharge volume (kL)

C₂ = Trade waste usage charge (\$/kL)

The liquid trade waste discharge volume is generally estimated by applying a Trade Waste Discharge Factor (TWDF) to the total water consumption unless a discharge meter is installed.

D5 Category 2S discharger

Category 2S dischargers include:

¹² If significant hot food preparation is carried out, Category 2 charges may be levied by Council.

¹³ If the type and size of kitchen fixtures installed enable catering for large functions.

- **transporters who tanker human waste** to Council's STWs - septic tank waste (effluent and septage), ablution block waste (blackwater and greywater), portable toilet waste, sludge from on-site aerated wastewater treatment systems (AWTS) for **single households**, waste from pit toilets, night soil.
- **ship-to-shore pump out facility owners/operators** - toilet waste and/or grey water
- **owners/operators of 'dump points'** directly connected to the sewer for disposal toilet waste and/or grey water from a bus or a recreation vehicle (RV), e.g. caravan, motor home.

D5.1 Category 2S discharger - Liquid trade waste charges

D5.1.1 Transported human waste

The transporters of human waste will be required to pay a waste disposal charge (\$/kL).

Liquid trade waste bill for Category 2S waste transporter (TW_{TW}),

$$TW_{TW} = A_{TW} + Q_{TW} \times C_{TW}$$

A_{TW} = Annual fee (\$) for transported waste

Q_{TW} = Transported human waste volume (kL)

C_{TW} = Charging rate (\$/kL) for the transported waste (may vary based on the type of waste transported)

Note: Charging rate C_{TW} can be varied for different type of waste, i.e. septic waste, ablution block waste, sludge from AWTS, pit toilets etc. Refer to Council's annual Management Plan.

D5.1.2 Ship-to-shore waste pump-out facility

The owner/operator of a ship-to-shore waste receival facility will be required to pay an annual fee and waste disposal charge based on the discharge volume (\$/kL), if practical to estimate the discharge volume. If the discharge volume cannot be established, Council may negotiate the waste disposal charge based on the expected discharge volume.

Liquid trade waste bill for ship-to-shore pump out facility owner (TW_{STS}),

$$TW_{STS} = A_{STS} + Q_{TW} \times C_{STS}$$

A_{STS} = Annual fee (\$)

Q_{TW} = Discharge volume (kL) (measured or negotiated)

C_{STS} = Charging rate (\$/kL)

Note: The above charges are applicable to owners/operators of ship-to-shore pump out facility discharging such waste directly to Council's sewerage system and **not** to individual or commercial boat owners using the facility. This policy does not provide information on how to charge individual boat owners using a facility to dispose of their wastewater.

D5.1.3 Waste dump points

Dump points are often located in public places (roadside), hence the monitoring of discharge volumes is not practical. Accordingly, only an annual fee is applied for stand-alone dump points.

Liquid trade waste bill for dump point operator (TW_{DP}) (if applicable),

$$TW_{DP} = A_{DP}$$

A_{DP} = Annual fee for dump point (\$)

D6 Category 3 discharger

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds the limits shown below becomes a Category 3 discharger (excluding shopping centres and institutions):

Classification A discharge > 20 kL/d

Classification B discharge – as shown in Chapter 5 of the Guidelines.

Classification C discharges include: abattoir, acid pickling, adhesive/latex manufacture, agricultural and veterinary drugs, anodising, bitumen and tar, bottle washing, brewery, cardboard and carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cooling towers, cosmetics/perfumes manufacture, cyanide hardening, dairy processing* (milk/cheese/yoghurt/ice cream, etc.), detergent/soaps manufacture, drum washing, egg processing,

electroplating, extrusion and moulding (plastic/metal), feather washing, fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, food processing* (cereals/cannery/condiments/confectionary/edible oils/fats/essence/flavours/fish/fruit juice/gelatine/honey/meat/pickles/smallgoods/tea and coffee/vinegar/yeast manufacture, etc.), food waste processing unit (digester/composter), fruit and vegetable processing, flour milling, galvanising, glass manufacture, glue manufacturer, ink manufacture, laboratories (excluding those in Category 1 & 2), liquid wastewater treatment facility (grease trap receival depot and other pump-out waste depot), metal finishing, metal processing (refining/rolling/non-cyanide heat treatment/phosphating/photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pet food processing, plants nursery (open areas), pharmaceuticals manufacture, plaster manufacture, powder coating, potato processing, poultry processing, printing (newspaper, lithographic), saleyards, sandblasting, seafood processing, slipway, soft drink/cordial manufacture, starch manufacture, sugar refinery, tanker washing, tannery, timber processing (joinery and furniture/plywood/hardwood), textile manufacture (wool dyeing/spinning/scouring), tip leachate, transport depot/ terminal, truck washing (internal), waxes and polishes, water treatment backwash, wholesale meat processing, winery, distillery, wine/spirit bottling.

* Excluding small boutique, craft or artisan food industries not exceeding the discharge volume shown in the *Liquid Trade Waste Management Guidelines, 2021*.

D6.1 Category 3 discharger - Liquid trade waste charges

D6.1.1 Excess mass charges

Category 3 discharger will be required to pay the annual liquid trade waste fee plus excess mass charges.

Liquid trade waste bill for Category 3 discharger (TW_3),

$$TW_3 = A_3 + EMC$$

A_3 = Annual liquid trade waste fee (\$)**

EMC = Excess mass charges (\$)

Note: **Annual fee may vary for different business activities, depending on the complexity and time taken for inspection.

How excess mass charges are calculated

Excess mass charges will be applicable for substances discharged in excess of the 'Deemed Concentrations' in domestic sewage. For the purpose of excess mass charge calculation, the deemed concentrations of substances in domestic sewage are listed in Table D1.

Table D1 Deemed concentration of substances in domestic sewage

Substance	Concentration (mg/L)
Biochemical Oxygen Demand (BOD ₅)	300
Suspended Solids	300
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO ₄)	50 [#]

[#] The concentration in the potable water supply to be used if it is higher than 50 mg/L.

NB. Substances not listed above are deemed not to be present in domestic sewage.

For excess mass charge calculation, equation (1) below will be applied for all parameters including for BOD₅ up to 600 mg/L (but excluding COD and pH).

$$EMC (\$) = \frac{(S - D) \times Q_{TW} \times U}{1,000} \quad (1)$$

Where: S = Concentration (mg/L) of substance in sample

D = Concentration (mg/L) of substance deemed to be present in domestic sewage

- Q_{TW} = Volume (kL) of liquid trade waste discharged to the sewerage system
- U = Unit charging rate (\$/kg) for the substance (note that this rate varies from substance to substance. Refer to Council's annual Management Plan for charging rates for various substances)

D6.1.2 Excess mass charges for BOD

BOD up to 600 mg/L

Equation (1) applies for BOD₅ up to 600 mg/L. Note that there are no excess mass charges if the BOD does not exceed 300 mg/L (deemed concentration of BOD in domestic sewage).

Excess mass charges for BOD exceeding 600mg/L

If Council approves the acceptance limits for BOD₅ higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U_e (\$/kg) as shown in equation (2). This provides a strong incentive for dischargers to reduce the strength of waste. Note that equation (5) will be used where the discharger has failed to meet their approved BOD limit on more than two instances in a financial year.

U_e is the excess mass charging rate U_e (\$/kg) for BOD is calculated as:

$$U_e = 2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - 600\text{mg/L})}{600\text{mg/L}}} \quad (2)$$

Where: C = Charging rate (\$/kg) for BOD₅ 600mg/L

Actual BOD = Concentration of BOD₅ as measured in a sample

D6.2 Tankered Category 3 waste

In some instances, liquid waste that falls into Charging Category 3 is transported to the STW. Examples of such waste may include tankered landfill leachate or dairy waste from un-sewered areas. In such instances, Council will determine the appropriate approval holder (waste generator or the transporter) and invoice accordingly.

D7 Non-compliance liquid trade waste charges

Non-compliance charges for Category 1 and 2 dischargers

If the discharger has not installed or maintained appropriate pre-treatment equipment, the following non-compliance trade waste usage charges will be applied for the relevant billing period:

D7.1 Category 1 discharger - non-compliance charges

The trade waste usage charge (\$/kL) as per Council's Management Plan will be applied.

D7.2 Category 2 discharger – non-compliance charges

For Category 2 discharger, a non-compliant trade waste usage charge will be levied as outlined in the Council's Management Plan

Dischargers who have an undersized grease arrestor and improved the effluent quality by other means (e.g. increased pump-outs, installing additional pre-treatment equipment, etc.) will pay a trade waste usage charges in accordance with a Category 2 discharger.

Dischargers who cannot install a grease arrestor or those who have an arrestor with capacity significantly less than the required size and are unable to improve the effluent quality by means described above will have to pay non-compliance trade waste usage charges, as per Category 2 non-compliance charge above.

D7.3 Non-compliance charges for Category 3 discharger

If a discharger in charging Category 3 fails to comply with the acceptance limits specified in Council's approval conditions, following non-compliance charges will be applicable.

D7.3.1 Non-compliance pH charge

If the pH of the waste discharge by Category 3 discharger is outside the approved range, equation (3) is used for the calculation of non-compliance pH charges. This equation provides an incentive for dischargers to install and properly maintain a pH correction system, so their waste remains within the approved pH limits.

Charging rate for pH, if outside the approved range =

$$K \times |\text{actual pH} - \text{approved pH}|^{\#} \times 2^{| \text{actual pH} - \text{approved pH} |^{\#}} \quad (3)$$

Absolute value to be used.

K = pH coefficient in \$

Example 4:

Council has approved the pH range 7.0 to 9.0 for a large discharger. pH coefficient (K) listed in Council's Management Plan is \$0.45

Case 1: pH measured 6.0

Charging rate for pH (\$/kL) = $0.45 \times |6 - 7|^{\#} \times 2^{|6 - 7|^{\#}} = \$0.90/\text{kL}$

Case 2: pH measured 11.0

Charging rate for pH (\$/kL) = $0.45 \times |11 - 9|^{\#} \times 2^{|11 - 9|^{\#}} = \$3.60/\text{kL}$

Absolute value to be used.

D7.3.2 Non-compliance excess mass charges

Equation (4) shall apply for non-compliance excess mass charges for various substances, except for BOD₅ where equation (5) shall apply to calculate the charging rate.

$$\text{Non-compliance Excess Mass Charges (\$)} = \frac{(S - A) \times Q \times 2U}{1000} + \frac{(S - D) \times Q \times U}{1000} \quad (4)$$

Where: S = Concentration (mg/L) of a substance in sample

A = Approved maximum concentration (mg/L) of pollutant as specified in Council's approval (or liquid trade waste policy)

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance

U = Excess mass charging rate (\$/kg) for the substance, as shown in Council's annual Management Plan

D = Concentration (mg/L) of the substance deemed to be present in domestic sewage

D7.3.3 Non-compliance excess mass charges for BOD

The non-compliance excess mass charging rate (U_n) for BOD₅ is calculated by using equation (5):

U_n is the BOD₅ non-compliance excess mass charging rate in (\$/kL).

$$U_n = 2C \times \frac{(A - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(A - 600\text{mg/L})}{600\text{mg/L}}} + 4C \times \frac{(\text{Actual BOD} - A)}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - A)}{600\text{mg/L}}} \quad (5)$$

D8 Other applicable liquid trade waste charges

D8.2 Solid food waste processing unit

Discharge of waste from a solid food waste processing unit (digester/composter) is classified as Concurrence Classification C and is in charging Category 3.

Excess mass charges for all parameters in excess of the deemed concentrations in domestic sewage and non-compliance charges, above the Council's acceptance limits, will be applicable to the waste stream from such equipment (refer s. D6.1 for further information).

In addition, the discharger needs to bear the cost of frequent sampling as the quality of wastewater dependent on the solid waste input to the processing unit and the effectiveness of the on-site pre-treatment equipment.

D8.3 Discharge of stormwater from large open areas or large quantities of groundwater to the sewerage system

The discharge of roof, rain, surface, seepage or ground water to the sewerage system is prohibited under clause 137A of the Local Government (General) Regulation 2021 and this policy. Consideration will be given to the acceptance of limited quantities of contaminated stormwater (first flush stormwater) based on a case-by-case assessment.

If stormwater run-off from a large areas or groundwater is approved for discharge to sewer for a Category 3 discharger (e.g. saleyards), a volume based charge similar to the non-compliance usage charging rate (\$/kL) for Category 2 will be applied (e.g. 5 to 10 times of Usage charging rate listed in Council's Management Plan. Excess mass charges may be also applied to such discharges

D8.4 Charges for premises with multiple liquid trade waste streams

Examples of premises with multiple waste streams include:

- shopping centres
- commercial strata units
- institutions, e.g. hospitals, tertiary educational facilities and correctional centres
- other premises with multiple waste streams, e.g. premises comprising food cooking/serving activities and “Boutique/artisan food” businesses. For example, a liquid trade waste application may include a restaurant or a hotel, a microbrewery, a chocolate making and/or a cheese making shops, all located on the same site.

D8.4.1 Shopping centre

Council will apply a trade waste usage charge based on the estimated trade waste discharge volume.

The annual liquid trade waste fee will be levied as follows:

Pre-treatment	Annual fees
Individual pre-treatment equipment	A bill to the centre management that covers all discharges in accordance with the relevant charging category
Shared pre-treatment equipment	Annual fee to centre management as per management plan for Category 2, which covers up to four waste streams. A reduced annual fee to be levied for each additional waste stream..

D8.4.2 Commercial strata title units

Councils will issue individual liquid trade waste bills to each owner of the strata title unit

D8.4.3 Hospitals, tertiary educational facilities and correctional centres

Council will generally issue a liquid trade waste bill to the management of the above premises.

The annual fee needs to be in accordance with the relevant charging category, which is Category 2 for hospitals and educational facilities. A correctional centre may fall into Category 3, if industrial activities are carried on-site.

Council will apply trade waste usage charge based on the estimated trade waste discharge volume.

If food preparation activities are carried out by an outside contractor, e.g. take away food outlets in the educational facilities. Council may issue a separate liquid trade waste bill to such individual shops, where practical. It may require an individual water meter or a check meter to be installed at the relevant service line.

D8.4.4 Other premises with multiple waste streams

There are some premises where various “boutique type” businesses are located on the same site as restaurants, café, etc. For example, a premise may include a restaurant, a microbrewery, a chocolate making shop and a cheese making business, all owned by the same owner. When a liquid trade waste application includes a few different activities on the same site, Council will assess the application and determine the relevant charging categories and applicable fees and charges.

For situations where there are combined waste streams that belong to charging categories 2 (Classifications A and B) and 3 (Classification C) and when the Category 2 discharge is predominant Category 3 trade waste fees and charges be applicable only to Classification C discharge and the rest of the site be charged as Category 2.

Appendix E – List of discharges Council may approve

E1 Classification A

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash)
Bed and Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher (retail)	Cooling towers
Café/coffee shop/coffee lounge	Craft activities (pottery, ceramics, cutting and polishing of gemstones or making of jewellery)
Canteen	Dental surgery
Cafeteria	Dental technician
Chicken/poultry shop (fresh chicken/game, retail, barbeque/roast chicken)	Dry-cleaning (separator water, boiler)
Club (kitchen wastes)	Florist
Commercial kitchen/caterer	Funeral parlour/morgue
Community hall/civic centre/function centre (kitchen waste)	Hairdressing
Day care centre	Jewellery shop
Delicatessen	Laboratory (pathology/analytical)
Doughnut shops	Laundry or laundromat (coin operated)
Fast food outlets (McDonalds, KFC, Burger King, Hungry Jack, Pizza Hut, Red Rooster, etc.)	Lawnmower repairs
Fish shop (retail—fresh and/or cooked)	Mechanical repairs/workshop
Fruit and vegetable shop (retail)	Medical centre/doctor surgery/physiotherapy—plaster of paris casts, laboratory
Hotel	Mobile cleaning units
Ice-cream parlour	Nursing home (other than food-related activities)
Juice bar	Optical services
Mixed business	Per shop (retail)
Mobile food van	Photographic tray work/manual development
Motel	Plants retail (no nursery or open space)
Nightclub	School (other than kitchen waste)
Nursing home kitchen	Stone working
Nut shop	Surfboard manufacturing (wet process only)
Patisserie	Swimming pools/spas/hydrotherapy pools
Pie shop	Vehicle (car) washing (by hand/wand, automatic car wash/bus wash/external truck wash or underbody/engine degrease only)
Pizza shop	Venetian blind cleaning
Restaurant	Veterinary surgery

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
Salad bar	
Sandwich shop	
School – canteen, home science	
Snack bar	
Supermarket (with butcher/bakery/delicatessen/seafood or roasted chicken)	
Take away food shop	

E2 Classification B

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

Activity	Maximum daily discharge volume (kL)
Auto-dismantler	20
Bus/coach depot with an existing refuelling point and/or a dump point	20
Bakery (wholesale) – bread only	16
Boutique, craft or artisan food: e.g. honey processing, confectionary, jams, pickles, juices, cheese	1 (not to exceed 5 kL/week)
Butcher (wholesale)	16
Construction equipment and equipment hire maintenance and cleaning	20
Cooling towers over 500 L/h (non-industrial)	20
Educational facilities – tertiary institution (TAFE, university, etc.)	No limit
Engine reconditioning	5
Fish co-op	20
Hospital	No limit
Laboratory Tertiary Institution, except animal health or agricultural research, PC2 and PC3 laboratories	5
Micro-brewery	5 (not to exceed 10 kL/week)
Oyster processing – shucking	20
Panel beating	20
Photographic - Graphic arts	5
Radiator repair	5
Screen printing	20
Service station covered forecourt/ other refuelling points (existing only)	5
Shopping complex	No limit
Truck washing - truck platforms/flatbed/garbage truck	20
More than four (4) Concurrence Classification A discharges from a single premises or a complex (excluding discharges from activities deemed to be approved on the list shown in Appendix D).	Refer to volume restrictions for the relevant activity

E3 Classification S

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

- ☐ septic tank waste (effluent and septage)*
- ☐ ablution block waste (blackwater and greywater)*
- ☐ portable toilet waste*
- ☐ waste from dump points receiving toilet waste and/or greywater from facilities on a bus, a recreation vehicle
- ☐ waste from ship-to-shore pump-out facilities.

* *Permitted to discharge only at the sewage treatment works in Deniliquin*

Appendix F - Framework for regulation of liquid trade waste

F1 The NSW framework for regulation of sewerage and trade waste

The NSW framework is driven by the NSW Government's *Best Practice Management of Water Supply and Sewerage Guidelines, 2007*. Sound regulation of sewerage and liquid trade waste is a key element of the 2007 guidelines, and requires each Council to implement all the following integrated measures:

1. Preparation and implementation of a sound trade waste regulation policy, assessment of each trade waste application and determination of appropriate conditions of approval. The conditions must be consistent with the LWU's *Integrated Water Cycle Management Strategy* and demand management plan. In addition, execution of a liquid trade waste services agreement is required for large dischargers to assure compliance.
2. Preparation and implementation of a sound *Development Servicing Plan*, with commercial sewerage developer charges to ensure new development pays a fair share of the cost of the required infrastructure.
3. Full cost recovery with appropriate sewer usage charges and trade waste fees and charges in order to provide the necessary pricing signals to dischargers. These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.
4. Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
5. Enforcement, including appropriate use of penalty notices in the NSW legislation. Orders may also be issued under the *Local Government Act 1993*.
6. Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval.

Together, the above six measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk management approach, which has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste and to consistently comply with their conditions of approval.

F2 Alignment with the national framework for wastewater source management

The NSW framework for regulation of sewerage and trade waste is outlined in section 3.1. The NSW framework is driven by the NSW Government's *Best-Practice Management of Water Supply of Sewerage Guidelines, 2007* and is consistent with that in the *National Framework for Wastewater Source Management*.¹⁴

¹⁴ The following 12 elements of the *National Framework for Sewage Quality Management* are set out on page 18 of the *Australian Sewage Quality Management Guidelines, June 2012*, WSAA:

COMMITMENT

1. Commitment to Wastewater Source Management

SYSTEM ANALYSIS and MANAGEMENT

2. Assessment of the Wastewater System
3. Preventive Measures for Wastewater Input Quality Management
4. Operational Procedures and Process Control
5. Verification of Wastewater Inputs Quality
6. Management of Incidents/Complaints and Emergencies

In particular, under the *Best-Practice Management Guidelines* each LWU is required to achieve the following outcomes:

- Prepare and implement a 30-year Integrated Water Cycle Management Strategy, demand management plan, pay-for-use water supply pricing and community and customer involvement (Elements 1, 6, 8)
- Annual performance monitoring, including an annual triple bottom line (TBL) Performance Report and Action Plan to identify and address any areas of under-performance (Elements 5, 6, 9, 10, 11, 12)
- Achieve full cost recovery for water supply, sewerage and trade waste services and apply an appropriate non-residential sewer usage charge (Elements 3, 8)
- Prepare and implement a sound trade waste regulation policy and issue an appropriate approval to each trade waste discharger, including waste minimisation and cleaner production (Elements 1, 2, 3, 4, 7, 8)
- Appropriate trade waste fees and charges (including incentives to comply with LWU's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3, 8)
- Trade waste services agreement for large dischargers to assure compliance (Elements 3, 8)
- Appropriate training of LWU staff and monitoring, mentoring and coaching of trade waste dischargers (Elements 1, 4, 5, 7, 8)
- Enforcement, including appropriate use of penalty notices or orders (Elements 3, 8)
- Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval (Element 8).

SUPPORTING REQUIREMENTS

7. Employee Awareness and Training
8. Customer and stakeholder involvement and awareness
9. System Validation and Research and Development
10. Documentation and Reporting

REVIEW

11. Evaluation and Audit
12. Review and Continual Improvement

Appendix G – Legislative provisions

Provisions in the Local Government (General) Regulation 2021 in regard to acceptance of liquid trade waste into the sewerage system

Clause 25 Matters to accompany applications relating to discharge into sewers

An application for approval to discharge trade waste into a sewer under the control of a Council or that connects with such a sewer must be accompanied by the information required by Table 1 to the Liquid Trade Waste Management Guidelines[#].

Clause 28 Approval to discharge waste into sewers: concurrence required

A Council must not grant an approval under [section 68](#) of [the Act](#) to discharge trade waste (whether treated or not) into a sewer of the Council unless the Director-General* of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) has concurred with the approval.

Note: [Section 90](#) (2) of [the Act](#) permits any person or authority whose concurrence is required before an approval may be granted to give the Council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

Clause 32 Disposal of trade waste

- (1) An approval to dispose of trade waste into a sewer of the Council is subject to such conditions (if any) as the Council specifies in the approval.
- (2) In imposing any such conditions, the Council is to have regard to the matter set out in Table 5 to the Liquid Trade Waste Management Guidelines[#].

Clause 159 Prevention of waste and misuse of water

The owner, occupier or manager of premises to which water is supplied by the Council must:

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises
- (b) take any other action that is reasonable to prevent waste and misuse of water.

137A Substances prohibited from being discharged into public sewers

- (1) For the purposes of [section 638](#) of [the Act](#) (Discharge of prohibited matter into sewer or drain), roof, rain, surface, seepage or ground water is prescribed as prohibited matter.
- (2) This clause does not apply in relation to:
 - (a) a discharge that is specifically approved under [section 68](#) of [the Act](#), or
 - (b) a discharge into a public drain or a gutter of a Council, or
 - (c) a discharge in an area of operations within the meaning of the [Sydney Water Act 1994](#) or the [Hunter Water Act 1991](#).

143 Inspection of pipes and drains and measurement of water and sewage

- (1) The Council may, at any reasonable time:
 - (a) inspect any service pipe connected to a water main, and
 - (b) inspect any drain connected to a sewer main, and
 - (c) install meters or other devices for measuring the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (d) measure the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (e) inspect any pre-treatment devices connected to the Council's sewerage system.
- (2) The occupier of the relevant premises must provide to the Council such information as it requires to enable it to estimate the quantity of water actually supplied to, or the quality and quantity of sewage actually discharged from, the premises.

* In accordance with the *Government Sector Employment Act 2013*, this is the Secretary of the NSW Department of Industry.

(3) In this clause,

"pre-treatment device" means any device used to reduce or eliminate contaminants in trade waste, or to alter the waste's nature, before it is discharged into a sewer.

SCHEDULE 12 – Penalty notice offences

Column 1	Column 2
Offence under Local Government Act 1993	Penalty
Section 626 (3)-carry out without prior approval of Council an activity specified in item 4 of Part C (Management of waste) of the Table to section 68	\$330
Section 627 (3)-having obtained the Council's approval to the carrying out of an activity specified in item 4 of Part C (Management of waste) of the Table to section 68 , carry out the activity otherwise than in accordance with the terms of that approval	\$330

"Liquid Trade Waste Management Guidelines" means the Guidelines of that name produced by the Department of Energy, Utilities and Sustainability in March 2005, as in force from time to time. The 2005 Guidelines have now been superseded by *Liquid Trade Waste Management Guidelines, 2021*.

12.5. TREE MANAGEMENT POLICY FOR PUBLIC EXHIBITION

Author: **Manager Engineering & Assets**

Authoriser: **Director Infrastructure**

RECOMMENDATION

That Council:

1. Endorse the draft Street Tree Management Policy and place it on public exhibition for not less than 28 days,
2. Receive a further report regarding the Street Tree Management Policy following the end of the public exhibition period.
3. If no submissions are received, adopt the draft Street Tree Management Policy.

BACKGROUND

A policy was requested following the removal of four trees in End Street by Essential Energy and some community backlash. Council does not currently have a Tree Management Policy. The attached draft Policy addresses the management of street trees on council owned nature strips.

ISSUE/DISCUSSION

Council requested a Tree Management Policy for the transparent approach to how street trees will be managed on Council nature strips specifically in the residential urban area.

The policy addresses:

- Tree selection and location,
- Tree removal, and
- Maintenance and preservation.

An important note: Under the Electricity Supply Act 1995 (NSW), Essential Energy has legal obligations to manage trees under powerlines. Since the End Street tree removal, Council has encouraged Essential Energy to engage with the local community as they enact those obligations in the future.

COMMUNITY STRATEGIC PLAN

1. Shaping the Future
 - 1.1 Pristine natural environment
 - 1.2 Quality built environment
 - 1.3 Enhanced Active and Passive Open Spaces
 - 1.4 Sustainable Waste Management

ATTACHMENTS

Draft Street Tree Management Policy

Attachment 1 - Tree Management Policy

POLICY OBJECTIVE

This policy is designed to assist the Council to provide a consistent and considered approach to the management and maintenance of street trees and meet the following Community Strategic Plan objectives:

1.1 Pristine natural environment

5.1 Collaborative and engaged

SCOPE

This policy applies to all current and future trees and shrubs that are growing on road nature strips. The purpose of this policy is to formalise the Edward River Council's management of street trees including:

-Tree selection and location

-Tree removal

-Maintenance and preservation

LEGISLATIVE REQUIREMENTS

NIL

POLICY STATEMENT

This policy seeks to provide a practical and balanced approach to tree management. Whilst the health, safety and welfare of Council staff and the community is paramount, Council is committed to preserving trees, improving aesthetic urban landscape and effectively managing the environment. Whilst these objectives can be conflicting, responsible risk management shall take precedence in any determination regarding existing and future planting.

Property owners must seek approval from council before any planting, pruning or removal of street trees or shrubs on nature strips.

Tree selection and location

Location of trees must allow for satisfactory location of public utilities, pedestrian movement, and safe line of sight for vehicles. Approved tree species for nature strips, including below power lines will be maintained and managed by Manager Operations.

Tree Removal

Whilst Tree Removal is the last resort management option, public safety always takes priority.

- Urban tree removal will not be considered in the following instances
 - If there is a safe and practical means for tree retention
 - for solar access
 - For unjustified property or infrastructure damage claims
 - to reduce leaf, fruit and debris litter
 - if the tree provides an important biodiversity function such as high conservation road reserves

- for personal aesthetic preference
- Urban tree removal may be considered under the following circumstances:
 - All hazardous trees will be removed as soon as practical
 - Trees that are un-viable, structurally unsound and high probability of failure
 - Trees that are dead, dying or in severe decline
 - A tree with a defect that cannot be rectified
 - Trees proven to be causing unsafe damage to infrastructure
 - As part of a tree scape upgrade or capital works program

Removal of trees on nature strips will be at the approval of the General Manager.

Maintenance and Preservation

Our parks and gardens team manage and prioritise tree works and maintenance and clean up any tree hazards after storm events. Trees like all living things grow, age and eventually die. The parks and gardens teams manage and monitor public trees through their lifecycle and remove and replace when appropriate.

Essential Energy

Council acknowledge Essential Energy's obligations under the Electricity Supply Act 1995 (NSW) and encourage them to engage with the local community as they enact those powers.

ASSOCIATED POLICIES AND PROCEDURES

Electrical Supply Act 1995 (NSW)

POLICY VERSION CONTROL

Title	Tree Management Policy			
ECM Doc Set ID				
Date Adopted				
Council Minute No.				
Responsible Officer	Katrina Bennett, Manager Engineering and Assets			
Version Number	Modified By	Modifications Made	Date modified and Approved by Council	Council Minute Number

12.6. CWA HALL

Author: Director Infrastructure

Authoriser: General Manager

RECOMMENDATION

That Council applies to Crown Lands, Department of Planning and Environment for the license of the CWA Hall at 355 Harrison Street, Deniliquin.

BACKGROUND

The CWA Hall is located at 355 Harrison Street, being Lot 2 Sec 208 DP758913, and is part of the larger Waring Gardens site, as shown in the figure below.



The CWA have advised Council that they intend to hand back their license for the use of the site and building and have inquired whether Council wishes to take over the license.

ISSUE/DISCUSSION

CWA

The CWA currently hold a license from Crown Lands for the use of 355 Harrison Street, known as the CWA Hall. This license gives the CWA exclusive use of the site and building with CWA being responsible for the management of the building, including any maintenance required. It is noted that, under the license, CWA does not own the site or building nor does it have to fund any refurbishment or upgrade works.

CWA have advised Council that they have formally resolved to offer the CWA Hall site to Council. It is noted that taking up this offer is a decision for Council. Neither CWA nor Crown Lands can compel Council to take up the management of the building as Council is not the trustee of the land. The

concern would be that if Council does not take up the offer, the building will remain vacant and not used.

Process for Taking over the License

The process for taking over the license for the CWA Hall is straight forward. Crown Lands have advised that, once it has received CWA's formal notification to relinquish the lease, Council can submit an application to have the license transferred to Council. This includes payment of an annual license cost of \$543 per annum, being the statutory minimum costs. There is no time limit on the license and Council would hold it until it relinquishes it.

It is noted that in taking over the license, Council would be responsible for the maintenance of the site and building. This would form part of Council's operational budget for Building maintenance. Inspection of the building has noted that whilst the building is old, it is in good condition and the level of maintenance required would be in line with similar halls that Council manages.

Future Use of the Building

Should Council resolve to take over the license for the CWA Hall, options for its future use and management include:

- Work with existing groups regarding relocation to the Hall,
- Leasing it out for exclusive use by a community group, and
- Council managing the hall in a similar manner to the Multi-Arts and Sunday School buildings, where various groups utilise the buildings.

It is noted that the use of the Hall should be sympathetic to Council's halls and community spaces in general, with Council providing a variety of opportunities for community groups. Further discussions will be held with Council regarding the future use of the building.

It is standard practice that Council would then undertake an Expression of Interest process to determine community interest in the use of the hall in line with any Council decision regarding its future use.

Summary and Recommendation

Given the location of the CWA Hall within the Waring Gardens precinct, Council staff consider it in Council's interests to gain control over the site for the benefit of the community. The fee of \$543 per annum can be managed within Council's existing budgets and Council has the opportunity, should it lease out the building to a community group, to recoup this amount along with maintenance costs.

STRATEGIC IMPLICATIONS

It is important that Council manages public land in a strategic manner and works with the community to provide suitable facilities to help the community thrive and grow. Securing the future of the CWA Hall, given CWA's decision to relinquish its license for the hall, supports this strategic objective.

COMMUNITY STRATEGIC PLAN

4. Delivering community assets and services

4.1 Vibrant villages and towns

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

Costs relating to the license and maintenance of the hall would be incorporated into Council's Building maintenance operational budget.

LEGISLATIVE IMPLICATIONS

Nil.

ATTACHMENTS

Nil.

12.7. APPOINTMENT OF COUNCILLOR REPRESENTATIVES FOR THE EDWARD RIVER COUNCIL COMMUNITY GRANT ASSESSMENT PANEL

Author: **Manager Community and Economic Development**

Authoriser: **Director Corporate Services**

RECOMMENDATION

That Council:

1. Receive the report on the appointment of councillor representatives for the Edward River Council Community Grant assessment panel
2. Appoint two Councillor representatives to the Edward River Council Community Grant assessment panel, being Councillor _____ and Councillor _____ for the term of the current council

BACKGROUND

Community Grants Program

Edward River Council has budgeted to provide an annual Community Grants Program in the 2022-23 operational budget.

The program is available to not-for-profit community organisations, groups and associations who are invited to apply for small grants of up to \$5,000 for projects, equipment, events or exhibitions which contribute positively to the Edward River community.

The 2022 Community Grants program has now closed and applications are ready for assessment.

The assessment panel consists of two Councillor delegates and two Council staff.

Councillor representation on the assessment panel expired at the conclusion of the last council term, necessitating reappointment of councillor representatives for this current council term.

ISSUE/DISCUSSION

Community Grants Program

Council is asked to appoint two Councillor delegates to the Community Grants Program assessment panel for the current term of council.

COMMUNITY STRATEGIC PLAN

2. An open and connected community
 - 2.3 Cultural and personal links
3. Encouraging growth through partnerships
 - 3.1 Education
 - 3.3 The Edward River Experience
4. Delivering community assets and services
 - 4.1 Vibrant villages and towns
5. Accountable leadership and responsive administration
 - 5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

The provision of the Community Grant program is included in the 2022-23 operational budget. The program has a total budget of \$50,000 for this financial year.

LEGISLATIVE IMPLICATIONS

Nil.

ATTACHMENTS

Nil.

12.8. ANNUAL SUBMISSION OF PECUNIARY INTEREST RETURNS

Author: Senior Governance Advisor

Authoriser: Director Corporate Services

RECOMMENDATION

That Council:

1. Receive and note the report for the annual submission of pecuniary interest returns
2. Formally table annual pecuniary interest returns as required by statute and in accordance with the Code of Conduct
3. Publish the annual pecuniary interest returns on Council's website.

BACKGROUND

Part 4 of the Code of Conduct (CoC) stipulates that Councillors and designated persons (Council's General Manager and Directors) are required to lodge (at least annually for the financial year) a pecuniary interest return by the end of September.

ISSUE/DISCUSSION

The Code of Conduct (CoC) clause 4.20 states:

A councillor:

(a) must prepare and submit written returns of interests in accordance with clause 4.21

A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:

(a) becoming a councillor or designated person, and

(b) 30 June of each year, and

(c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

Returns are made available for public scrutiny in accordance with Information and Privacy Commission guidelines. [Information Access Guideline 1 \(nsw.gov.au\)](https://www.nsw.gov.au/information-access-guideline-1)

The Office of Local Government has also indicated to councils that it will be undertaking audits of returns. The checks are aimed at ensuring transparency and increasing public confidence in the local government sector.

Councillors and council staff, including general managers and administrators, are required to declare their interests, including any property they own or interests they have in companies, and whether they are a property developer or associate of a property developer.

The checks will be conducted after 30 September.

STRATEGIC IMPLICATIONS

Statutory compliance is a key governance requirement of Council. Completed forms will be available on Council's website for public scrutiny in accordance with Information and Privacy Commission guidelines.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993, Section 332(1)(a), Section 440

Local Government Regulations 2021, Part 8

Government Information (Public Access) Act 2009 Section 6(4)

Government Information (Public Access) Regulation 2018 Clause 1(2)(a) of Schedule 1, clause 5(1)(b)

ATTACHMENTS

Information and Privacy Commission - Guideline 1: For local councils on the disclosure of information
September 2019

Attachment

1

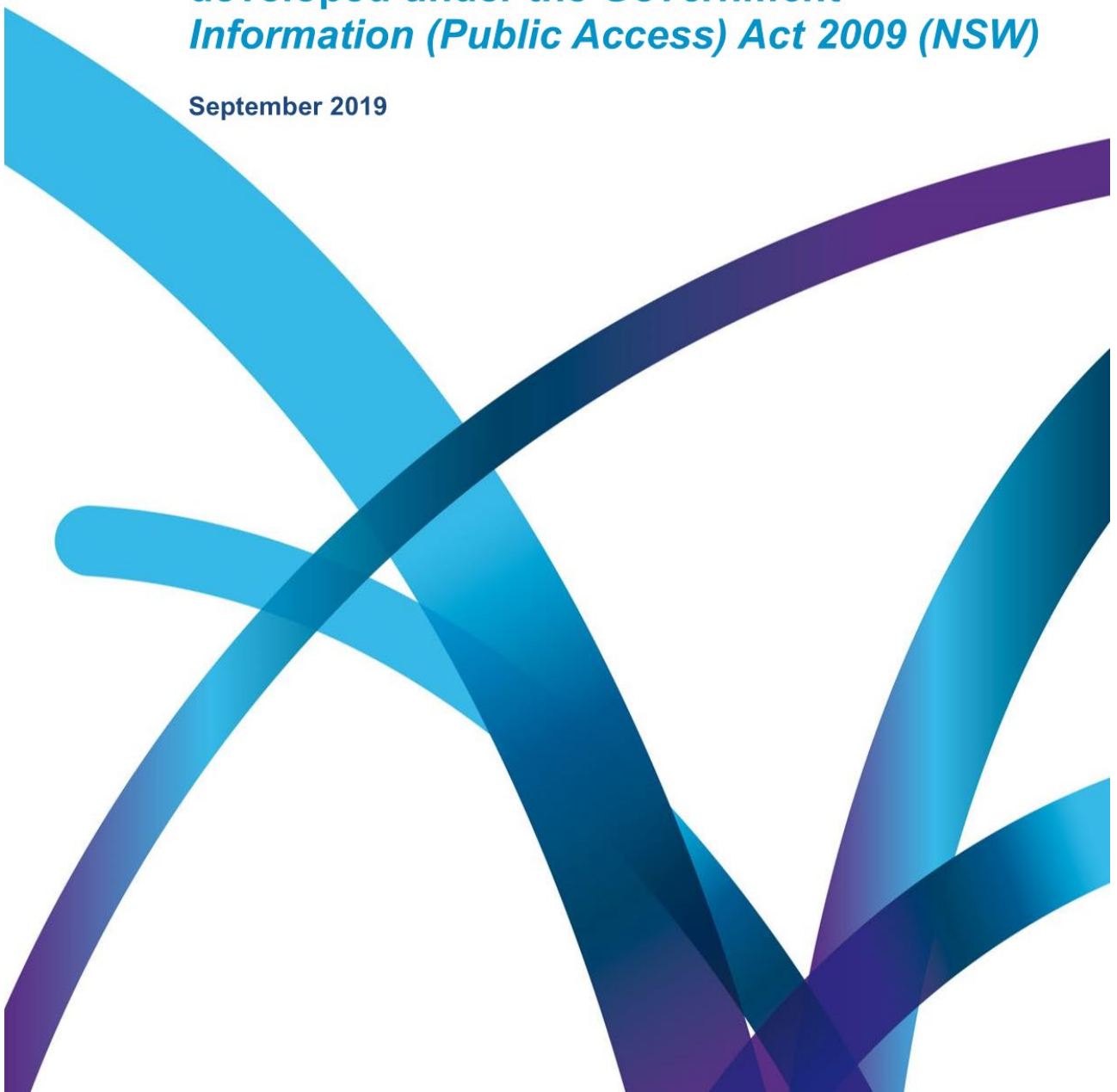
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information
and privacy
commission
new south wales

Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)*

September 2019



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Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)*

The Information Commissioner is empowered under sections 12(3) and 14(3) of the *Government Information (Public Access) Act 2009 (NSW)* ("GIPA Act") to issue guidelines to assist agencies regarding the public interest considerations in favour of, or against, disclosure.

These Guidelines, made pursuant to those sections of the GIPA Act, are made to assist local councils to determine the public interest considerations for and against disclosure of information contained in the returns disclosing the interests of councillors and designated persons as required by clause 1(2)(a) of Schedule 1 of the *Government Information (Public Access) Regulation 2018 (NSW)* ('the GIPA Regulation').

These Guidelines supplement the provisions of the GIPA Act. Agencies must have regard to them in accordance with section 15(b) of the GIPA Act.

The Guidelines have been developed in consultation with the Office of Local Government, and the Privacy Commissioner.

The operation and effectiveness of the Guidelines will be reviewed after two years or as required by any intervening developments relevant to the Guideline.

Elizabeth Tydd

**IPC CEO, Information Commissioner
NSW Open Data Advocate**

September 2019

Overview

Part 4 of the [Model Code of conduct for Local Councils in NSW \(2018\)](#) (Model Code) requires a councillor or a designated person to complete and lodge with the general manager a return disclosing his or her pecuniary interests. That return may contain personal information about each councillor and designated person, including his or her name, address and signature, as well as information about property and share holdings, gifts received, debts owed, other sources of income, and positions held in a trade union or business or professional organisation. The form of the return is set out in Schedule 2 of the Model Code.

Mandatory proactive release, also known as open access information, is one of the four information access pathways under the GIPA Act. Proactive release advances the object of the GIPA Act to “maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective ...” The GIPA Act contributes to the building of an integrity culture through the establishment of a framework based around the principles of pro-active disclosure and a presumption in favour of public interest disclosure.

The mandatory proactive release provisions of the GIPA Act and the GIPA Regulation apply to the disclosure of information contained in returns disclosing the interests of councillors and designated persons. The combined effect of the GIPA Act and the GIPA Regulation is that the information in the returns needs to be disclosed on the website of each local council, unless to do so would impose unreasonable costs on the council, or if the council determined there was an overriding public interest against disclosing the information.

In order to decide whether there is an overriding public interest against disclosure, councils need to apply the public interest test, and weigh the public interest considerations in favour of and public interest considerations against disclosure.

This Guideline recognises that disclosing the information in the returns furthers openness, transparency and accountability in local government. It also facilitates the identification and management of potential conflicts of interest that might arise where councillors and other staff participate in decisions from which they may derive, or be perceived to derive, personal or financial benefit.

However, the returns may contain personal information about the person concerned, and, potentially, about third parties such as family members. This is information which individuals may have concerns about disclosing publicly on a website and may object to publication following consultation under the GIPA Act.

[Section 6\(4\)](#) of the GIPA Act requires agencies to “facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter”.

The fact that information is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure, as was noted by the NSW Civil and Administrative Tribunal Appeal Panel in two recent cases¹. In *Webb v Port Stephens Council (No. 3)* [2018] NSWCATAP 286, the Appeal Panel stated at paragraph 77:

Where the information in issue is in fact open access information, as noted by the Appeal Panel in McEwan, this is an "important factor in favour of disclosure" (in addition to other relevant factors in favour of disclosure, including the general public interest in favour of disclosure provided for in s12(1) of the GIPA Act) when it comes to determining whether the balance lies between a public interest consideration against disclosure and the public interest in favour of disclosure.

Open access information should be available free of charge on a website maintained by the relevant agency. Open access information can also be made publicly available in other ways, however at least one of the ways in which the information is accessible must be free of charge.²

Consequently, this Guideline provides that the requirement in Clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation, that returns of councillors and designated persons be released as part of local councils' open access information, should be interpreted as follows:

- The returns should be made publicly available on the council's website free of charge unless there is an overriding public interest against disclosure or to do so would impose unreasonable additional costs on the council
- The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest
- In the circumstances where council decides that there is an overriding public interest against disclosure of the return, consideration should then be given to whether it is practicable to release an edited copy of the return (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act
- If it is practicable to do so, then the information should be deleted from a copy of the return and the remainder of the return made available on the council's website
- Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act
- Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.

Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while protecting the individual's right to privacy and safety.

¹ *McEwan v Port Stephens Council* [2018] NSWCATAP 211, *Webb v Port Stephens Council (No. 3)* [2018] NSWCATAP 286

² GIPA Act sections 6(2);6(3)

Part 1: Returns disclosing the interests of councillors and designated persons

What is a return?

- 1.1 Part 4 of the [Model Code](#) establishes the requirements for the disclosure of pecuniary interests by councillors and designated persons. This includes disclosures of interests in written returns (returns of interests) and disclosures of pecuniary interests at meetings. This Guideline deals only with requirements in relation to written returns of interests and does not affect the obligations of councillors or committee members to disclose pecuniary interests at meetings.
- 1.2 The Model Code is made under section 440 of the *Local Government Act 1993* (NSW) (LGA) and Part 8 the *Local Government Regulation 2005*. Part 4 of the Model Code replicates and replaces the requirements previously set out in sections 441- 449 of the LGA.
- 1.3 Clause 4.21 of the Model Code requires that councillors and designated persons prepare and submit written returns of interest within three months after:
 - becoming a councillor or designated person, and
 - 30 June of each year, and
 - becoming aware of an interest they are required to disclose.
- 1.4 A 'designated person' is defined in clause 4.8 of the Model Code as:
 - *the general manager*
 - *other senior staff of the council*
 - *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under the LGA or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*
 - *a person who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*
- 1.5 Clause 4.1 of the Model Code defines a 'pecuniary interest' as one involving a "reasonable likelihood or expectation of appreciable financial gain or loss to the person". Clause 4.2 provides that a person "will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6" (which are interests that do not have to be disclosed).

- 1.6 For the purposes of the Model Code, a pecuniary interest is one held by the councillor and designated person, or his or her spouse, de facto partner, relative, partner or employer, or a company or other body of which the person, or a nominee, partner or employer of the person, is a shareholder or member.³ However, a person is not taken to have a pecuniary interest in a matter:
- a) *if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or*
 - b) *just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown; or*
 - c) *just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.*⁴
- 1.7 The returns are designed to promote openness and transparency in local government, and to avoid a conflict of interest on the part of councillors and senior council staff who exercise decision-making functions.

What information do the returns contain?

- 1.8 Part 2 of Schedule 1 of the Model Code sets out the matters that must be disclosed in the returns of interests in the following categories:
- interests in real property: clauses 5 - 8
 - gifts: clauses 9-11
 - contributions to travel: clauses 12-14
 - interests and positions in corporations: clauses 15-18
 - interests as a property developer or a close associate of a property developer: clauses 19-20
 - positions in trade union and professional or business associations: clauses 21-22
 - dispositions of real property: clauses 23-25
 - sources of income: clauses 26-30
 - debts: clauses 31 - 33
 - discretionary disclosures: clause 34 (A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of the Schedule).
- 1.9 The form of the return is provided in Schedule 2 of the [Model Code](#).

³ Clause 4.4 of the Model Code

⁴ Clause 4.5 of the Model Code

Disclosure under the LGA now replaced with the GIPA Act and Regulations

- 1.10 The LGA previously required that the current version of the return of interests of councillors and designated persons was to be made available for public inspection free of charge.
- 1.11 In 2009, the GIPA Act replaced section 12 of the LGA with the mandatory proactive release provisions in [sections 6](#) and [18](#) of the GIPA Act, and the GIPA Regulation (see [Part 2](#)).

Part 2: Disclosure requirements under the GIPA Act and the public interest test

Mandatory disclosure requirements

- 2.1 [Section 6](#) of the GIPA Act requires agencies to make certain information publicly available. This information is known as open access information. [Section 18](#) contains a list of the open access information that all agencies must make publicly available. Schedule 1 to the GIPA Regulation lists additional open access information relevant only to local councils. This includes the returns of the interests of councillors and designated persons (see [clause 1\(2\)\(a\)](#) of Schedule 1).
- 2.2 The GIPA Act requires under section 6 that open access material must be made publicly available unless there is an overriding public interest against disclosure. Section 6(2) provides that the information is to be made publicly available free of charge on a website maintained by the agency (unless to do so would impose unreasonable additional costs on the agency) and can be made publicly available in any other way that the agency considers appropriate.
- 2.3 Section 6(4) requires agencies to facilitate public access to open access information by deleting matter (content) if it is practicable to do so. This facilitates the release of open access information by enabling any matter subject to an overriding public interest against disclosure to be deleted so that the remainder of the information can be released. In circumstances where council determines that there is an overriding public interest against disclosure of open access information, section 6(4) may operate to require public release of the remaining open access information which is not subject to the overriding public interest against disclosure. Where information is deleted in accordance with section 6(4), the agency is required to keep a record indicating, in general terms, the nature of the information that has been redacted (see section 6(5)).
- 2.4 [Part 2](#) of the GIPA Regulation also provides that local councils must provide a copy of a record containing the information (or providing the facilities for making a copy of a record containing the information) to any person either free of charge or for a charge not exceeding the reasonable cost of photocopying.
- 2.5 The combined effect of these provisions is that information in the returns of the interests of councillors and designated persons needs to be made available on a council's website, unless there is an overriding public interest against such disclosure, or if placing it on the web would impose unreasonable costs on a council.

The public interest test

- 2.6 The GIPA Act provides that there is a presumption in favour of disclosure of government information unless there is an overriding public interest against disclosure (section 5). In order to determine if there is an overriding public interest against disclosing information in the returns of the interests of councillors and designated persons, councils need to apply the public interest test under [Part 2](#) of the GIPA Act.
- 2.7 The fact that a return of interests is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure. In balancing the public interest decision makers should have regard to the intent of the legislature and apply the Act consistent with the objects of section 3(2) of the GIPA Act.
- 2.8 The public interest test is described in [section 13](#) of the GIPA Act as “[t]here is an overriding public interest against disclosure of government information for the purposes of this Act if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure”.
- 2.9 In applying the public interest test factors such as privacy may be considered. While the note to [section 12](#) provides a non-exhaustive list of examples of factors that may be considered in favour of disclosing information, only those considerations listed in the Table in [section 14](#) may be taken into account in deciding that information should not be disclosed. The considerations against disclosure must be such that they outweigh those in favour, overturning the general presumption in the GIPA Act in favour of disclosure (see [section 5](#)).
- 2.10 The Information Commissioner has published the following resources to assist agencies to apply the public interest test:
 - [Guideline 4: Personal information as a public interest consideration under the GIPA Act](#)
 - [What is the public interest test?](#)

Part 3: How the information on returns should be disclosed

Public interest considerations in favour of disclosure

- 3.1 The note in [section 12](#) of the GIPA Act contains a number of factors that favour disclosure of information, including the following:
 - (a) *Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.*
 - (b) *Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.*
 - (c) *Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.*
 - (d) *The information is personal information of the person to whom it is to be disclosed.*
 - (e) *Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.*

- 3.2 Disclosure of the returns of the interests of councillors and designated persons promotes some of these public interest considerations in favour of disclosure (see (a), (b), (c) and (e)). It furthers openness, transparency and accountability in local government. Disclosing the returns also protects the integrity of councils' decision-making processes by allowing scrutiny of potential conflicts of interests that would arise where councillors or staff participate in decision making from which they or their close associates may derive, or be perceived to derive, personal or financial benefit.
- 3.3 To assist members of the public to have confidence that potential conflicts of interest are avoided, they should have sufficient information about the areas of conflict. In this respect, disclosure of the information contained in the returns is an important element in promoting public accountability.

Public interest considerations against disclosure

- 3.4 Councillors and designated persons may be required to disclose personal information in the returns. In addition to their names and addresses, the returns include details about each of their property and share holdings, debts and family business interests, as well as their signatures.
- 3.5 Clause 3 in the Table in [section 14](#) of the GIPA Act lists as a consideration against disclosure the fact that information may reveal someone's personal information, or would contravene an information privacy principle under the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act). An individual has a right to protect the privacy of their personal information. Given the amount of personal information that may be contained in the returns, special care should be taken to protect this right.
- 3.6 The balancing of public interest considerations may necessitate consideration of privacy protection principles and the interaction between the GIPA Act and the PPIP Act is well established within both statutes. While a return may reveal personal information, which is a public interest consideration against disclosure, this is not a conclusive presumption against disclosure. It is just one of the relevant factors that need to be weighed against other factors for and against disclosure. In this regard the considerations must be weighed in conducting the public interest test and this balancing should be informed by section 5 and section 20(5) of the PPIP Act which provide that the GIPA Act is not limited by the PPIP Act.
- 3.7 A further consideration against disclosure listed in clause 3 of the Table in [section 14](#) is where release of the information may expose a person to a risk of harm or of serious harassment or serious intimidation. It is foreseeable that disclosing the type and combination of information contained in the returns on a council's website could expose a person to harassment and intimidation, and potentially serious harm or identity theft.
- 3.8 In *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, the NSW Civil and Administrative Tribunal indicated that the intimidation or harassment needs to be heavy, weighty or grave and not trifling or transient.⁵ The risk needs to be considered objectively. Any evidence of the risk should be as it currently stands, rather than evidence of past actions.⁶

⁵ *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, paragraph 81

⁶ *Ibid*, paragraph 85.

Application of section 6(4) of the GIPA Act

- 3.9 In circumstances where council determines that there is an overriding public interest against disclosure of a return of interest, council may still be required to release an edited copy of the return.
- 3.10 [Section 6\(4\)](#) of the GIPA Act requires agencies 'must facilitate public access to open access information contained in a record by deleting matter from a copy of the record if disclosure of the matter would otherwise be prevented due to an overriding public interest against disclosure, and it is practicable to delete the matter'.
- 3.11 The type of matter which might be deleted from a return in these circumstances will vary depending on the public interest considerations applied. However, examples might include the signatures or residential address of the individual making the return.
- 3.12 Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act

Conclusion

- 3.13 Disclosure of information contained in the returns of the interests of councillors and designated persons is an important public accountability measure. Open access information should be treated as a special class of information when determining information access. Accordingly, the threshold to displace Parliament's intent that it is open access is set at a high level.
- 3.14 The requirement in clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation that returns of councillors and designated persons be released as part of local councils' open access information should be interpreted as follows:
- The returns should be made publicly available on the council's website unless there is an overriding public interest against release or to do so would impose unreasonable additional costs on council.
 - The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest.
 - In the circumstances where council decides that there is an overriding public interest against disclosure, consideration should then be given to whether it is practicable to release an edited copy of the record (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act.
 - If it is practicable to do so, then the information should be deleted from a copy of the record and the remainder of the return made available on the council's website.
 - Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted.
 - Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.
- 3.15 Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while respecting other considerations against disclosure including privacy.

Document information

Title:	Guidelines for local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the Government Information (Public Access) Act 2009 (NSW)
Business centre:	IPC
Author:	Legal Counsel and Regulatory Advice
Approver:	Information Commissioner
Date of effect:	26 September 2019
Next review date:	30 June 2024
File reference:	18/6401/DJ
Keywords:	Guidelines, local government, GIPA Act, disclosures, elected officials, councillors, pecuniary interests,

1. Document history

Version	Date	Reason for amendment
1.1	July 2014	Accessibility update
2	May 2019	Review of content

12.9. DELIVERY PROGRAM 2018-2022 AND OPERATIONAL PROGRAM 2021-2022 PROGRESS REPORT APRIL TO JUNE 2022

Author: Senior Governance Officer

Authoriser: Director Corporate Services

RECOMMENDATION

That Council:

1. Receive and note the quarterly Delivery Program 2018-2022 and Operational Program 2021-2022 Progress Report for the period ended 30 June 2022, and;
2. Note that future progress reports for the Delivery Program will be provided to Council at 6 monthly intervals in accordance with the Office of Local Government Integrated Planning and Reporting Guidelines for Local Government in NSW.

BACKGROUND

Council's inaugural 10-year Community Strategic Plan, Edward River 2030, was developed throughout 2017 and 2018 and adopted at its Ordinary Meeting held 3 May 2018 [2018/87]. The plan identifies five key strategic outcomes, each of which is supported by three targets. Council's combined Delivery Program 2018-2022 and Operational Plan 2021-2022 ("the combined Delivery Program and Operational Plan") was adopted by Council at its Ordinary Meeting held 20 May 2021 [2021/62] and details the principal activities and annual actions that will be undertaken to meet those targets.

Under the Integrated Planning and Reporting ("IP&R") Framework, Council is required to report on its progress in implementing its Delivery Program and Operational Plan. This requirement is reflected Chapter 13, Part 2 of the Local Government Act 1993 ("the Act") and clause 196A of the Local Government (General) Regulations 2021, which refers to the Integrated Planning and Reporting Guidelines for Local Government in NSW, published on the website of the Department.

This stipulates that the General Manager must ensure that regular progress reports are provided to the Council, at intervals of no more than six months, detailing the organisation's progress with respect to the principal activities detailed in the Delivery Program.

ISSUE/DISCUSSION

The report indicates the level of progress in each of the 122 deliverables identified in the Program and Plan as at the end of June 2022.

A total of 103 matters (84.4%) were completed. 4 projects (3.3%) were progressing into the new operational year with 8 projects behind schedule (6.6%) and 7 will be re-evaluated for delivery (5.7%) consistent with the *Growth Strategy* and *You're the Voice* outcomes.

Several deliverables have been identified as behind desired targets or as not commenced.

These were generally because of responsible staff and resources being unavailable to prepare and deliver the required outcomes and include:

5.3.3.5 - Co-ordinate external audit of WHS Management System

5.3.3.19 - Review the Privacy Management Plan

5.3.3.20 - Review and publish the Council Information Guide

5.3.4.3 - Develop and commence the implementation of an Edward River Council continuous improvement program

5.3.4.4 - Implement an organisational project to improve efficiencies and source revenue opportunities

5.3.5.13 - Develop 3-year Corporate Services Plan

noting that the nominated staff positions were vacant and;

4.1.1.2 - Deliver Roads Maintenance Program

4.1.2.6 - Convene the Asset Management Steering Committee

4.2.1.1 - Implement current year's program of works to renew Council's road network in line with condition assessments. Where new managers had to pick up and reassess the best professional approach and, where needed, reallocate priorities and strategic emphasis.

Others were either not started (or continued) due to both the staffing and resourcing issues, as well as a revised prioritisation or processes identified by the new Council and specific realignment associated with the *Growth Strategy* and review of publicly held lands and associated development opportunities.

2.1.1.1 - Seek funding to implement the Agribusiness Masterplan

2.1.2.1 - Host a series of Developer's Forums to uncover business and residential development opportunities

2.2.1.4 - Deliver an updated four-year Economic Development Strategy to develop Edward River region as a place to live, learn, work, play and visit

2.3.1.1 - Work in partnership with business to identify skill and employment gaps that can attract new residents and support economic growth

3.3.2.1 - Prepare Implementation Plan for Industrial Land Strategy

4.1.1.4 - Prepare planning proposal for rezoning and reclassification of surplus open space

The strategic position of the Agribusiness Masterplan is very similar to the NSW State Government Regional Development priorities and similarly suffers from the dependence on third party cooperation and a lack of specific funding.

STRATEGIC IMPLICATIONS

Maintain compliance as required under the Act and provide Councillor and community oversight of outcomes.

COMMUNITY STRATEGIC PLAN

Originally these were set to the former CSP objectives but are covered by the current items:

4. Delivering community assets and services

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

Budget carry overs were mainly associated with grant related works rather than planned operational budgets.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993, Chapter 13, Part 2

Local Government (General) Regulations 2021, clause 196A

Office of Local Government Integrated Planning and Reporting Guidelines for Local Government in NSW

ATTACHMENTS

Delivery Program 2018-2022 and Operational Program 2021-2022 Progress Report period ending 30 June 2022.

Attachment 1 - Combined-Delivery-Program-2018-2022 and-Operational-Plan 2021-2022 - 30 June 2022



Edward River
COUNCIL

Combined Delivery Program 2018-2022 and
Operational Plan 2021-2022

Progress Report (Final)
30 June 2022

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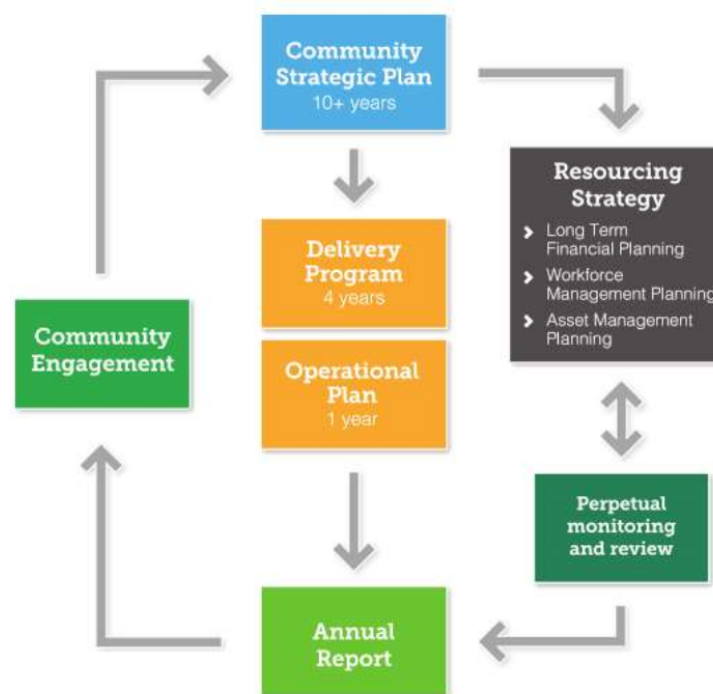
About this Report

All councils in NSW are required to undertake their planning and reporting activities in accordance with the Integrated Planning and Reporting (IP&R) framework set out in the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005*. The IP&R framework allows councils to draw their various plans together to understand how they interact and to get maximum leverage from their efforts by planning holistically for the future.

Edward River Council (Council) adopted its suite of IP&R documents in 2018. The Community Strategic Plan, *Edward River 2030*, sits above this suite of interrelated plans and identifies the aspirations of the Edward River community.

The Delivery Program is informed by *Edward River 2030* and identifies the principal activities that Council will undertake over the 2018-2022 term of the Council to deliver on our community's aspirations. All of Council's plans, projects, activities and funding allocations must be directly linked to our Delivery Program. Supporting the Delivery Program is Council's annual Operational Plan, which details the individual projects and activities that will be undertaken each year to achieve the commitments made in the Delivery Program.






Under section 404 of the *Local Government Act 1993*, Council must prepare progress reports with respect to the principal activities detailed in the Delivery Program at least once every six months. Edward River Council report progress every quarter and this report covers the period from 31 March 2022 to 30 June 2022 inclusive.



Measuring our Progress

Council's Community Strategic Plan, *Edward River 2030*, identifies five key strategic outcomes, each of which is supported by three targets. Council's combined Delivery Program 2018-22 and Operational Plan 2021-2022 detail the activities and actions that will be undertaken to meet these targets.

In 2021-2022, Council committed to delivering 122 actions focused on achieving our community's vision across these five key strategic outcome areas. Those actions are detailed in our combined Delivery Program and Operational Plan. In this report, our progress in achieving those actions is illustrated by the following coloured symbols.

Symbol	Descriptor
	Complete
	On Plan
	Not Commenced
	Behind
	Urgent Action Needed / Stopped

Responsibility Matrix






Each of the 122 actions contained in our combined Delivery Program is assigned to a Councillor Officer, who is primarily responsible for achieving the action and who provides a regular progress report using the coloured symbols. The legend used throughout this report is set out below:

Office of the General Manager		
GM	General Manager	Phillip Stone
Corporate Services		
DCS	Director Corporate Services (Interim)	Alistair Cochrane
MCED	Manager Community and Economic Development	Dana McNally
MFIN	Manager Finance (pro-tempore)	Alistair Cochrane
MIM	Manager Information Management	Jock Perrett
MPCS	Manager People and Customer Service	Helen Flisher
Infrastructure		
DIN	Director Infrastructure	Mark Dalzell
MEA	Manager Engineering and Assets	Katrina Bennett
MDS	Manager Development Services	Marie Sutton
MOP	Manager Operations	Craig Maffescioni

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

Our Performance





Of the 122 actions, a combined total of 88.6 per cent are complete or on track to being complete. 8 actions (6.5%) are not yet commenced. A combined total of 6 projects are behind planned progress.

Edward River 2030 Strategic Outcome		Year-to-Date Progress									
											
		Complete		On Track		Not Commenced		Behind		Urgent Action Needed or Stopped	
(# projects / % of total projects)		#	%	#	%	#	%	#	%	#	%
1	A great place to live (24)	21	87.5	3	12.5	0	0	0	0	0	0
2	A prosperous & vibrant economy (16)	12	75.0	0	0	2	16.7	2	16.7	0	0
3	A valued and enhanced natural environment (13)	11	77.0	1	7.75	1	7.75	0	0	0	0
4	A region with quality and sustainable infrastructure (14)	10	71.4	0	0	1	7.1	3	21.4	0	0
5	A community working together to achieve its potential (55)	49	89.0	0	0	4	7.3	2	3.7	0	0
Total		103	84.4%	4	3.3%	8	6.6%	7	5.7%	0	0




A detailed progress report for each of the 122 actions is set out in the tables below. The metrics for some outcomes is lower as a number of actions were postponed for consideration in the new Council's *Growth Strategy* initiative.

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022






Outcome 1 – A great place to live

1.1 Our Community has access to essential services					
Delivery Program 2018-2022	Operational Plan 2021–2022 Action	Responsible Officer	Measure/Target	Status	Evidence
1.1.1 Communicate and engage with stakeholders to understand community need and undertake advocacy on important issues	1.1.1.1 Engage with Australian and New South Wales Government, seeking financial and political support for Council's Advocacy Strategy	GM	At least two public delegations to Canberra and Sydney to engage with Federal and State politicians undertaken		Attendance at meetings and conferences throughout year.
	1.1.1.2 Improve Council's website to be a key platform for Council's Community engagement activities	GM	Council's website reviewed and key changes implemented to integrate with community engagement activities		Completed
	1.1.1.3 Facilitate the development of a retirement living facility to support our ageing population	GM	Seniors Living Precinct project developed with options for an operating model presented to Council for decision		Project ratified by Council and proceeding
1.1.2 Council is committed to advocating, facilitating and where appropriate providing lifelong learning and education opportunities	1.1.2.1 Operate the Edward River Library and provide quality library services to the Edward River Community	MCED	Regional service levels / Met State Library NSW baseline benchmark/ Met		Operating with current provisions relating to State Health Orders






Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

1.2 Our community is safe, happy and healthy, both physically and mentally					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
1.2.1 Develop and maintain Council's sporting facilities, pool, playgrounds and walking and cycling paths	1.2.1.1 Finalise masterplan for Rotary Park	MDS	Masterplan/completed		Draft Masterplan reported to Council.
	1.2.1.2 Implement adopted management model for the Deniliquin Swim Centre	MEA	Management model/Implemented		Council staff reviewing Current contract and operator performance in preparation for review.
1.2.2 Provide community halls and facilities	1.2.2.1 Inspections and maintenance undertaken on Community Halls and facilities.	MOP	Inspections of Halls and Playgrounds/100% completed		Operations staff continuing To be incorporated with Parks and gardens service review








Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

1.2 Our community is safe, happy and healthy, both physically and mentally (cont)					
Delivery Program 2018 – 2022	Operational Plan 2021 – 2022 Action	Responsible Officer	Measure / Target	Status	Evidence
1.2.3 Deliver services to enhance community safety in the built and natural environment	1.2.3.1 Deliver a companion animal desexing program	MDS	Program/ Delivered		Program completed in accordance with the desexing program guidelines. Program well supported
	1.2.3.2 Deliver four free microchipping weeks	MDS	Program/ Completed		Microchipping program run throughout the year and completed.
	1.2.3.3 Undertake food premises inspections to ensure compliance with NSW Food Act	MDS	Food premises inspected annually 100%		Food Premises inspections Completed
	1.2.3.4 Undertake water sampling of Councils water supply	MDS	Water sampling schedule completed /100%		Weekly and monthly sampling completed as per the MOU with NSW Public Health
	1.2.3.5 Participate in NSW Health arbovirus monitoring program	MDS	Program /completed		Program completed in line with NSW Public Health Agreement

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022






1.2 Our community is safe, happy and healthy, both physically and mentally (cont.)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
1.2.3 Deliver services to enhance community safety in the built and natural environment	1.2.3.6 Undertake swimming pool barrier inspections	MDS	Program/completed		Inspection undertaken in accordance with Swimming Pool Inspection Program
	1.2.3.7 Finalise detailed designs and costings for a new companion animal shelter	MDS	Design / costings finalised		Designs finalised awaiting costings for project.
	1.2.3.8 Prepare framework for Underground Petroleum storage systems (UPSS) program implementation	MDS	Program / implementation completed		Framework for implementation completed. Preliminary Inspections undertaken
	1.2.3.9 Implement adopted liquid trade waste policy.	MEA	Increase in non-compliant properties / 0%		Implementation & management of Liquid Trade Waste Policy ongoing through engagement of consultant.
	1.2.3.10 Promote COVID-19 policies and restrictions.	DIN	LEMC COVID-19 subcommittees / Implement signage at Council facilities 100%		Council represented at Regional REOC meetings and LEMC COVID-19 subcommittees

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

1.3 Our community and public space are accessible and inclusive and reflect our history, heritage and culture					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
1.3.1 Council aims to develop Edward River Council as a vibrant and progressive community by supporting and partnering with community groups and assisting in developing cultural spaces	1.3.1.1 Deliver the Town Hall Revitalisation Project	DIN	Project milestones / Met		Costings for floor have used all contingency funding
	1.3.1.2 Support Yarkuwa Indigenous Knowledge Centre in delivering NAIDOC Week Celebrations	MCED	NAIDOC Week Celebration / Delivered		Program delivered
	1.3.1.3 Submit grant application to enable NSW Seniors Festival Celebrations	MCED	Application / Lodged		Application lodged
	1.3.1.4 Submit grant application to enable NSW Youth Week Festival Celebrations	MCED	Application / Lodged		Program delivered Battle of Bands and movie night held
1.3.2 Deliver and support events, activities and programs that promote engaged citizenship and foster civic pride.	1.3.2.1 Facilitate Australian Citizenship Ceremonies	GM	Citizenship Ceremonies / Held		Australia Day ceremony undertaken
	1.3.2.2 Support the delivery of 2022 Anzac Day Commemoration services at Deniliquin and Wanganella	GM	Commemoration services / Held		ANZAC Day Ceremony completed
	1.3.2.3 Deliver 2022 Australia Day celebrations and coordinate the annual Edward River Council Australia Day Awards	GM	Event / Held Awards / Conferred		Committee has delivered program




Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

Outcome 2 – A prosperous and vibrant economy


2.1 Our economy is strong and diverse					
Delivery Program 2018-2022	Operational Plan 2021–2022 Action	Responsible Officer	Measure/Target	Status	Evidence
2.1.1 Support and grow local business and agriculture	2.1.1.1 Seek funding to implement the Agribusiness Masterplan	MCED	Application/ Lodged Strategy / Commenced		Multisectoral co-operation required
	2.1.1.2 Leverage Council's Major Project Pipeline to attract funding	MCED	Initiatives /1		\$1M achieved for Senior's Living Precinct \$500K application Streets as Shared Spaces End Street \$713K upgrade to Peppin Heritage lodged (unsuccessful)
	2.1.1.3 Support Deniliquin Business Chamber Business Excellence Awards	MCED	Business Excellence Awards / Delivered		On track
2.1.2 Develop and promote investment opportunities within Edward River region	2.1.2.1 Host a series of Developer's Forums to uncover business and residential development opportunities	MCED	Forums held / 3		Held off in anticipation of Growth Strategy
	2.1.2.2 Actively support development within Edward River to foster increased housing stock whilst maintaining integrity of the regulatory environment	MDS	Demonstration of facilitation of new or modified residential subdivision Development Applications through monthly Environmental Services report to Council		Housing and subdivision Data included in monthly Development Services Report.

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022







2.1 Our economy is strong and diverse

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
2.1.3 Streamline processes and identify efficiencies to assist investors, developers, builders and event organisers	2.1.3.1 Determine applications for development and local activities	MDS	DA 80% within statutory timeframes CDC 80% within statutory timeframes CC 80% within 30 days of registration S68 80% within 14 days of registration		Assessment targets met and reported in monthly Development Services report.
	2.1.3.2 Determine planning Certificates and sewer drainage diagrams on application	MDS	Planning certificates issued within five days of receipt / – >90% Sewer drainage diagrams issued within five days of receipt/->90%		Targets for issue of certificates and diagrams being achieved
	2.1.3.3 Planning proposal for Deniliquin LEP completed. LEP prepared and finalised	MDS	LEP prepared/Completed		Draft Planning Proposal for LEP Consolidation finalised


2.2 We develop our key assets to enhance agriculture, boost tourism and support existing business

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
2.2.1 Promote and develop Edward River region as a place to live, learn, work, play and visit	2.2.1.1 Provide a heritage advisory service to the community	MDS	Heritage service provided/completed		Heritage Advisor service provided in line with funding agreement. Grant acquittal finalised






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	2.2.2.1 Provide funding for heritage projects through the Local Heritage Fund	MDS	Local Heritage projects funded/=> budgeted amount		2021/21 Local Heritage fund finalised and acquitted
	2.2.1.3 Operate the Deniliquin Visitor Information Centre	MCED	Service levels / Met		On track
	2.2.1.4 Deliver an updated four-year Economic Development Strategy to develop Edward River region as a place to live, learn, work,	MCED	Strategy / Adopted		Pending completion of Growth Strategy
	2.2.1.5 Develop and update promotional collateral and information on the Visit Deni website and social media platforms	MCED	Marketing collateral / Developed		Updated
	2.2.1.6 Support existing events including the Deni Ute Muster and attract new events	MCED	Events supported or attracted / 3		Supported Play on the Plains 2022, hosted Lights on Lagoon and supported upcoming concert for December 2022
2.2 We develop our key assets to enhance agriculture, boost tourism and support existing business (cont.)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
2.2.2 Invest in our rivers, creeks, billabongs and main streets to support existing business and attract tourism	2.2.2.1 Deliver projects funded through the NSW Government Funded Programs.	DIN	Projects with acquittal dates in 2021/22 / 100% Completed		Project delivery complete







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2.3.1 Work in partnership with business to identify skill and employment gaps that can attract new residents and support economic growth	2.3.1.1 Engage with employers and training to providers to align needs	MCED	Meetings held / 2 Report Outcomes / 1		To be considered with development of Growth Strategy
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Outcome 3 – A valued and enhanced natural environment

3.1 We are committed to resource recovery and waste management					
Delivery Program 2018-2022	Operational Plan 2021-2022 Action	Responsible Officer	Measure/Target	Status	Evidence
3.1.1 Minimise waste to landfill and investigate options for recycling	3.1.1.1 Looking into options to provide kerbside recycling.	MEA	Project Plan / Completed		Council part of RAMJO based kerbside recycling and FOGO collection project
	3.1.1.2 Commence a review of the Deniliquin Development Control Plan	MDS	DCP Review / Commenced		DCP Review commenced
	3.1.1.3 Consolidate Pretty Pine and Conargo Landfill areas.	MEA	Community education program / Implemented		Landfill redesignation to transfer stations
3.1.2 Provide sustainable waste services and infrastructure	3.1.2.1 Operate the Deniliquin Landfill Depot and Blighty, Boorooban, Conargo, Pretty Pine and Wanganella Waste Disposal Depots	MOP	EPA Licence conditions / met		Annual report being undertaken and will be provided to EPA as part of annual license return.
	3.1.2.2 Provide DrumMUSTER collection services at Deniliquin Landfill Depot	MOP	DrumMUSTER services provided		Program is ongoing




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3.2 Our natural environment is protected and enhanced					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
3.2.1 Sustainably manage Council owned and managed natural areas	3.2.1.1 Maintain the Deniliquin public cemeteries.	MOP	Complete maintenance of Cemeteries / 100% <ul style="list-style-type: none">• Interments in accordance with Cemetery Operational Plan / 100%		Maintenance of cemetery undertaken on a regular basis.
	3.2.1.2 Maintain Pioneer Cemeteries	MOP	Complete maintenance of Cemeteries / 100%		Fencing of pioneer cemeteries undertaken as part of LRCI program.
3.2.2 Proactively manage the impacts associated with invasive species	3.2.2.1 Integrate and deliver weed control across Edward River Region	MOP	Implement new Weed Action Plan (WAP)		21/22 WAP submitted and approved. Continuing with current weed action plan as funded by state government body.
3.2.3 Collaborate with emergency services and other agencies to provide cohesive emergency management services	3.2.3.1 Convene the Local Emergency Management Committee	DIN	LEMC meetings per year / 3		Last meeting February 2022.
3.2.4 Provide great Parks and Open Space by greening our streets, managing tree safety and improving our town entrances, sporting ovals, gardens and passive recreation spaces.	3.2.4.1 Deliver the Rural Tree Scheme	MOP	Deliver Rural Tree Scheme		Orders received and plants being distributed.
	3.2.4.2 Service Level Agreements for Council's Parks and Open Space services.	MOP	Service Level Agreements / Completed		Parks and Gardens Review in progress as part of wider review






Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

3.3 We plan for the future to accommodate and facilitate sustainable growth and development					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
3.3.1 Manage the built environment in line with the LEP and relevant legislation	3.3.1.2 Commence a review of the Deniliquin Development Control Plan	MDS	DCP Review / Commenced		DCP Review commenced
3.3.2 Undertake strategic planning to ensure our community is well planned and there is adequate land available to support residential, business, industrial and agricultural growth	3.3.2.1 Prepare Implementation Plan for Industrial Land Strategy	MCED / MDS	Completed		To be included for consideration as part of Growth Strategy process

Outcome 4 – A region with quality and sustainable infrastructure


4.1 Our built environment is managed, maintained and improved					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
4.1.1 Responsibly manage our assets including roads, buildings, footpaths, airport, cemetery, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs.	4.1.1.1 Deliver Buildings Maintenance Program	MOP	Maintenance Program/Delivered		Inspection of buildings ongoing and maintenance undertaken where
	4.1.1.2 Deliver Roads Maintenance Program	MOP	Maintenance Program/Delivered		Inspection and maintenance of roads ongoing. Roadside weed management behind with new staff allocated to implement
	4.1.1.3 Deliver Capital Works Program.	DIN	Capital Works Program delivered / 90%		Progress on capital project reported to Council.

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	4.1.1.4 Prepare planning proposal for rezoning and reclassification of surplus open space	MDS	Planning proposal/commenced		Process for reclassification will need to be determined
4.1.2 Understand and plan for Council's asset renewal requirements.	4.1.2.1 Undertake a review of Council's existing Plant and Fleet register.	MOP	Review / Completed		Existing register uploaded to Tech 1. and finalised.
	4.1.2.2 Develop a 10-year plant replacement program	MOP	Year one of current 10-year program/ Implemented		Plan developed for 10 years
	4.1.2.3 Refine draft Service Level Agreements including inspection, maintenance and intervention criteria.	MOP	Service Level Agreements set-up in Tech One / Implemented.		Implementing the works system to incorporate inspection, maintenance and intervention
	4.1.2.4 Invest in Council assets at a level equal to depreciation.	MEA	Capital expenditure compared to depreciation / => 90%		21/22 Capital Expenditure = \$10.4M 21/22 Depreciation = \$9.8M Ratio =
	4.1.2.5 Undertake asset valuations for asset classes in accordance with Asset Management Strategy.	MEA	Asset valuation for one asset class / Completed.		Project plan developed. Valuation of sewer assets completed.
	4.1.2.6 Convene the Asset Management Steering Committee.	MEA	Meetings per year / 4		Meeting held in August – 2021 – committee guidelines to be reassessed.

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4.2 Our road network is a source of pride

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
4.2.1 Close Councils asset renewal gap with the road network as the priority area of focus	4.2.1.1 Implement current year's program of works to renew Council's road network in line with condition assessments.	MOP	Works delivered / 90%		Draft program developed for review.

4.3 Our water and sewer infrastructure is efficient and fit for purpose

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
4.3.1 Provide for safe, reliable and sustainable water and sewerage services.	4.3.1.1 Deliver Council's Water and Sewer Capital Works Program.	MEA	Capital Works Program delivered / 90%		W&S projects complete
	4.3.1.2 Deliver Council's Water and Sewer Infrastructure Maintenance Program.	MOP	Maintenance Program / Delivered		Maintenance of water and sewer networks ongoing and being reported monthly to Council
4.3.2 Plan for the replacement of the Deniliquin Sewerage Treatment plant	4.3.2.1 Plan the replacement of the Deniliquin Sewerage Treatment Plant in consultation with NSW Government	MEA	Funding application to NSW Government / Submitted		Funding for the IWCM received


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5.1 Our community is informed and engaged					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.1.1 Proactively communicate information on Council services, activities and events	5.1.1.1 Communicate information on Council services, activities and events.	GM	Community News page/ 30 Engagement with Council social media accounts/ Increasing Media releases produced/ 24 Newsletter published/ 2		Completed
5.1.2 Provide opportunities for the community to be involved in key strategies, policies and decisions of Council	5.1.1.2 Review Council's website to ensure it remains accessible and provides an engaging customer experience.	GM	Website structure/ Reviewed		Completed






Outcome 5 – A community working together to achieve its potential

5.2 We collaborate and pursue partnerships that achieve great outcomes for our community					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.2.1 Work in partnership with the community on key projects	5.2.1.1 Support community projects with financial assistance through the Community Grants Program	MCED	Community Grants Program / Delivered		Completed
	5.2.1.2 Conduct ordinary and extraordinary meetings open to the public	GM	Adopted schedule of meetings / implemented Ordinary meeting business papers Published to Council's website three days prior to meeting		Published and updated as required







Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

	5.2.1.3 Collaborate with the community to review and update the Community Strategic Plan – Edward River 2030	GM	Plan adopted / 30 June		Progressing
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5.3 Our local government is efficient, innovative and financially sustainable

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.1 Deliver sustainable financial management	5.3.1.1 Develop annual Operational Plan budget and review Long Term Financial Plan	MFIN	Annual budget adopted and long-term financial plan reviewed in line with annual budget / 30 June		Complete. Presented to Council at the June meeting
	5.3.1.2 Monitor and accurately report on Council's financial position in accordance with the Local Government Act 1993 requirements	MFIN	Quarter budget reviews completed / September, December and March Audited financial statements lodged 31 October		QBRS completed on time. Annual financial statements lodged on time
	5.3.1.3 Manage Council's investment portfolio to optimise investment returns within the constraints of the Local Government Act Guidelines and Council's adopted policies	MFIN	Report to Council / Monthly Bank Bill Swap Rate Benchmark / Exceeded		Reports to Council monthly Returns in excess of benchmark
	5.3.1.4 Review Investment Policy within the constraints of the Local Government Act Guidelines and Council's adopted policies	MFIN	Review Investment Policy/Complete Review External/Internal Reserve/Complete		Updated Policy adopted by Council
	5.3.1.5 Review land categories for rating purposes and implement changes required under the Local Government Act and in accordance with the new harmonized rating structure	MFIN	Review rating categories and subcategories/Complete Implement procedure for required category changes/Complete		Completed Completed








Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

	5.3.1.6 Coordinate the 30 June external audit function and implement agreed management actions	MFIN	Audit Engagement Plan Activities / Completed Management Actions implemented / = Agreed timeframes		Complete
	5.3.1.7 Review Financial Sustainability Policy within the constraints of the Local Government Act Guidelines and Australian Accounting Standard Board	MFIN	Review Financial Sustainability Policy/Commenced Deliver Action Plan based on the updated Financial Sustainability Policy/ Commenced		Ongoing
5.3 Our local government is efficient, innovative and financially sustainable (cont)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.2 Deliver excellent customer service	5.3.2.1 Monitor customer service requests and complaints.	MPCS	Report customer request management statistics to Executive/ Quarterly		Reported as required
5.3.3 Deliver good governance and take steps to improve management of risk and safety	5.3.3.1 Coordinate the ongoing implementation the Council's Risk Management Framework.	MPCS	Strategic risks and controls reviewed as per the Risk Management Plan		As presented to ARIC Ongoing
	5.3.3.2 Coordinate the implementation of Council's Statewide Mutual Continuous Improvement workbooks and distribute action plans to responsible officers.	MPCS	Workbooks – Submitted by due date Report Action Plans to EMT		Workbooks completed and submitted to StateWide.
	5.3.3.3 Co-ordinate WHS steering committee development of the annual Corporate WHS Management Plan	MPCS	Plan developed Reports delivered as per the plan.		Completed







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	5.3.3.4 Convene the Work Health and Safety Committee meetings.	MPCS	Meetings held =>4 Minutes provided to the Executive/ Quarterly		3 meetings held 4 th Meeting held in July 22
	5.3.3.5 Co-ordinate external audit of WHS Management System	MPCS	Audit completed Report to WHS Steering Committee		Budget item for FY 21/22 was not accepted..
	5.3.3.6 Provide progress reports on implementation of the 2018-2022 Delivery Program in accordance with the Local Government Act 1993.	DCS	Progress reported to Council/ Quarterly		Complete
	5.3.3.7 Produce and publish Council's Annual Report in accordance with the Local Government Act 1993	DCS	Report adopted / 30 November		Report submitted to Council and OLG
5.3 Our local government is efficient, innovative and financially sustainable (cont)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.3 Deliver good governance and take steps to improve management of risk and safety	5.3.3.8 Coordinate implementation of the Business Continuity Plan, including final Disaster Recovery Plan	DCS / MPCS	Implementation / Complete		Ongoing compilation of requirements and developing reporting mechanisms
	5.3.3.9 Produce and submit the annual Code of Conduct complaints report in accordance with the Office of Local Government requirements.	DCS	Reported to Council and the Office of Local Government/ 30 September		Report lodged by 30 December deadline


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	5.3.3.10 Manage the Councillor Professional Development Program	DCS	Program / Delivered		Preliminary training undertaken Ongoing
	5.3.3.11 Produce and submit reports of disclosures made under the Public Interest Disclosures Act	DCS	NSW Ombudsman / July and February		Completed
	5.3.3.12 Coordinate lodgement of the annual Disclosures of Interest Returns in accordance with the Office of Local Government requirements	DCS	Annual lodgement process completed / 30 September		Returns for new councillors to be tabled
	5.3.3.13 Facilitate Audit, Risk and Improvement Committee meetings.	DCS	Meetings held / =>4		4 th meeting held in April
	5.3.3.14 Coordinate delivery and reporting of the Internal Audit Program.	DCS	Program / Completed Implementation status reported to Executive and Audit, Risk and Improvement Committee / Quarterly		Complete
5.3 Our local government is efficient, innovative and financially sustainable (cont)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.3 Deliver good governance and take steps to improve management of risk and safety	5.3.3.15 Review and improve Council's corporate documents framework	DCS	Corporate documents review dates / Established Program review dates program / Established		Review commenced and to be part of new council plans
	5.3.3.16 Coordinate activities and events for the delivery of the NSW Local Government Elections	DCS	Election / Completed Councillor induction program / Implemented Post-election legislative program of actions / Completed		Complete Finalised at 1 st Council Meeting in January




Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

	5.3.3.17 Coordinate the implementation of the strategic plan for committees of Council	DCS	Implementation of the Strategic Plan for Committees / Completed June 30		Proposal for new Council developed
	5.3.3.18 Coordinate implementation of the Business Continuity Plan, including final Disaster Recovery Plan	DCS / MPCs	Implementation / Complete		COVID 19 BCP Latest update 10/12/21
	5.3.3.19 Review the Privacy Management Plan	MIM	Review / Complete		Deferred to next plan
	5.3.3.20 Review and publish the Council Information Guide.	MIM	Guide adopted		Deferred to next plan
	5.3.3.21 Produce and submit the annual government Information Public Access Report in accordance with the Government Information (Public Access) Act 2009.	MIM	Annual report provided to the Information and Privacy Commissioner/		Submitted before 30 December
	5.3.3.22 Coordinate the publication of Open Access Information to the website in accordance with the Government Information (Public Access) Act 2009.	MIM	Open Access Information available on the website/ Increasing		Ongoing - with revised Pecuniary interest outcomes




5.3 Our local government is efficient, innovative and financially sustainable (cont)

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.3 Deliver good governance and take steps to improve management of risk and safety	5.3.3.23 Develop a new suite of IP&R Documents in line with LG Requirements	DCS	Documents developed and adopted		Completed








Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

	5.3.3.24 Coordinate 2020 / 2021 Community Survey	DCS	Survey complete and results published on the website		Sefton report 'Our Region, Your Say'
	5.3.3.25 Establish and publish to the website a Formal Access to Information Disclosure Log in accordance with the Government Information (Public Access) Act 2009.	MIM	Published to website/ =< every 45 days		Pending applications received
	5.3.3.26 Review and renew Council's insurance portfolio.	MEA	Annual renewal / Completed Incident reports to Executive / 4 per year.		All insurance policies renewed Insurance report to EMT May 2022








5.3 Our local government is efficient, innovative and financially sustainable (cont)

Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.4 Identify and deliver innovative projects to improve Councils performance	5.3.4.1 Deliver the Information Technology Strategy, including reimplementation of Technology One, in accordance with approved Project	DCS	Project milestones met		Continued rollout of updates
	5.3.4.2 Deliver Council's civic and administration accommodation project in accordance with the project plan.	DIN	Project Milestones / Met		Construction currently in line with funding milestones.
	5.3.4.3 Develop and commence the implementation of an Edward River Council continuous improvement program	GM	Continuous Improvement Program developed, and implementation commenced.		Improvement plan to be developed via results of You're the Voice Project

Combined Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report – 30 June 2022

	5.3.4.4 Implement an organisational project to improve efficiencies and source revenue opportunities	GM	Project plan developed / 30 December Milestones achieved as per project plan / 30 June		Stopped by election. Will be undertaken following results of You're the Voice Project
5.3.5 Be an employer of choice	5.3.5.1 Encourage two-way communication with the workforce.	MPCS	Initiatives implemented in accordance with Staff Survey Action Plan / Complete		Voice Project Commenced
	5.3.5.2 Coordinate and fund annual staff training programs.	MPCS	Training Plan and budget / Prepared		Budget Submitted 17/12/21
	5.3.5.3 Implement the annual employee health and wellbeing program	MPCS	Program Implementation / Meets timelines set in the plan.		Training Plan presented to Consultative Committee 21/12/21
	5.3.5.4 Undertake annual staff satisfaction survey to identify areas of improvement.	MPCS	Survey/ Completed		Survey Complete Nov 2021 Action plan developed Q4
5.3 Our local government is efficient, innovative and financially sustainable (cont)					
Delivery Program 2018 -2022	Operational Plan 2021 –2022 Action	Responsible Officer	Measure/Target	Status	Evidence
5.3.5 Be an employer of choice	5.3.5.5 Deliver the Staff Recognition and Service Awards Program	GM	Program/ Delivered		Quarterly Awards complete
	5.3.5.6 Implement Employee Self Service for leave for Outdoor Staff	MPCS	Implementation commenced		Complete

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5.3.5.7 Coordinate annual staff performance review program	MPCS	Annual program / Completed		Complete
5.3.5.8 Facilitate regular meetings of the Staff Consultative Committee (WMP 2.9).	MPCS	Meetings held =>2		Complete
5.3.5.9 Coordinate the development and implementation of salary system progression rules and skill step framework	MPCS	Salary skill step framework for operational roles		Progressing and ongoing
5.3.5.10 Implement EEO & Diversity Plan	MPCS	Meets timelines set in the plan.		Timelines met
5.3.5.11 Implement Workforce plan	MPCS	Succession planning commenced and ongoing		Progressing and ongoing
5.3.5.12 Develop workforce cultural plan	MPCS	Cultural Plan Commenced		Voice Project commenced
5.3.5.13 Develop 3-year Corporate Services Plan	DCS	Plan developed and adopted Plan commenced as per milestones set		To be evaluated in the context of IP&R delivery

END OF DOCUMENT

12.10. DEVELOPMENT SERVICES ACTIVITY REPORT

Author: **Manager Planning & Environment**

Authoriser: **Director Infrastructure**

RECOMMENDATION

That Council receive and note the August 202 Development Services update report.

BACKGROUND

The Development Services Report for August 2022 is included as Attachment 1.

ATTACHMENTS

Attachment 1 - 8 Environment Report August 2022

Development Activity					
Applications received – August 2022					
Application	Property Description	Proposal	Date Received	Date Approved	Status
DA2022/0065	Lot 1 DP 293840, 86 Crispe Street, Deniliquin	Transportable Dwelling	2/8/22	-	Under assessment
DA2022/0066	Lot 11 DP 259642, 240 Boggy Creek Road, Deniliquin	Demolition of Existing Dwelling	5/8/22	26/8/22	Approved
DA2022/0067 CC2022/0038	Lot 73 DP 756310, 256 Chippenham Park Road, Deniliquin	Inground Swimming Pool	5/8/22	-	Under assessment
DA2022/0068	Lots 2 & 3 DP 617711, 17-23 Napier Street, Deniliquin	Change of Use – Food and Drink Premises and Signage	17/8/22	-	Under assessment
DA2022/0069	Lot 170 DP 756325, 138 Hetherington Street, Deniliquin	2 Lot Subdivision	17/8/22	-	Under assessment
DA2022/0070 CC2022/0039	Lot 8 DP 1188996, 7 Bond Court, Deniliquin	New Dwelling and Garage	18/8/22	-	Under assessment
DA2022/0071 CC2022/0040	Lot 4 DP 188996, 3 Bond Court, Deniliquin	New Dwelling and Garage	18/8/22	-	Under assessment
DA2022/0072	Lot 210 DP 1178069, 257 Barham Road, Deniliquin	Storage Shed	31/8/22	-	Under assessment

Complying Development Certificates					
-	-	-	-	-	-
S68 Applications					
LG2022/0026	Lot 1 DP 593840, 86 Crispe Street, Deniliquin	Install a manufactured home, moveable dwelling or associated structure on land. Water Supply, Sewerage Work and Stormwater Drainage Work.	2/8/22	-	Under assessment
LG2022/0027	Lot 2 DP 758913, 558 Poitiers Street, Deniliquin	Carry out Sewerage Work	3/8/22	22/8/22	Approved
LG2022/0028	Lot 1 DP 758913, 444 Charlotte Street, Deniliquin	Water Supply & Sewerage Work, Stormwater Drainage Work	4/8/22	12/8/22	Approved
LG2022/0029	Lot 8 DP 1188996, 7 Bond Court, Deniliquin	Water Supply & Sewerage Work, Stormwater Drainage Work	18/8/22	-	Under assessment
LG2022/0030	Lot 4 DP 1188996, 3 Bond Court, Deniliquin	Water Supply & Sewerage Work, Stormwater Drainage Work	18/8/22	-	Under assessment
LG2022/0031	Lot 1 DP 1132408, 1 Butler Street (Site 260), Deniliquin	Flyover, Carport and Deck	26/8/22	-	Under assessment

Development Applications by Type for August 2022						
Development Type	New Dwellings	Dwelling Alts/Additions/sheds	Commercial/Industrial	Other	Subdivision	No of lots resulting
Number	3	1	0	4	1	2
Totals 2022	9	26	10	25	9	27

Processing Times for August 2022		
Application Type	* Mean Gross Days	** Mean Net Days
DA	63	32
Mod (\$4.55) of DA & DA/CC	-	-
CDC	33	33
CC	32	32
S68 Applications	44	44

* Mean gross days = Total days from lodgment to determination ** Mean Net Days = Total days less Stop the Clock days

Value and Number of Applications Determined 2021 and 2022										
Month	DAs 2021	DAs 2022	CDCs 2021	CDCs 2022	CC 2021	CC 2022	S68 2021	S68 2022	Value 2021	Value 2022
January	8	3	0	2	3	1	3	2	\$1,885,946	\$870,000
February	7	14	0	1	2	9	4	2	\$1,599,609	\$6,541,633
March	18	13	1	0	12	8	4	5	\$2,918,375	\$1,968,289
April	9	8	1	0	3	2	5	0	\$673,735	\$1,891,000
May	7	9	1	1	5	6	0	6	\$463,520	\$3,376,895

June	11	13	0	0	8	8	6	3	\$938,000	\$277,646
July	11	3	2	0	9	3	3	2	\$598,050	\$369,101
August	8	10	0	1	7	4	2	6	\$681,236	\$660,693
September	8		1		4		5		\$1,017,000	0
October	10		0		9		1		\$1,288,993	0
November	18		0		12		6		\$1,156,791	0
December	6		-		3		1		\$1,090,440	0
TOTALS	121	73	6	5	87	41	40	26	\$14,311,695.00	\$15,955,257.00

Note: numbers of application determined does not include modifications and applications determined by private certifiers. Value of application determined does not include the value of work for Construction Certificates and s68 applications.

Section 10.7 Certificates/Sewerage Drainage Diagrams

Planning certificates	26
Sewerage drainage diagrams	20
Average processing time	1
Maximum time for processing	3

Inspections for August

Site	Footing / Pier	Slab	Frame	Hot & Cold	Sewer / Septic	Storm Water	Final	Food Van	Trade Waste Site Visit	Murrumbidgee Council	Total
11	2	6	6	4	7	2	6	1	5	2	52

Swimming Pool Inspection Program

Month	1 st Inspection	2 nd Inspection	3 rd Inspection	TOTAL 2022
August	1	3	-	5

Animal Control /Ranger Activities															
Ranger's Report – August 2022															
Companion Animals									Clean Up		Parking		Impoundment		
Seized/ Surrendered	Released to Owner	Impounded	Re- Homed	Euthanised	Declared Dangerous Menacing	Micro Chipped	Registered	Fines Issued	Notices Sent	Illegal Dumping	Patrols	Fines	Vehicles	Live Stock	Euthanised Wildlife
19	7	12	9	1	0	5	12	0	12	0	5	0	2	0	0

Dog Attacks		
Date	Details	Outcome
August	-	-

Public Health Activities	
Details	
Water quality monitoring – Reticulated Town Water Supply	Water quality monitoring continues to be carried out weekly as per memorandum of understanding with NSW Public Health
Food Premises Inspection Program	A brief summary of the food premises inspections undertaken by Council and as submitted in the annual Food Activity Report to the NSW Food Authority , are detailed below:
No of fixed Food premises inspected	53
No of mobile food premises	:6
No of fixed premises awarded 5 star rating	29
No of fixed premises awarded 4 star rating	12
No of fixed premises awarded 3 star rating	12

12.11. MONTHLY OPERATIONS REPORT - AUGUST

Author: Manager Operations

Authoriser: Director Infrastructure

RECOMMENDATION

That Council receive and note the August 2022 Operations update.

BACKGROUND

As part of the Operation Plan and Delivery Program, Council's Operations Department undertakes a variety of maintenance and capital works across a wide range of Council services.

The Operations Department is part of the Infrastructure Directorate.

ISSUE/DISCUSSION

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

1. Shaping the Future
 - 1.1 Pristine natural environment
 - 1.2 Quality built environment
 - 1.3 Enhanced Active and Passive Open Spaces
 - 1.4 Sustainable Waste Management

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

1. Operations Monthly Council Report - August 2022

Attachment 1 - Operations Monthly Council Report August

OPERATIONS DEPARTMENT UPDATE REPORT

ROADS AND ROAD MAINTENANCE – August 2022

LOCATION	COMPLETED	IN PROGRESS	PLANNED
Major Works Feb			
Maude Road	Seal		
Resheet Program	Aratula Road	Aratula Road	Mabin's Well
Flanagan Lane Rehabilitation	Culvert construction		
Hay Road Standpipe	Kerb, Pavement, seal		
Transport for NSW Works			
Finley Road Construction	Seal	Line marking	
State Highway Network	Fortnightly inspections		
Maintenance			
Grading Zones / Roads completed in the Month	Lower Finley, Henderson's, Blighty Rec Reserve, Tubbs, Parfrey's, McMillan		
Shoulder Spraying	Councils sealed rural road network has been shoulder sprayed by contractors.		
Grading/Fire breaks/Slashing	Sealed road network east of Conargo Road has been slashed and slashers are now working on the network west of Conargo road.		

ROADS AND ROAD MAINTENANCE – July 2022

LOCATION	COMPLETED	IN PROGRESS	PLANNED
Major Works March			
Maude Road	Pavement	Sealing	Early August
Resheet Program	Aratula Road	Aratula Road	Mabin's Well
Flanagan's Lane rehabilitation			Culvert Construction
Transport for NSW Works			
Finley Road Construction	Shoulder stabilisation section 1	Subbase pavements import section 1	Base pavements import mid-April section 1
State Highway Network	Fortnightly inspections		
Maintenance			
Grading Zones / Roads completed in the Month	Myrttle Park Road, Martins, Road, Moonee Swamp Road, McAllisters Road, Cassidy's Road, Larkins Road, Lower Finley Road, Cowans Road, Scott Rogers Road		
MR 296 Culvert replacement			
Grading/Fire breaks/Slashing	Corree Road, Woodbury Road, Conargo Jerilderie Road	Conargo Deniliquin Road	

WATER AND SEWER

MAINTENANCE					
Month	No. of Incidents / Issues				
	Sewer Chokes / Maintenance	Water Meter		Water Main Burst / Leak	
August	14	5	5	11	11
July	16	4		16	

WATER TREATMENT PLANT (WTP)		
Month	Water treated	Maintenance
August	75ML	Annual service of plant completed Repairs to Soda ash system, flow sensors and timers replaced Annual instrument calibration completed by Trescal
July	83ML	Repaired leak in bore line Replaced flow switched on soda ash 1&3 PAC fault, rectified itself

SEWAGE TREATMENT PLANT (STP) & PUMP STATIONS				
Month	Repairs	Installations	testing	Other
August	Floats replaced at Edward River Pump station Annual service of Instruments and calibrations by Trescal	0	Up to date	38ML
July	15 July Macauley street pump station sensor fault after power outage	26 July installed new soft starter at Re sue pump station	Up to date	39ML

NEW WATER AND SEWER SERVICES			
Month	New Water Services Installed	Sewer Lines Installed	General
August	1	0	N/A
July	0	0	N/A

CAPITAL WORKS			
Month	Project	progress	Challenges
August	Henry St water upgrade	10%	No Challenges
July	Old race course road water upgrade	100%	

PARKS AND GARDENS

PARKS AND GARDENS GENERAL			
Month	Waring Garden's Weed Control	Other	Challenges
August	CBD areas still undergoing maintenance in readiness for Spring. Applying for funding for Arrowhead removal from LLS	Pontoons removed due to high river. McLeans toilet block disconnected awaiting until August 30 to proceed, BBQ removed 29/8/22. Lighting upgrade still ongoing. Rotunda still under refurbishment	As per July staffing, pontoon removal was a learning process and staff involved have ideas moving forward with some fabrication of existing hold down points
July	Broadleaf spraying by P&G staff (Bradley)	Roundabout rose maintenance undertaken and mulching in the CBD New toilets at north rest area placed into service.	Staffing 2 staff down, and 1 casual on hand on small garbage truck. Covid leave also played a part

MAINTENANCE			
Month	Parks / Playgrounds / reserves	Tree removal / maintenance	General
August	Ongoing maintenance Special allocation of resources to Blighty Rec Reserve who hosted a PDFNL final and all went well. Contractor started removal of dead trees but on hold as committee wish to remove themselves.	As per requests for trimming and some time allocated for pro active trimming. A couple of requests re removal, but not warranted as trees in good health	Still some graffiti and fire lighting in CBD toilets and Scotts Park occurring
	Cemetery had dead shrubs removed and hedges trimmed back to allow for new growth.		

	6 Burials including ashes interment and ongoing plaque maintenance. Sand delivered by Roads staff for burials and top dressing		
July	Major emphasis on broadleaf and especially, Blake reserve Gates at play areas being vandalised ongoing, Rice growers are seeking to help and Paul in negotiations Toilets having fires lit at night, spoken to Police and patrols being undertaken Gold detecting in parks and ovals, working with Local Laws to monitor and spoken to a number of visitors who have been identified as undertaking such activities	Trimming as per customer requests, re-active	

WEEDS				
Month	Roadside Spraying	High Risk Pathway Inspections	Khaki Program	Other Spraying
August	210kms	380kms	Growth not evident at present,	Cemetery using "Esplanade" a pre-emergent chemical whilst expensive reduces applications from multiple times a year to 1-2 Perimeter of Hardinge St oval in readiness for final Sep 10
July		330Km		145km

WASTE - GENERAL		
Month	General	Kerbside Collection
August	Capping of Landfill to be ongoing Advertisement for Plant operator(s) released with one or both positions to be part of the waste team as weekend and/or backup for current operator at times	Normal kerbside collections have reduced since audit to a drop on average for the following: Monday @45 below Tuesday @ 75 below Wednesday @ 50 below Thursday @ 25. Ongoing with excess bins bought to depot for re-purposing
July	Normal monthly activities, Chemclear collection programmed but re-scheduled for July	Consistent with May targets

PLANT AND FLEET

Plant and Fleet				
Month	Fleet Capital Plant Ordered	Plant Delivered	Construction Plant	Other
August	NIL	NIL	NIL	NIL
July	Light Fleet Quote sent	Pickles Auctions have been engaged for sale of replaced plant		

STAFF – August 2022

STAFF				
	Roads	Water and Sewer	Parks and Garden's	Plant and Fleet
Recruitment	Team Lead Roads Position Roads 2 vacant positions		2 vacant positions	Fleet Supervisor
Incident Reports – Vehicles	NIL			
Incident Reports – Personal	Trip and fall visit doctor's minor injury			
Incident Reports – Construction	NIL			
Plant – RFS Checks TechOne Fleet Module				
Training Attendance	GPS training Reflect inspection			

12.12. SEPTEMBER 2022 COMMUNITY AND ECONOMIC DEVELOPMENT UPDATE

Author: **Manager Community and Economic Development**

Authoriser: **Director Corporate Services**

RECOMMENDATION

That Council:

1. Receive and note the September 2022 Community and Economic Development update.

BACKGROUND

The purpose of this report is to provide Council with a regular update on the work and projects being undertaken by the Community and Economic Development Team. This report provides an update on activities from 1 May to 31 August 2022.

The Community and Economic Development portfolio includes the following areas of responsibility:

- Economic Development and Business Assistance
- Events Support and Delivery
- Tourism Development
- Deniliquin Visitor Information Centre
- Peppin Heritage Centre - Gallery
- Peppin Heritage Centre - Museum
- Library Services
- Community Liaison and Development
- Grant support

ISSUE/DISCUSSION

Economic Development and Business Assistance

Successful onboarding of an almost entirely new Community and Economic Development department in the last 4 months including Manager Community & Economic Development, Coordinator Business & Tourism and Community Projects Officer.

Project management of the Streets as Shared Spaces - End Street project.

Collaboration with Deniliquin Business Chamber and application for NSW Small Business Month grant.

Events

Successfully applied for the Reconnection Regional NSW - Community Events Grant funding to deliver:

- a Deniliquin Town Hall activation in December;
- a Lights on the Lagoon event in the Waring Gardens;

- three exhibitions at the Peppin Heritage Centre gallery;
- an International Women's Day function;
- two music concerts (to be delivered by South West Music);
- three theatre performances at the Deniliquin Town Hall (to be delivered by South West Arts);
- initial management modelling for the Deniliquin Town Hall.

All events are required to be delivered prior to 31 March 2023 and planning is well underway.

Commencement of preparations for a community Cultural Festival to be hosted by Yarkuwa and delivered in January 2023.

Tourism

Participated in the Murray Regional Tourism Local Area Action Plan workshop with tourist businesses in the Edward River region.

Participated in the Murray Regional Tourism Manager's Forum.

Organised and supported Country House Hunters filming.

Organised and supported Postcards filming.

Developed information pack/slide show for the Mad Max film crew for the Edward River region.

Coordinated a Destination NSW 'Feel New' marketing campaign for four local tourism businesses.

Collaborated with The Long Paddock on a Destination NSW 'Feel New' marketing campaign.

Supported the production of a Nutrien commercial.

Collaborated with local tourism business to engage photographer, Georgie Mann, to take local regional images which were then shared for use by accommodation and food providers, providing consistency in the Visit Deni brand.

Facilitated Visit Deni website upgrade.

Deniliquin Visitor Information Centre

The Visitor Information Centre has continued to maintain operations from its temporary location at 122 End Street, Deniliquin. Though the relocation has resulted in a downturn in visitation and therefore sales, it has resulted in the strengthening of productive relationships with South West Arts including the youth radio station, the Business Chamber, and other organisations contained within the location and surrounds.

Volunteers have attended three famils to locations in and around Deniliquin, as well as Hay. Famils are designed to familiarise Visitor Information Centre volunteers with what's on offer in our region, to provide an effective Information Centre service to community and tourists.

Peppin Heritage Centre - Gallery

The Peppin Heritage Centre gallery is currently under restoration. However the first exhibition for its reopening is arriving next Wednesday, to be installed by a curator as soon as the gallery works are complete. The exhibition will be open to the public until February 2023.

Peppin Heritage Centre - Museum

The Peppin Heritage Centre museum is currently under restoration and initial preparations are underway for reinstalling the museum's exhibitions.

Library Services

Commenced work on the Library Strategy Masterplan.

Supported restoration efforts.

Hosting Day in the Life of Deni photographic exhibition, and have received 100 more visits to the Library as a result.

Commenced St Michael's Primary School Library visits, and added 83 new Library members in July as a result (compared to the average of 16 new members per month).

Hosted Youth Winter Holiday Break Program workshop and launched VR technology, and have taken more than 30 VR bookings since launch in July.

Ordered over 300 new books, magazines, audio books and DVDs for our borrowers.

Community Liaison and Development

Curated an artwork by local up-and-coming artist, Rachel Braybon, to complete the Riverfront Upgrade Project.

Coordinated a successful Expression of Interest process for the commission of the Town Hall Foyer artwork.

Commenced work on management modelling for the Deniliquin Town Hall.

Collaboration with U3A and application for Seniors Festival Grant.

Application for grant and delivery of Youth Winter Holiday Break Program activity - VR launch at the Library.

Supported the NAIDOC Week Koori Kids Colouring Competition.

Sponsorship of the 2022 Deniliquin Business Chamber Awards.

Commenced 2022 Community Grants Program.

Grant Writing

Successful application for Reconnecting Regional NSW - Community Events Grant funding of \$301,708.

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

Community Strategic Plan Objective:

Outcome

3

Encouraging growth through partnerships

FINANCIAL IMPLICATIONS

Council has adopted an operational budget for the delivery of the Community and Economic Development service areas. Additional grant funding has enabled the delivery of additional projects and initiatives.

LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

12.13. MAJOR PROJECTS - SEPTEMBER 2022

Author: Projects Coordinator

Authoriser: Director Infrastructure

RECOMMENDATION

That Council receive and note the Major Projects Program – Progress Report for September 2022.

BACKGROUND

Since amalgamation in 2016, Council has received over \$46,000,000 in funding from State and Federal Government bodies. A breakdown of current funding and remaining spend is as follows:

Government Funding Body	Funding Amount
Stronger Communities - Round 2 (Additional merger funding)	\$3,990,000 Remaining: \$90,000
Stronger Country Communities – Round 3 (State funding)	\$1,264,500 Remaining : \$22,972
Stronger Country Communities – Round 4 (State funding)	\$768,338 Total remaining
Building Better Regions (Federal Funding)	\$630,883 Remaining: \$314,358
Our Rivers Our Region (Federal funding)	\$1,673,080 Remaining: \$ 4,785
Drought Communities Program – Round 2 (Federal Funding)	\$1,000,000 Remaining: \$123,000
Local Roads and Community Infrastructure Program (State funding)	\$963,190 Remaining: \$256,193
Local Roads and Community Infrastructure Program R2 (State funding)	\$880,903 Remaining: \$190,476
Local Roads and Community Infrastructure Program R3 (State funding)	\$1,926,340 Total remaining
Commonwealth Regional Airport Program (Federal Funding)	\$2,500,000 Total remaining
Fixing Local Roads (TfNSW) Round 3 (State Govt)	\$1,077,023 Remaining: \$679,145
NSW Showground Stimulus Funding R2 – Memorial Park Showground	\$1,650,775 Remaining: \$1,317,116

Government Funding Body	Funding Amount
(State Funding)	
NSW Emergency Operations Centres (EOCS) Critical Upgrade Program (State Funding)	\$125,080 Remaining: \$23,424
Murray Darling Basin Economic Development Program R3 (State Funding)	\$1,000,000 Total remaining
Regional Growth Fund NSW (State Funding)	\$50,000 Total remaining
Streets as Shared Spaces (State Funding)	\$500,000 Remaining \$249,640

ISSUE/DISCUSSION

Project Updates

Civic Precinct Refurbishment

This project has received funding from Stronger Country Communities Rounds 2 and 3, Building Better Regions, New Council Implementation Funds, Stronger Communities and Council.

Town Hall

Cabling is being installed for the audio visual and lighting to the main hall, above floor level and under the stage. The new floor has been completed throughout the main hall and boards are being cut and laid around the recess for the feature carpet in the foyer. The floor in the office, behind the ticket box is being re-laid to take out the excessive waves and fall across the room of about 105mm.

Air-conditioning ducting is being fitted to the front rooms while the floor in those is being repaired. Painting inside the main hall has begun, with the ceiling largely completed and the plasterer has completed the first floor and is commencing on the ground floor.

Stage 4

The external framing and floor beams have been installed to the stage 4 structure. The internal framing is being set out. Installation of the retractable seating and the fixed mezzanine seating is scheduled for 12th to 20th September.

Plaza

The footings for the walkway canopy have been poured. The canopy frames are on site. The car park area is being levelled to subgrade level, prior to installing crushed rock. Installation of the power transformer is scheduled for the week of 12th September.

Emergency Operations Centre

Funding was received for this project through Resilience NSW.

The equipment to run an emergency operations centre has been purchased and will be housed in a shipping container which can be loaded onto a truck and located anywhere within the region. An EOC setup training exercise will be held in October at the RFS building.

Saleyards Road

Funding for this project was received through Fixing Local Roads Round 3 State Funding.

Drainage and culvert placements are complete and construction has commenced on the road. Inclement weather has delayed the project by 2 weeks. This, however, will not impact on the completion date.

Memorial Park - Showground Stimulus

This project has been funded through the NSW Showground Stimulus Fund - State Funding.

After further consultation with the Memorial Park User Group, design has been confirmed for the new amenities block. This contract was awarded earlier this year to B. Green Construction who will commence construction in November/December 2022.

Designs for the access roads and car parking are complete with construction due to commence late September 2022.

Demolition and construction of the DNA clubrooms Project is to be run in conjunction with the Deniliquin Cricket Club and the Deniliquin Netball Association who have obtained additional funding through SCCF R4. Architects have completed initial concept design which is considerably over the current budget. DCC and DNA will be reviewing design and scope to bring project in line with current budget.

Deniliquin Airport Runway Project

Funding for this program is through the Regional Airport Program R1 (Federal) and Local Roads and Community Infrastructure R3 (State).

Tenders closed for the Strengthening and Lighting at the Deniliquin Airport in early August and presented to Council. Negotiations are currently underway with preferred tenderers to more align with the current budget for the Project. It is anticipated that a further report will be provided to Council's October meeting.

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

4. Delivering community assets and services

4.1 Vibrant villages and towns

FINANCIAL IMPLICATIONS

Projects funded through these programs include costs for the design, documentation, and supervision costs for each project.

LEGISLATIVE IMPLICATIONS

Council must ensure that these projects are completed within the timeframes set out within the funding agreements

ATTACHMENTS

Attachment 1 - Project Summary Report Sept22 - Major Projects

Funded Projects - Summary Report – September 2022						
Time, Cost & Quality	Task/Activity – Completed ✓ or Progressing - on Time, Cost and Quality					
Time, Cost & Quality	Task/Activity – Progressing - requires monitoring and or action to minimise risk of not meeting performanace targets					
Time, Cost & Quality	Task/Activity – Stalled/Stopped - High Risk or will not meet Performanace Target.					
Time, Cost & Quality	Task/Activity- Pending - is currently not commenced					
Project Phase						
Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
STRONGER COMMUNITIES GRANT FUNDING (ORIGINAL)						
Riverfront Masterplans and Initial Works \$750,000 + \$700,000 + (Stronger Communities Round 2) \$550,000 (Regional Growth Fund)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none">Funding complete from this stream
Town Hall Revitalisation \$435,000 + \$1,315,170 (Stronger Country Communities Round 2l) +~\$329,000 (Unallocated Funding), +\$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none">Funding Complete from this stream
Stronger Community Grant Funding (Original) - Sub-Total \$8,600,000						
STRONGER COMMUNITIES GRANT FUNDING (ROUND 2)						
Riverfront Enhancement \$750,000 + \$550,000 (Regional Growth Fund) + \$750,000 (Stronger Communities Original)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none">Funding complete from this stream
Truck Stop Strategic Plan \$10,000	Pending	Pending	Pending	Pending		<ul style="list-style-type: none">Discussions with stakeholders to be coordinated
Civic Plaza \$390,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none">Works progressing on the plaza including planter boxes and underground works
Stronger Communities Grant Funding (Round 2) – Sub-Total \$3,390,000						
Environmental Trust NSW						
Landfill Consolidation (Pretty Pine & Conargo) \$200,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none">Closing out with EPA
Environmental Trust NSW - Sub-Total \$200,000						

Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
REGIONAL GROWTH FUND						
Riverfront Revitalisation \$550,000 + \$750,000 (Stronger Communities Original), + \$700,000 (Stronger Communities Round 3)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> EOI out for Art piece to complete project
Regional Growth Fund – Sub-Total \$1,673,080						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 2)						
Deniliquin Town Hall & Arts & Cultural Precinct \$1,315,170 + \$435,000 (Stronger Communities Grant Funding Original) +~\$329,000 (Unallocated Funding), + \$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Funding Complete from this Stream Final reporting at end of Project
Stronger Country Communities Grant Funding (Round 2) – Sub-Total \$3,371,750						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 3)						
Town Hall \$964,500, + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) +~\$329,000 (Unallocated Funding), + \$630,883 (Building Better Regions Fund)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Funding Complete from this Stream Final reporting at end of Project
North Deni Rest Stop \$300,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Plantings to be finalised – delayed over winter
Stronger Country Communities Grant Funding (Round 3) – Sub-Total \$1,264,500						

NB: Time Variation received until March 22 – Projects on track to be complete by revised due date.

DROUGHT COMMUNITIES PROGRAMME FUNDING (ROUND 2)						
Visit Deni Tourism Campaign \$50,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rural Villages Business Painting \$100,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Waring Gardens Upgrade \$200,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Rotunda roof under construction – delayed due to supply issues
Signage Strategy Implementation \$140,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rotary Park (clubrooms and pitches) \$200,000	Completed	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete

Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
Deniliquin Town Hall – Civic Plaza \$210,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none"> Under construction. Canopy footings complete and structures onsite
North Tennis Court Redevelopment (Rest Stop) \$100,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none"> Funding complete from this stream
Drought Communities Programme Funding (Round 2) – Sub-Total \$1,000,000						

BUILDING BETTER REGIONS FUND						
Town Hall \$630,883 + \$964,500 (Stronger Country Communities Round 3), + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) + ~\$329,000 (Unallocated Funding),	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> See comments above
Building Better Regions Fund – Sub-Total \$630,883						

Local Roads and Community Infrastructure Program Funding R1						
Community Facilities Refurbishment (\$350,000)	Complete	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Contractor engaged for McLean Beach Amenities. Will not commence until Feb23. Extension of time being sort through funding body.
Deni Visitor Information Centre & V+CS area (\$200,000)	Complete	In Progress	Complete	Pending		<ul style="list-style-type: none"> Works nearing completion. Contractor engaged for further works to complete areas visible to the public
Airport Hangar Refurb (\$100,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Urban & Rural Cemeteries (\$180,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Memorial Park Amenities Upgrade (\$153,170)	Complete	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Contractor repricing and due to commence Oct/Nov 22
Off Leash Dog Park (\$80,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Sub-Total \$963,170						

Infrastructure NSW						
Maude Road Reconstruction	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Road Complete
Restart NSW - Sub-Total \$2.90M						

Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
Commonwealth Regional Airport Program – Round 1						
Deniliquin Aerodrome Upgrade	Complete	Complete	In Progress	Pending		<ul style="list-style-type: none"> Tenders received – negotiations with preferred tenderer.
Commonwealth Regional Airport Program Fund – Sub-Total \$2,500,000						
Infrastructure NSW						
Fixing Local Roads R3 – Saleyards Road (Cobb Hwy to Cemetery Road)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Contractor commenced construction
Restart NSW - Sub-Total \$1,077,023M						
Local Roads and Community Infrastructure Program Funding Round 2						
Shortfall in Funding from Round 1, LRCI (\$100,000)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> See above Community Facilities – LRCI1
Footpath replacement and upgrade (\$380,000)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Construction nearing completion
Skatepark Renewal Work (\$60,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Fencing Island Sanctuary (\$60,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rural Gravel Road Renewal and Upgrade	In Progress	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Complete – request to reallocate funds to McLean Beach
Sub-Total \$880,903						
Local Roads and Community Infrastructure R3						
Deniliquin Aerodrome Upgrade (\$1,500,000)	Complete	Pending	Pending	Pending		<ul style="list-style-type: none"> See above (RAP1)
Saleyards Refurbishment (\$426,340)	Complete	Pending	Pending	Pending		<ul style="list-style-type: none"> Planning commenced
Sub Total \$1,926,340						

Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
NSW Emergency Operations Centre (EOCs) Critical Upgrade						
RFS FCC emergency line	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Nearing Completion
Sub Total \$125,080						

Showground Stimulus Funding						
Construction of a new designated sealed access roads, kerb and gutter and carparks between ovals - \$792,000	In Progress	In Progress	Complete	Pending		<ul style="list-style-type: none"> Council completing work in-house To Commence Aug 22
Construction of new access roadway and formal carparking to the Eastern side of the reserve - \$276,925	In Progress	In Progress	Complete	Pending		<ul style="list-style-type: none"> Council completing work in-house To commence Aug 22
Demolition and construction of anew toilet block and facilities - \$168,850	In Progress	Complete	Complete	Pending		<ul style="list-style-type: none"> (see comments LRCI R1)
Construction of an extension to the club rooms utilised by the Netball association and cricket clubs adjacent to oval 3 - \$413,000	In Progress	In Progress	Pending	Pending		<ul style="list-style-type: none"> Architect engaged for redesign Project being run in conjunction with DCC and DNA who have received additional funding under SCCF R4
Sub Total \$1,650,775						

Murray Darling Diversification Funding						
Senior Living Precinct	In Progress	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Funding/Milestone Variation received Civil works to commence Aug 22 Tenders closed for dwelling – Evaluation commenced
Sub-Total \$1,000,000						

Stronger Country Communities Round 4						
Lighting Deniliquin and Blighty Rec reserves	In Progress	Pending	Pending	Pending		<ul style="list-style-type: none"> PM engaged Community consultation to commence
Sub-Total \$768,338						

PROJECT SUMMARY NOTES						
<p>Summary, most projects are progressing well with only a few highlighted in Red that will require stringent management and action to bring them under control.</p> <p>The projects in Yellow will need attention to detail to ensure that they progress to the agreed Time, Quality & Cost outcomes.</p> <p>Other challenges that face council staff and project delivery is access to quality project managers that will be required to complete all Stronger Community grants by the agreed timelines. Staff are currently in discussion with managers to source the required resources. All costs will be recovered as part of the project delivery costs. Existing council staff and contractors are working extremely well in keeping most projects on Time, Cost and Quality.</p>						

12.14. INVESTMENTS AND RESERVES REPORT AUGUST 2022

Author: Senior Accountant

Authoriser: Interim Manager Finance

RECOMMENDATION

That Council

1. Note and receive the August 2022 report on Investments totalling \$48,957,638 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of August 2022 was \$25,914.
3. Note that total interest earned for the year to 31 August 2022 was \$60,466.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

BACKGROUND

The purpose of this report is to update Council on the investment of surplus funds and performance of Council's investment portfolio for the month to 31 August 2022 as required by Regulation No 264 (Part 19) of the Local Government Act 1993.

As at 31 August 2022, Council had a total of \$48,957,638 in invested funds. Interest earned from investments during the month of August 2022 was \$25,914.

Included in this report are the following items:

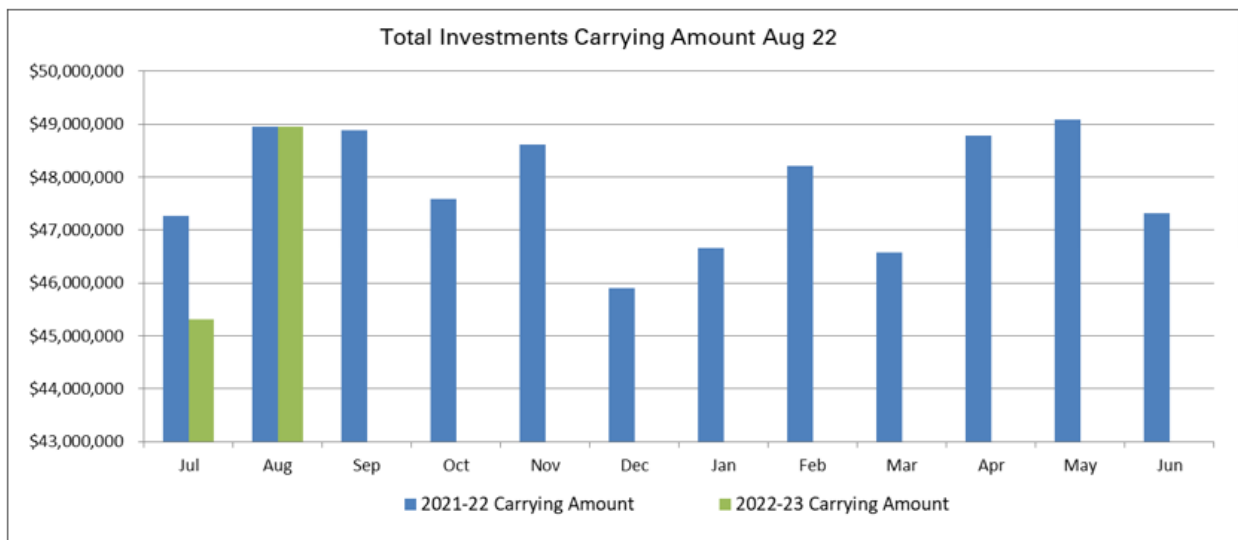
- Council's Investments as at 31 August 2022
- Restrictions Applying to Investment Funds
- Investment Portfolio Performance
- Investment Commentary
- Monthly Report from Imperium Markets
- Certification by the Responsible Accounting Officer

ISSUE/DISCUSSION

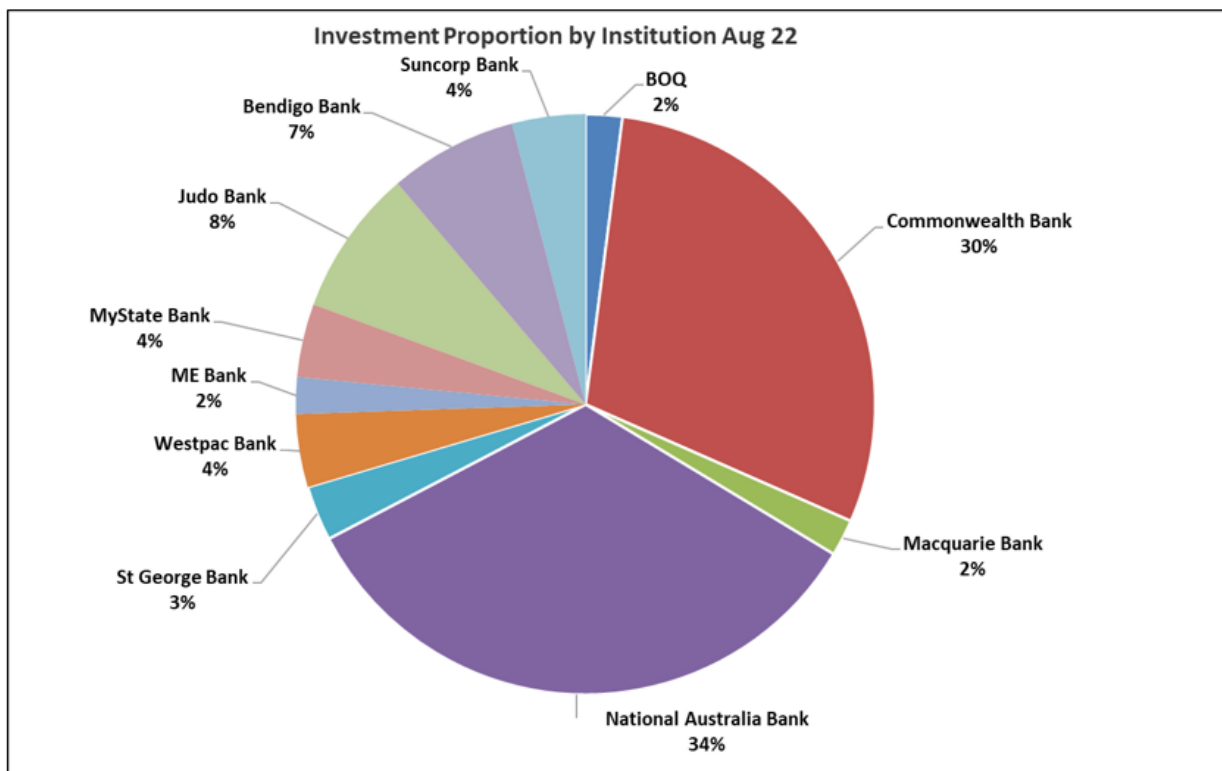
Council's Investments as at 31 August 2022

As at 31 August 2022, Council had a total of \$48,957,638 in term deposits and cash at bank exclusive of unpresented receipts or cheques. Total funds increased by \$3.637M during the month mainly due to receipt of various grants including FAGs, RMA, Department of Infrastructure and Transport NSW grants.

The total investments balance has remained within the \$45M - \$49M range for the past 12 months, with seasonal fluctuations from month to month in line with Council's cashflow requirements.



Council's funds were invested with A1+, A1 and A2 rated Authorised Deposit Institutions (ADI's).



The details of the investments are included in Attachment 1 – Investment Register as at 31 August 2022.

The following Term Deposits matured during the month:

<u>Matured/ Redeemed Investments</u>						
Financial Institution	Date Invested	Maturity Date	Interest Rate	Amount	Interest Received	Comments
Aug-22						
ME Bank	04-Aug-21	04-Aug-22	0.55%	\$ 1,000,000.00	\$ 4,053.42	Reinvested for 12 months @ 3.81%
				<u>\$ 1,000,000.00</u>	<u>\$ 4,053.42</u>	

Summary of cash at bank from day-to-day operations:

Cash Summary		Comment
Opening cash book balance	\$ 2,351,538	
Plus receipts	\$ 6,964,307	Grants, Investments, charges and rates debtors receipts
Less payments	\$ 3,280,908	Capex and Opex payments
Cash book balance as at 31 August 2022	\$ 6,034,937	
Statement Summary		
Opening statement balance	\$ 2,336,851	
Plus receipts	\$ 6,959,513	Grants, Investments, charges and rates debtors
Less payments	\$ 3,324,276	Capex and Opex payments
Bank statement balance as at 31 August 2022	\$ 5,972,088	
plus Unpresented receipts	\$ 62,936	Receipts not yet presented at bank
Reconciliation balance as at 31 August 2022	\$ 6,034,936	

Restrictions Applying to Investment Funds

The following restrictions applied to the cash and investments balance:

Internal Restrictions

Infrastructure replacement	\$ 2,299,826
Plant replacement reserve	\$ 1,798,670
Recreation reserves/villages	\$ 1,113,000
Other internal reserves	\$ 779,231
Employee entitlements	\$ 692,727
Land Development Fund	\$ 385,000
Airport Development	\$ 187,447
Deposits, retentions and bonds	\$ 322,752

Total Internal Restrictions **\$ 7,578,654**

External Restrictions

Water supplies fund	\$ 7,707,298
Sewerage services fund	\$ 6,470,105
Tip remediation	\$ 1,300,000
Unexpended Merger funds	\$ 497,066
Other unexpended grant funds	\$ 6,116,750
Other external reserves	\$ 153,777

Total External Restrictions **\$ 22,244,995**

Unrestricted Funds **\$ 19,133,988**

Total Funds **\$ 48,957,638**

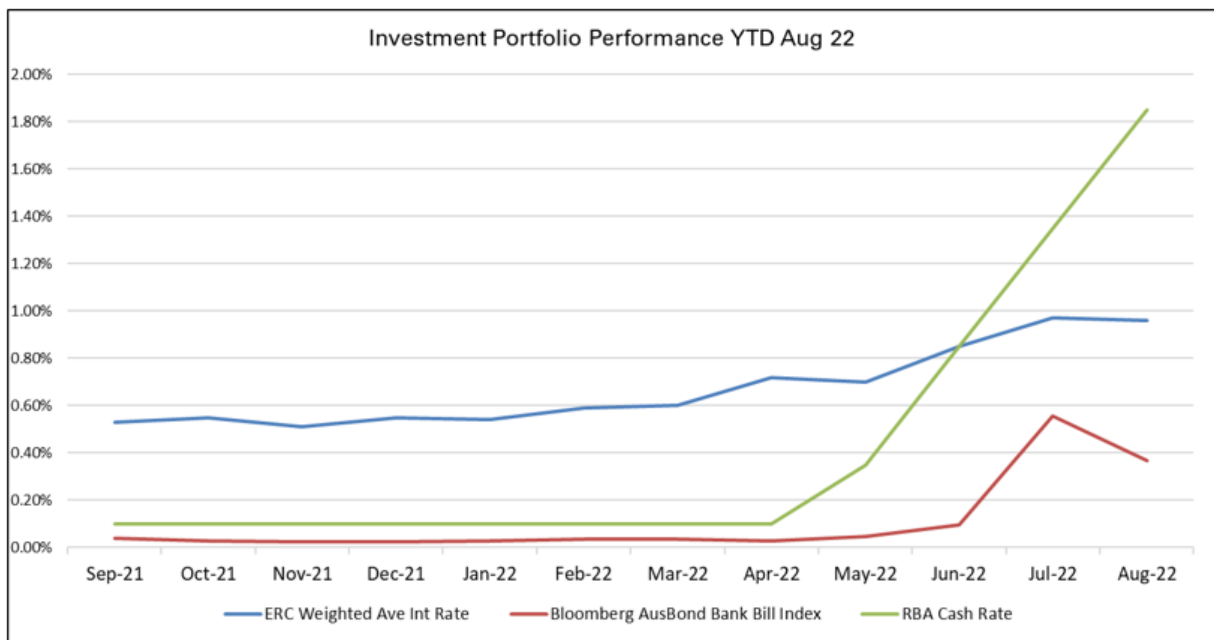
A detailed breakdown of the restrictions is provided in Attachment 2 – Detailed Reserve Balances as at 31 August 2022. **Please note, the Reserves balances are preliminary and final balances will be updated once reconciliations are completed as part of the end of year process.**

Total Funds were held between General, Water and Sewer Funds as follows:

Fund Name	Bank and Investments	Percentage
General	\$ 34,780,235	71.04%
Water	\$ 7,707,298	15.74%
Sewer	\$ 6,470,105	13.22%
Total Funds	\$ 48,957,638	100.00%

Investment Portfolio Performance

Total interest earned from investments during the month of August 2022 was \$25,914 compared to a budget of \$22,436.



As at 31 August 2022, Council's weighted average interest rate was 0.96%, which was 0.59% above the Bloomberg AusBond Bank Bill Index implied one-year return of 0.59%. Total interest earned for the year to 31 August 2022 was \$60,466 compared to the budget of \$44,872 and previous year total of \$46,355.

Monthly Investment Review from Imperium Markets

Council engaged Imperium Markets Pty Ltd to provide ongoing investment advisory services from May 2021 as per recommendation from Audit Risk and Improvement Committee (resolution ARIC/2021/7). As part of this service, Imperium provides, among other services, a monthly investment review report for Council which council uses to inform investment decisions. A copy of the report is attached in this report as Attachment 3 - Investment Review August 2022- Imperium Markets. Council continues to obtain financial benefits through accessing better rates through the Imperium Investment platform as well as efficiency savings in the investment process.

Investment Commentary

As at 31 August 2022, all investments were within the defined Investment Policy limits, with the exception of a \$4M term deposit investment with Judo Bank. This is due to changes in the limits to classifications as part of the Investment Policy Review in April 2022 which occurred after Council had already invested in Judo. This will be rectified in October 2022 when the term deposit matures by redeeming it and investing elsewhere. Council's investment portfolio consisted of term deposits (85%) and cash at bank/ on call (15%).

The Reserve Bank of Australia (RBA) elected to raise the official cash rate by 50 basis points in August to currently sit at 1.85%. Additional hikes have been flagged in the coming months, with markets are now bracing for an environment with higher interest rates. This creates opportunities for Council to obtain progressively higher rates on investments as the current ones mature.

To mitigate the re-investment risk that this poses, Council has started, following on the advice from Imperium Markets, to invest in term deposits with maturities longer than 1 year, taking into consideration council's cashflow needs. This will allow council to take advantage of the relatively higher returns currently on the market for these investments as compared to short term ones.

STRATEGIC IMPLICATIONS

Investments have been made in accordance with Council's investment policy which was adopted on 19 April 2022.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.2 Financially sustainable

FINANCIAL IMPLICATIONS

Under Council's Investment policy, investments are made with a range of ADI's, with Council funds invested with a single institution not going above a percentage of the total portfolio as follows:

40%	A1+ rated institutions
25%	A1 rated institutions
15%	A2 rated institutions
\$250,000	A3 and unrated authorized deposit taking institutions

100%	Commonwealth/ State/ TCorp/M Funds
100%	A1+ rated institutions
60%	A1 rated institutions
35%	A2 rated institutions
5%	A3 Unrated authorized deposit taking institutions

LEGISLATIVE IMPLICATIONS

<p>Local Government Act 1993</p>	<p>625 How may councils invest?</p> <p>(1) A council may invest money that is not, for the time being, required by the council for any other purpose.</p> <p>(2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.</p> <p>Editorial note—</p> <p>See Gazettes No 152 of 24.11.2000, p 12041; No 94 of 29.7.2005, p 3977; No 97 of 15.8.2008, p 7638 and No 160 of 24.12.2008, p 13140.</p> <p>(3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.</p> <p>(4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.</p>
<p>Local Government (General) Regulation 2005</p>	<p>212 Reports on council investments</p> <p>(1) The responsible accounting officer of a council—</p> <p>(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented—</p> <p>(i) if only one ordinary meeting of the council is held in a month, at that meeting, or</p> <p>(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and</p> <p>(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.</p> <p>(2) The report must be made up to the last day of the month immediately preceding the meeting.</p> <p>Note—</p> <p>Section 625 of the Act specifies the way in which a council may invest its surplus funds.</p>

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the Investment Report Attachment have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

Alistair Cochrane

Responsible Accounting Officer

ATTACHMENTS

Attachment 1 - Investment Register as at 31 August 2022

Schedule of Investments										
This Report is at date 31-August-2022										
Description	Type	Account No.	Rating at EOM (S&P)	Date Invested	Maturity Date	Days	Rate	Face Value Amount	% of Portfolio	Estimated Interest
Westpac Business Cheque Plus Account	Oncall/ CMT	032-870 16-6545	A1+	N/a	N/a	365	0.00%	1,990,429	4.07%	Monthly
Westpac Business Cash Reserve	Oncall/ CMT	032-870 17-9231	A1+	N/a	N/a	365	0.05%	0	0.00%	Monthly
Westpac 31 Day Notice Account	Oncall/ CMT	032-870 23-2696	A1+	N/a	N/a	365	0.35%	1,627	0.00%	Monthly
Commonwealth Bank General Fund	Oncall/ CMT	062-533 00000010	A1+	N/a	N/a	365	0.00%	3,980,232	8.13%	Monthly
Commonwealth Bank Business On Line Saver	Oncall/ CMT	062-533 10151117	A1+	N/a	N/a	365	0.90%	1,483,922	3.03%	Monthly
Macquarie Bank - Rates	Oncall/ CMT	3005-79778	A1	N/a	N/a	365	0.00%	1,427	0.00%	Monthly
Macquarie Bank - Water	Oncall/ CMT	2643-18940	A1	N/a	N/a	365	0.00%	0.00	0.00%	Monthly
Total Oncall/ CMT Accounts								7,457,638	15.23%	
Term Deposits										
St George	TD	354775348	A1+	03-Sep-21	02-Sep-22	364	0.37%	1,500,000	3.06%	5,534.79
National Australia Bank	TD	20-036-8248	A1+	10-Jun-21	13-Jun-23	733	0.60%	2,000,000	4.09%	24,098.63
National Australia Bank	TD	20-049-8755	A1+	10-Jun-21	11-Jun-24	1097	0.75%	3,000,000	6.13%	67,623.29
National Australia Bank	TD	50-665-2647	A1+	24-May-21	24-May-24	1096	0.75%	2,500,000	5.11%	56,301.37
National Australia Bank	TD	35-071-3705	A1+	25-Jun-21	29-Jun-23	734	0.65%	2,000,000	4.09%	26,142.47
National Australia Bank	TD	75-932-6942	A1+	29-Jun-21	29-Jun-23	730	0.65%	2,500,000	5.11%	32,500.00
National Australia Bank	TD	81-520-8937	A1+	06-Sep-21	06-Sep-23	730	0.65%	3,000,000	6.13%	39,000.00
National Australia Bank	TD	75-932-6944	A1+	08-Dec-21	08-Dec-22	365	0.70%	1,500,000	3.06%	10,500.00
Commonwealth Bank	TD	CDA 37543602	A1+	18-Feb-22	18-Feb-24	730	1.65%	1,500,000	3.06%	49,500.00
Commonwealth Bank	TD	CDA 37543602	A1+	09-Sep-21	08-Sep-23	729	0.57%	3,000,000	6.13%	34,153.15
Commonwealth Bank	TD	CDA 37543602	A1+	12-Nov-21	12-Nov-22	365	0.53%	1,000,000	2.04%	5,300.00
Commonwealth Bank	TD	CDA 37543602	A1+	27-Apr-22	27-Apr-23	365	2.46%	2,000,000	4.09%	49,200.00
Commonwealth Bank	TD	CDA 37543602	A1+	26-Jul-22	25-Jul-23	364	4.16%	1,500,000	3.06%	62,229.04
Suncorp Bank	TD	4203228	A1+	22-Mar-22	21-Mar-23	364	1.36%	2,000,000	4.09%	27,125.48
Macquarie Bank	TD	CN055243	A1	12-Nov-21	12-Nov-22	365	0.55%	1,000,000	2.04%	5,500.00
Total A1+ Deposits								30,000,000	61.28%	
Bendigo Bank	TD	105-306-781	A2	14-Sep-21	14-Sep-23	730	0.55%	2,000,000	4.09%	22,000.00
Bendigo Bank	TD	105-306-782	A2	18-Feb-22	22-Feb-23	369	0.85%	1,500,000	3.06%	12,889.73
BOQ	TD	509836	A2	28-Jun-22	28-Jun-23	365	4.00%	1,000,000	2.04%	40,000.00
ME Bank	TD	342679	A2	04-Aug-22	08-Aug-23	369	3.81%	1,000,000	2.04%	38,517.53
Judo Bank	TD	CN054927	A2	22-Oct-21	21-Oct-22	364	0.90%	4,000,000	8.17%	35,901.37
MyState Bank	TD	83-703-9114	A2	01-Oct-21	04-Oct-22	368	0.50%	2,000,000	4.09%	10,082.19
Total A2 Deposits								11,500,000	23.49%	
Weighted Average Interest Rate							0.96%	48,957,638	100.00%	

Attachment 2 - Detailed Reserve Balances as at 31 August 2022

ERC Detailed Reserves Balances

31/08/2022

EXTERNAL RESERVES

Developer Contributions - General	39,485
Specific Purpose Unexpended Grants	6,116,750
Water Supplies	7,707,298
Sewerage Services	6,470,105
Domestic Waste Management	1,300,000
Merger Operational	183,120
Merger Stronger Communities	313,946
Conargo Milestones/Interpretative	37,287
Conargo Oval M&R	20,000
Deniliquin Band Committee	15,543
Deniliquin Community Gardens	2,967
EPA Waste	35,915
Regional Arts	2,580
Total External Restrictions	22,244,995

INTERNAL RESERVES

Plant Replacement	1,798,670
Infrastructure Replacement	2,299,826
Employees Leave	692,727
Deposits, retentions and bonds	322,752
Airport Industrial Land	20,000
Asset Management	14,000
Airport Runway Development	187,447
Blighty Power Upgrade	70,000
Building Maintenance	50,000
Cemetery Upgrade	9,000
Depot office & gates upgrade	41,000
Dog Trail	3,000
Election Reserve	12,312
Fencing Conargo	7,000
Gravel Pits	14,000
Human Resources	17,674
Internal Audit	6,000
Land Development	385,000
Landscaping plan	90,000
Recreation Reserves/Villages (Landscaping Plans)	1,113,000
Risk Management	44,686
Wanganella Community Hall	5,000
Shire Entrance Signs	5,000
Tourism/Industry Promotion	13,000
Town Planning Plan, Surveys & Studies	102,662
Waste Facilities	63,300
Water Supply Network	57,000
Website Development	1,750
North Depot Redevelopment	132,847
Total Internal Restrictions	7,578,654

Total Restrictions

29,823,649



Investment Review

August 2022



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Impact of COVID-19 to Council's Portfolio

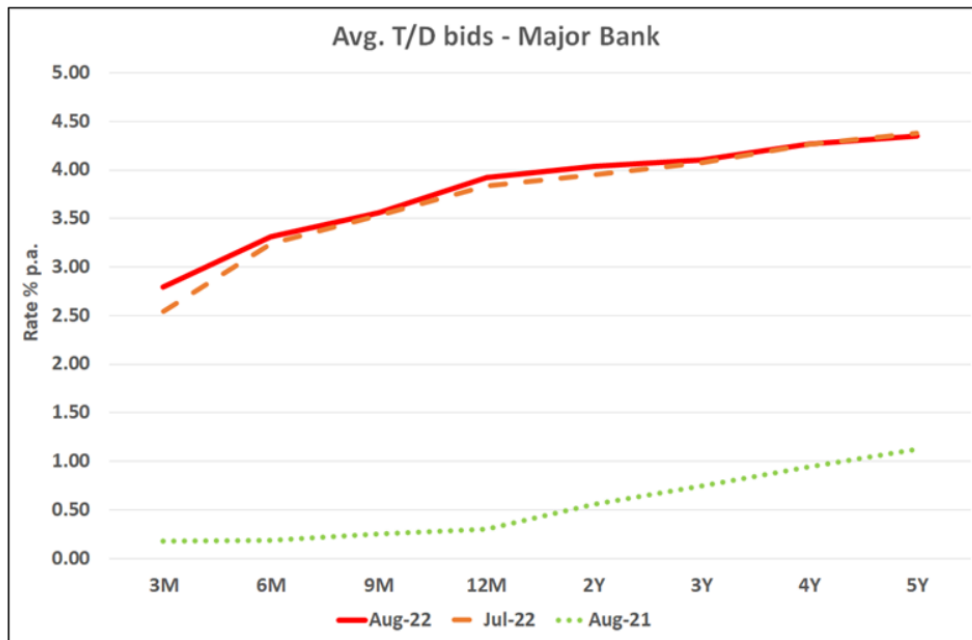
The COVID-19 pandemic has adversely impacted financial markets, which in turn, has also affected Council's investment portfolio. We provide a quick summary in this section.

After global central banks set official interest rates back to emergency levels during the height of the pandemic (2020), financial markets have transitioned to the recovery phase. Ongoing supply chain issues, China's zero-COVID strategy and the war in Ukraine has resulted in surging inflation. Longer-term bond yields have risen significantly in 2022 as central banks undertake aggressive interest rate hikes to try and control inflation. Importantly though when interpreting the stance of monetary policy, it is not just about the cash rate, but how broader financial conditions are influencing the economic outlook, **with markets now factoring the possibility of a global recession as early as the second half of 2023. The RBA increased the official cash rate by another 50bp to 1.85% in early August 2022 and is looking to move towards their neutral setting of 2½% by calendar year-end**, although the *"timing of future interest rate increases will be guided by the incoming data and the Board's assessment of the outlook for inflation and the labour market"*.

The largest impact to Council's investment portfolio is with regards to its largest exposure being in bank term deposits (~85% of the portfolio).

Despite more rate rises on the horizon, given an upward sloping deposit curve, maintaining a slightly longer duration position will continue to outperform (averaging) shorter durations, particularly as markets have already factored in future rate rises.

The deposit market has seen a significant shift in longer-term deposit rates over the past year. The long-end of the deposit curve (+12 months) remained flat over August (compared to July) despite more rate rises in the near future, and partly driven by the market's expectation of an impending global recession:



Source: Imperium Markets

'New' investments above 3½% p.a. now appears likely if Council can place an allocation of its surplus funds for terms of 12 months to 2 years. *With recessionary fears being priced in coming years, investors may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates above 4½% p.a. (small allocation only).*



Council's Portfolio & Compliance

Asset Allocation

The portfolio is mainly directed to fixed term deposits (~85%). The remainder of the portfolio (~15%) is held in various overnight cash accounts with the major banks and Macquarie Bank earning a low rate of return. We recommend opening the 'accelerator' cash account with Macquarie Bank (A+), which is currently paying an overnight rate of 1.85% p.a. for balances up to \$10m (and 1.00% p.a. for balances greater than \$10m).

Senior FRNs are now becoming more attractive as spreads have widened in recent months – new issuances should now be considered again on a case by case scenario. In the interim, fixed deposits for 12 months to 3 years appear quite appealing following the spike in medium-to longer-term yields in recent months. With recessionary fears being priced in coming years, those investors that can allocate longer-term surplus funds may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates above 4% p.a.



Term to Maturity

The portfolio remains highly liquid with around 669% maturing within 12 months. The weighted average duration of the deposit portfolio is around 10 months. We commend Council's decision to place small parcels of term deposits for 2-3 years, given the previous high level of turnover.

Where liquidity permits, we recommend continuing investing surplus funds in the 1-2 year horizons to increase the overall returns of the portfolio given the steepening yield curve. Where there is (counterparty) capacity to invest in attractive medium-longer term investments, we recommend this be allocated to medium-term fixed deposits (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 – 90 days	\$16,957,638	34.64%	15%	100%	\$32,000,000
✓	91 – 365 days	\$17,000,000	34.72%	0%	100%	\$31,957,638
✓	1 – 2 years	\$15,000,000	30.64%	0%	70%	\$19,270,346
✓	2 – 5 years	\$0	0.00%	0%	50%	\$24,478,819
		\$48,957,638	100.00			



Counterparty

Following the adoption of a new Policy in mid-April 2022, as at the end of the month, applying long-term credit ratings only, Council had a minor overweight position to Judo Bank (BBB-), noting the \$250,000 limit. Future deposits with Judo Bank will likely need to be redeemed in the absence of them receiving a credit rating upgrade.

Overall, the portfolio is lightly diversified across the investment grade credit spectrum, with no exposure to the unrated ADIs.

Compliant	Issuer	Rating [^]	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	CBA	AA-	\$14,464,155	29.54%	40.00%	\$5,118,900
✓	NAB	AA-	\$16,500,000	33.70%	40.00%	\$3,083,055
✓	Westpac	AA-	\$3,492,056	7.13%	40.00%	\$16,090,999
✓	Macquarie Bank	A+	\$1,001,427	2.05%	25.00%	\$11,237,983
✓	Suncorp	A+	\$2,000,000	4.09%	25.00%	\$10,239,409
✓	BOQ	BBB+	\$2,000,000	4.09%	15.00%	\$5,343,646
✓	Bendigo-Adelaide	BBB+	\$3,500,000	7.15%	15.00%	\$3,843,646
✓	MyState	BBB	\$2,000,000	4.09%	15.00%	\$5,343,646
X	Judo	BBB-	\$4,000,000	8.17%	0.51%	-\$3,750,000
			\$48,957,638	100.00%		

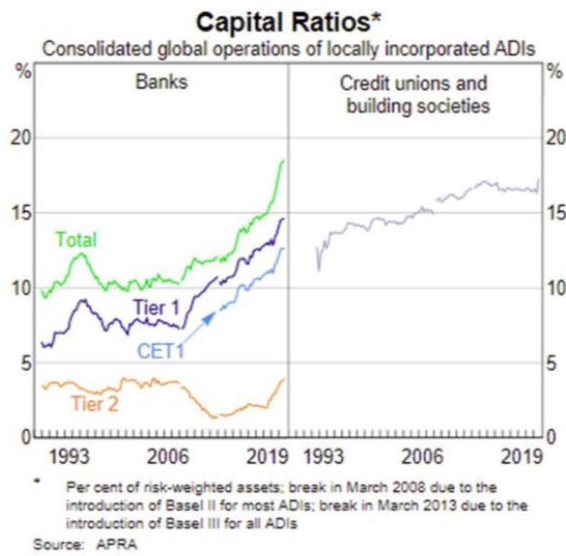
[^]Applying long-term ratings only.

In late June 2022, Standard & Poor's downgraded Suncorp-Metway from AA- to A+ (negative watch). Suncorp recently announced that it is undertaking a strategic review of its banking operations. The downgrade reflects S&P's view that the Suncorp Group's likelihood of support for the bank had "slightly" diminished and that it was no longer a core part of the Group. In July 2022, ANZ (AA-) announced it was putting a bid to buy Suncorp's banking division for ~\$4bn. Should that takeover be formalised, Suncorp-Metway's (A+) current credit rating is likely to be upgraded to ANZ's (AA-).

We remain supportive of the regional and unrated ADI sector (and have been even throughout the GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly should they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.

In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. **APRA's mandate is to "protect depositors" and provide "financial stability".**





Credit Quality

The portfolio remains diversified from a credit ratings perspective. The entire long term portfolio is spread amongst the investment grade spectrum.

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) since mid-2020¹, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit from the likes of Council. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past two years.

Going forward, with the RBA now removing these cheap borrowing facilities, this has meant the lower rated banks (BBB rated) have started to become more competitive as the market starts to 'normalise'. Investors should have a larger opportunity to start investing a higher proportion of their surplus funds with the lower rated institutions (within Policy limits), from which the majority are considered to be the more 'ethical' ADIs as they generally do not lend to the Fossil Fuel industry.

All aggregate ratings categories were within the Policy limits at month-end:

Compliant	Credit Rating [^]	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AA Category	\$34,456,211	70%	100%	\$14,501,427
✓	A Category	\$3,001,427	6%	60%	\$26,373,156
✓	BBB Category	\$11,500,000	23%	35%	\$5,635,173
✓	Unrated Category	\$0	0%	5%	\$2,447,882
		\$48,957,638	100.00%		

[^] Applying long-term ratings only.

¹ The RBA's Term Funding Facility (TFF) allowed the ADI to borrow as low as 0.10% fixed for 3 years: <https://www.rba.gov.au/mkt-operations/term-funding-facility/overview.html>



Performance

Council's performance (excluding cash holdings) for the month ending 31 August 2022 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.16%	0.34%	0.39%	0.27%	0.44%
AusBond Bank Bill Index	0.15%	0.33%	0.35%	0.28%	0.37%
Council's T/D Portfolio [^]	0.09%	0.24%	0.42%	0.17%	0.71%
Outperformance	-0.06%	-0.09%	0.07%	-0.11%	0.34%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	1.85%	1.35%	0.77%	1.60%	0.44%
AusBond Bank Bill Index	1.84%	1.31%	0.70%	1.65%	0.37%
Council's T/D Portfolio [^]	1.12%	0.94%	0.83%	1.01%	0.71%
Outperformance	-0.72%	-0.37%	0.13%	-0.64%	0.34%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of August, the portfolio (excluding cash) provided a return of +0.09% (actual) or +1.12% p.a. (annualised), underperforming the benchmark AusBond Bank Bill Index return of +0.15% (actual) or +1.84% p.a. (annualised). The portfolio's recent underperformance is expected to be temporary given the high level of turnover (more than a quarter of the deposit portfolio is maturing within the next 6 months).

Investors using the Imperium Markets platform (an ASIC Licensed Market) have reduced the invisible costs associated with brokerage, and thereby lift client portfolio returns as investors are able to deal in deposits directly with the ADIs and execute at the best price possible.



Council's Term Deposit Portfolio & Recommendation

As at the end of August 2022, Council's deposit portfolio was yielding 1.10% p.a. (up 8bp from the previous month), with a weighted average duration of around 292 days (~10 months).

We recommend Council continues maintaining this average duration if possible. With an upward sloping deposit curve, investors are rewarded if they can continue to maintain a longer average duration.

At the time of writing, we see value in:

ADI	LT Credit Rating	Term	T/D Rate
ICBC, Sydney	A	5 years	4.91% p.a.
ICBC, Sydney	A	4 years	4.78% p.a.
ICBC, Sydney	A	3 years	4.68% p.a.
ICBC, Sydney	A	2 years	4.56% p.a.
Australian Military	BBB+	3 years	4.55% p.a.
P&N Bank	BBB	3 years	4.50% p.a.
BoQ/ME	BBB+	3 years	4.50% p.a.
Westpac	AA-	3 years	4.47% p.a.
CBA	AA-	2 years	4.41% p.a.
Australian Military	BBB+	2 years	4.40% p.a.
P&N Bank	BBB	2 years	4.40% p.a.
Westpac	AA-	2 years	4.38% p.a.
NAB	AA-	2 years	4.35% p.a.

The above deposits are suitable for investors looking to maintain diversification and lock-in a premium compared to purely investing short-term. For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (dependent on daily funding requirements):



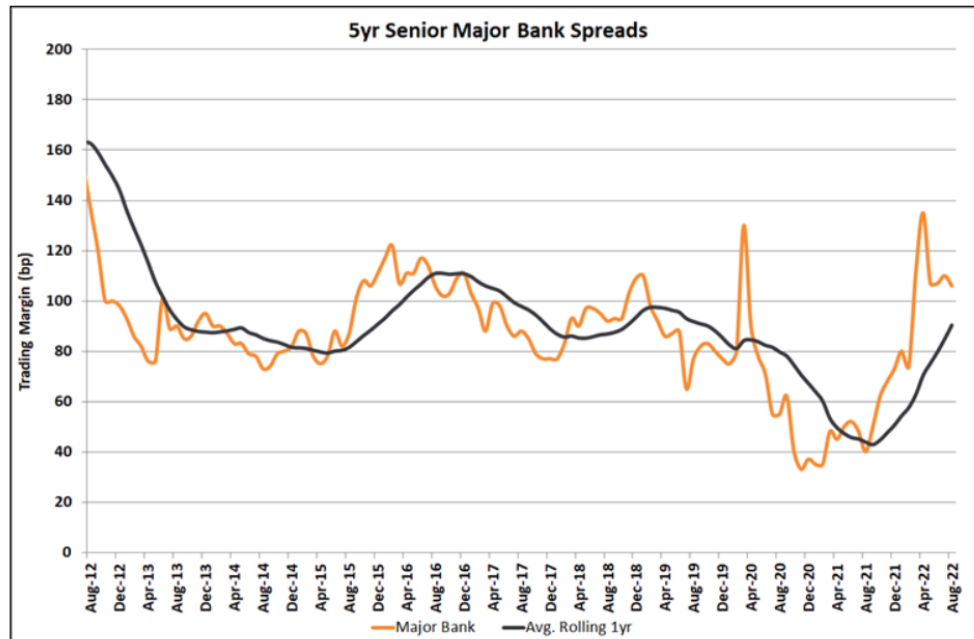
ADI	LT Credit Rating	Term	T/D Rate
AMP	BBB	12 months	4.25% p.a.
MyState	BBBB	12 months	4.25% p.a.
CBA	AA-	12 months	4.22% p.a.
BoQ/ME	BBB+	12 months	4.15% p.a.
Westpac	AA-	12 months	4.14% p.a.
NAB	AA-	12 months	4.10% p.a.
Suncorp	A+	12 months	4.10% p.a.
P&N Bank	BBB	12 months	4.10% p.a.
ING	A	12 months	4.05% p.a.
CBA	AA-	6 months	3.55% p.a.

For those investors that do not require high levels of liquidity and can stagger their investments longer-term, they will be rewarded over coming years if they roll for an average min. term of 18 months to 2 years (this is where we current value), yielding, on average, up to ½%-1% p.a. higher compared to those investors that entirely invest in short-dated deposits.

With recessionary fears being priced in coming years, investors may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates above 4½% p.a. (small allocation only).

Senior FRNs Review

Over August, amongst the senior major bank FRNs, physical credit securities tightened by around 4-5bp at the long-end of the curve. Major bank senior securities are now looking fairly attractive again in a rising rate environment (5 year margins around the +105-110bp level):



Source: IBS Capital

There was a noticeable pick-up in primary ('benchmark') issuances over August:

- Westpac (AA-) 3yr fixed and floating at +80bp
- CBA (AA-) 3 & 5yr fixed and floating at +80bp and +102bp respectively
- Suncorp (A+) 3yr fixed and floating at +93bp
- Mizuho (A) 3yr floating at +88bp
- HSBC (AA-) 5yr floating at +110bp
- Macquarie (A+) 1yr floating at +55bp

Amongst the "A" and "BBB" rated sectors, the securities were marked around 5bp tighter at the 3-5 year part of the curve. Credit securities are looking much more attractive given the widening of spreads in 2022. FRNs will continue to play a role in investor's portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).



Senior FRNs (ADIs)	31/08/2022	31/07/2022
"AA" rated – 5yrs	+106bp	+110bp
"AA" rated – 3yrs	+82bp	+88bp
"A" rated – 5yrs	+120bp	+125bp
"A" rated – 3yrs	+95bp	+100bp
"BBB" rated – 3yrs	+125bp	+130bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- **On or before mid-2024 for the "AA" rated ADIs (domestic major banks);**
- On or before mid-2023 for the "A" rated ADIs; and
- Within 6-9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub-optimal investments and are not maximising returns by foregoing realised capital gains. In the current low interest rate environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.

Primary (new) FRNs are now looking more appealing and should be considered on a case by case scenario.



Senior Fixed Bonds – ADIs (Secondary Market)

As global inflationary pressures have escalated, this has seen a significant lift in longer-term bond yields (valuations fell) as markets have reacted accordingly.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0255776	ING	AAA	Covered	07/09/2023	1.02	3.00%	4.09%
AU3CB0258465	Westpac	AA-	Senior	16/11/2023	1.21	3.25%	4.11%
AU3CB0265403	Suncorp	AA-	Senior	30/07/2024	1.91	1.85%	4.60%
AU3CB0265593	Macquarie	A+	Senior	07/08/2024	1.95	1.75%	4.63%
AU3CB0265718	ING	AAA	Covered	20/08/2024	1.97	1.45%	4.39%
AU3CB0266179	ANZ	AA-	Senior	29/08/2024	1.99	1.55%	4.40%
AU3CB0266377	Bendigo	BBB+	Senior	06/09/2024	2.01	1.70%	4.64%
AU3CB0268027	BoQ	BBB+	Senior	30/10/2024	2.17	2.00%	4.78%
AU3CB0269710	ANZ	AA-	Senior	16/01/2025	2.38	1.65%	4.48%
AU3CB0269892	NAB	AA-	Senior	21/01/2025	2.38	1.65%	4.45%
AU3CB0270387	Macquarie	A+	Senior	12/02/2025	2.45	1.70%	4.82%
AU3CB0287415	Westpac	AA-	Senior	17/03/2025	2.54	2.70%	4.45%
AU3CB0291508	Westpac	AA-	Senior	11/08/2025	2.94	3.90%	4.42%
AU3CB0291672	CBA	AA-	Senior	18/08/2025	2.96	4.20%	4.70%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	3.68	1.40%	5.13%
AU3CB0282358	ING	AAA	Covered	19/08/2026	3.97	1.10%	4.74%
AU3CB0284149	BoQ	BBB+	Senior	27/10/2026	4.15	2.10%	5.12%
AU3CB0286037	Westpac	AA-	Senior	25/01/2027	4.40	2.40%	4.70%



Economic Commentary

Financial markets remained volatile over August, reflecting shifting market expectations around central bank policy rates given competing forces of persistent inflation and slowing economic growth.

The US Federal Reserve delivered a stern warning that the central bank's campaign to lower inflation by raising interest rates is "*unconditional*" even if it leads to pain for households, businesses and, in turn, stock prices.

In the US, the S&P 500 Index fell -4.24%, while the NASDAQ lost -4.64%. Europe's main indices were also sold off, led by France's CAC (-5.02%), Germany's DAX (-4.81%) and UK's FTSE (-1.88%).

US CPI came in slightly lower than expected. Headline inflation was 0.0% m/m vs. +0.2% expected and core inflation was +0.3% m/m vs. +0.5% expected.

The US unemployment rate dropped from 3.6% to 3.5%, matching its pre-pandemic low, partly driven by a 0.1% fall in the participation rate to 62.1%.

UK's inflation came in higher than expected at +10.1% y/y against +9.8% expected, with more to come in October when energy bills are set to rise by 75%. Food prices rose +2.3% in July and +12.3% y/y.

The Bank of England hiked rates by 50bp to 1.75%, its largest hike in 27 years, taking the Bank Rate back to pre-GFC levels. The Bank now expects headline inflation to peak at 13.3% in October and to remain at elevated levels throughout much of 2023, before falling to its 2% target in 2025. The UK is forecast to enter recession from the fourth quarter of 2022, and the recession is expected to last for five quarters.

Canada's CPI inflation showed the expected cooling of the headline rate, down to +7.6% y/y, but core measures continued to rise, with the three key measures all rising to reach a +5-5½% range.

The RBNZ raised its overnight cash rate by 50bp to 3.00%, as universally expected. The RBNZ also slightly lifted its forecast for the cash rate to peak at 4.1% next year (previously 3.95%) and signalled a high chance of 50bp hikes at each of the next two meetings in October and November.

The MSCI World ex-Aus Index fell -4.39% for the month of August:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	-4.24%	-4.29%	-12.55%	+10.56%	+9.86%	+10.89%
MSCI World ex-AUS	-4.39%	-5.82%	-16.46%	+7.22%	+6.17%	+7.67%
S&P ASX 200 Accum. Index	+1.18%	-2.39%	-3.43%	+5.51%	+8.13%	+9.34%

Source: S&P, MSCI



Domestic Market

As expected, the RBA raised the official cash rate by 50bp to 1.85%, the third consecutive 50bp increase. The Statement repeated that *"the Board expects to take further steps in the process of normalising monetary conditions over the months ahead"*, but also added policy *"is not on a pre-set path"*. The RBA is still prioritising achieving a soft landing if inflation expectations remain anchored as they currently believe it to be.

The RBA's Minutes flagged further hikes are on the way (*"the Board expects to take further steps in the process of normalising monetary conditions over the months ahead"*), but is ambiguous thereafter as was the post-Meeting Statement. The RBA only sees core inflation falling to 3% in 2024, while wages growth is expected to be 3.9%.

The headline wage price index (WPI) excluding bonuses number printed at +0.7% q/q and +2.6% y/y, revealing a continued acceleration in wages growth alongside the earlier tightening in the labour market.

The July unemployment rate fell by 0.1% to 3.4% (consensus 3.5%), partially driven by the participation rate falling by 0.3% to 66.4%. Overall, employment fell sharply by -41k in July following the sharp rise of +88k in June.

The trade surplus came in at \$17.7bn in June, up from a downwardly revised \$15bn May number, well outpacing consensus forecasts for a fall to \$14bn. The increase in the month was driven by a +5.1% rise in export values, led by iron ore, rural exports, and volatile non-monetary gold exports. Imports also rose in the month, up +0.7%.

Australian dwelling prices fell -1.3% m/m in July according to CoreLogic data as the pace of declines accelerated in the largest cities. Dwelling prices nationally are now 2.0% below their April peak but remain 23.3% higher than pre-pandemic April 2020 levels.

The Australian dollar fell -1½%, finishing the month at US69.02 cents (from US70.07 cents the previous month).

Credit Market

The global credit indices marginally widened over the month as risk markets were again largely sold off. They are back to their levels experienced during the start of the pandemic (Q1 2020):

Index	August 2022	July 2022
CDX North American 5yr CDS	92bp	83bp
iTraxx Europe 5yr CDS	120bp	110bp
iTraxx Australia 5yr CDS	109bp	123bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	August 2022	July 2022
Bloomberg AusBond Bank Bill Index (0+YR)	+0.15%	+0.14%
Bloomberg AusBond Composite Bond Index (0+YR)	-2.54%	+3.36%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.35%	+0.24%
Bloomberg AusBond Credit Index (0+YR)	-1.42%	+2.40%
Bloomberg AusBond Treasury Index (0+YR)	-2.74%	+3.55%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-2.61%	+4.75%

Source: Bloomberg

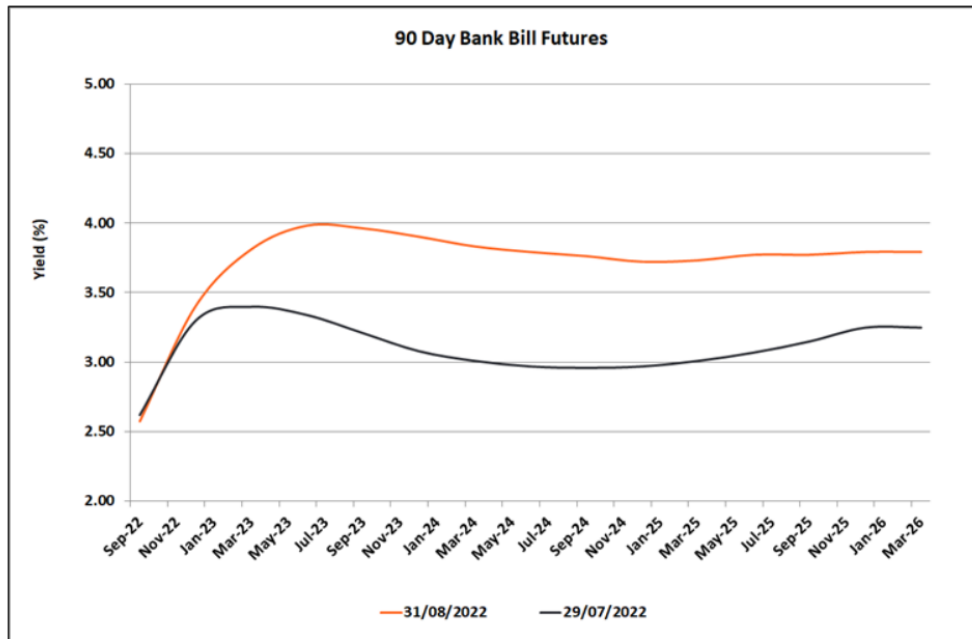
Other Key Rates

Index	August 2022	July 2022
RBA Official Cash Rate	1.85%	1.35%
90 Day (3 month) BBSW Rate	2.46%	2.12%
3yr Australian Government Bonds	3.25%	2.70%
10yr Australian Government Bonds	3.60%	3.06%
US Fed Funds Rate	2.25%-2.50%	2.25%-2.50%
3yr US Treasury Bonds	3.46%	2.83%
10yr US Treasury Bonds	3.15%	2.67%

Source: RBA, AFMA, US Department of Treasury

90 Day Bill Futures

Over August, bill futures rose across the board reacting to global central banks commentary suggesting they are still some time away before pivoting away from their hawkish stance. The markets continue to factor in the possibility of a global recession over the next few years, highlighted by the drop in the futures pricing in 2023-2024:



Source: ASX

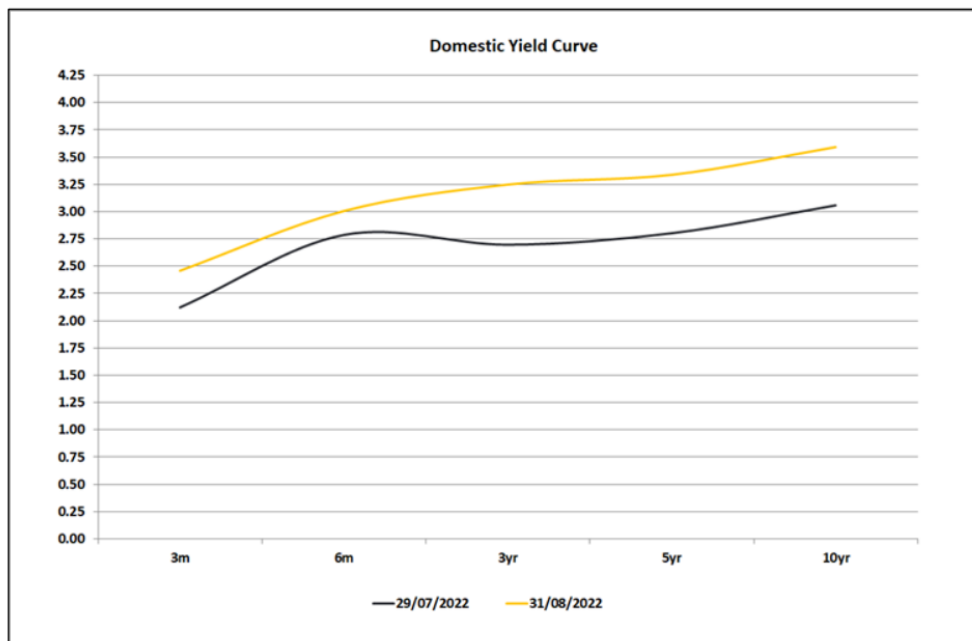
Fixed Interest Outlook

The US Federal Reserve delivered a stern warning that the central bank's campaign to lower inflation by raising interest rates is "*unconditional*" even if it leads to pain for households, businesses and, in turn, stock prices. Another 50bp hike is all but priced into their next meeting on 21st September, with the market now factoring a 75bp hike being more likely.

Domestically, the RBA's inflation forecasts were revised higher with inflation set to peak at 7.75% over 2022, remain high at 4% in 2023 and around 3% over 2024. While there is near-term uncertainty over the pace of additional rate hikes, on these forecasts, the RBA has little room to cut rates in 2023 as the market is currently pricing.

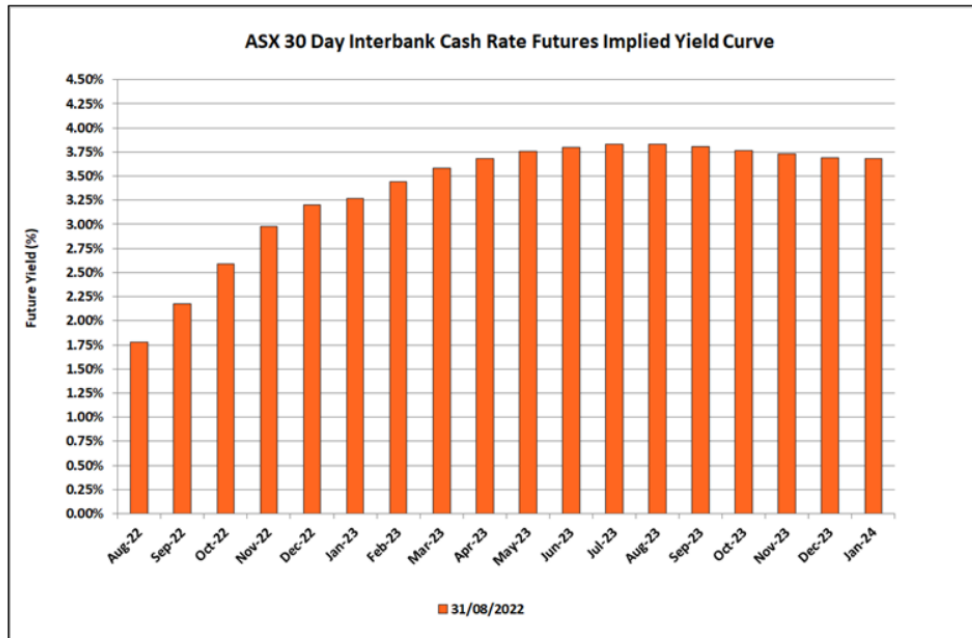
The speed of the RBA's rate rises in recent months reflects the need to rapidly recalibrate policy from emergency levels near zero to somewhat restrictive levels over a reasonably short period. The speed of the moves should help contain medium-term inflationary expectations, which the Bank continues to assess as well anchored.

The domestic bond market continues to suggest a prolonged low period of interest rates on a historical basis (10-year government bond yields just over 3%). Over the month, yields rose up to 55bp at the long-end of the curve:



Source: AFMA, ASX, RBA

Markets are currently pricing in around 7-8 additional rate rises over the next two years (up to 3¼%), against the RBA's neutral setting of 2½%. Fears of a looming global recession have actually seen rate cuts start to be priced in towards the second half of 2023, although this seems unlikely for now:



Source: ASX

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12.15. RESOLUTIONS OF COUNCIL

Author: Executive Assistant

Authoriser: General Manager

RECOMMENDATION

That Council note the information in the Resolutions of Council as at 12 September 2022.

BACKGROUND

The attached report details the status of open Resolutions of Council.

- Total of open resolutions from the 2020 Financial Year onward - **11**
- Total Resolutions of Council for the 2022/2023 Financial Year - **57**
- Total Resolutions of Council for the 2022/2023 Financial Year - **55**

ISSUE/DISCUSSION

Monthly report to update Councillors and community members on the progress of Council Resolutions.

STRATEGIC IMPLICATIONS

As outlined in the status updates.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

Council Meeting Resolutions as at 12 September 2022.

Attachment 1 - Council meeting resolutions at 12 September 2022

26 August 2022		Responsibility	Status	Expected Date of Completion
2022/0826/9	Urgent Items of Business That the rescission motion be considered as an urgent item of business. The motion to rescind resolution number 2022/08/16/15.3 was lost.	Director Infrastructure	Completed	Closed
2022/0826/13.1	Participation in Auction, Edwardes Street Deniliquin That Council: 1. Resolves to embargo any decisions or resolutions relating to this matter until after 31st August 2022, or any subsequent date should the auction be postponed, to prevent distorting market conditions, 1. Approves the purchase of Lot 21 DP1282569, located at 22 Edwardes Street, Deniliquin, through participation in an online auction to be held on 31st August 2022, 2. Sets an upper limit of \$350,000+GST for any bids made on behalf of Council, 3. Funds the purchase of Lot 21 DP1282569 from its unrestricted cash reserves, 4. Engages a suitably qualified agent to act on its behalf during the auction and lawyer to provide contract documentation, conveyancing, and other legal advice, and 5. If successful in the purchase of Lot 21 DP1282569, classify the land as Operational upon receiving the Certificate of Title.	General Manager	Completed	Closed
16 August 2022		Responsibility	Status	Expected Date of Completion
2022/0816/9.1	Mayoral Minute – Accounting Treatment of Rural Fire Service ('Red Fleet') Assets That Council:	General Manager	Draft Correspondence written. Letters sent	Closed

	<ol style="list-style-type: none"> 1. Writes to the Treasurer the Hon Matt Kean MP and the Minister for Local Government Wendy Tuckerman MP, noting: <ol style="list-style-type: none"> a. Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets. b. Advising of the impact of the Government's position on Council finances of this accounting treatment. c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Council's financial statements d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and e. Amending s119 of the <i>Rural Fires Act 1997</i> so that the effect is to make it clear that RFS assets are not the property of councils. f. Council has already written to the Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and Helen Dalton, MP 2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC: <ol style="list-style-type: none"> a. Advising Members of Council's position and b. Seeking Members' commitments to support NSW Councils' call to amend the <i>Rural Fires Act 1997</i> as set out in correspondence. 3. Council promotes these messages via its digital and social media channels and via its networks. 4. Re-affirms its complete support of and commitment to local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities. 			
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	<p>5. That Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets</p> <p>6. Council notes correspondence of 7 July 2022 from the General Manager to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not record RFS assets in Council' financial statements, noting that the State Government's own Local Government Accounting Code <i>of Practice and Financial Reporting</i> provides for councils to determine whether or not they record the RFS assets as council assets</p>			
2022/0816/12.4	<p>Councillor Expenses Report</p> <p>That Council</p> <p>1. Receive and note the Councillor Expenses Report for the period 01 January 2022 to 30 June 2022, attached.</p> <p>2. Note that the Councillor Expenses Report will be published to Council's website in accordance with clause 15.2 of the Councillor Expenses and Facilities Policy.</p>	General Manager	Published on website	Closed
2022/0816/12.5.2	<p>Councillor Representation on Committees</p> <p>That Council</p> <p>1. Seek nominations from its membership and formally appoint the following Councillors as determined.</p> <p>2. Appoint Cr Shannon Sampson to the Deniliquin Airport Users Group; Appoint Cr Pat Fogarty to the Rotary Park User Group with Cr Shirlee Burge; Appoint Cr Harold Clapham to the Saleyards User Group with Cr Shirlee Burge; Blighty Reserve to include Cr Shannon Sampson with Cr Linda Fawns; Appoint Cr Shannon Sampson and Cr Linda Fawns to the Senior Livings Precinct; Appoint Cr Shirlee Burge and Cr Pat Fogarty to the Health Advocacy Committee.</p> <p>3. Approve the removal of Cr Shirlee Burge from the RFS Committee</p> <p>4. Calls for consideration of an Arts and Cultural committee.</p> <p>5. Requests a future report to Council on options for the Booroorban Hall Committee.</p>	Director Corporate Services	<p>Councillors appointed and committees updated.</p> <p>Further reports to Council.</p>	October 2022

	6. Not participate in the Business Enterprise Centre and Murray Darling Association by way of councillor delegate representation. 7. Appoints Cr Marc Petersen to the NSW Library Association.		Library Association Notified.	
2022/0816/12.6	Local Government NSW Annual Conference October 2022 That Council approve the Mayor Cr Peta Betts, Cr Linda Fawns, Cr Marc Petersen and the General Manager to attend the Local Government NSW Annual Conference from 23 to 25 October 2022 at the Crowne Plaza Hunter Valley.	General Manager	Conference booked.	Closed
2022/0816/12.7	Local Heritage Fund – Small Heritage Grants 2022-23 That Council resolves to:- 1. Fund the following projects as part of the Local Heritage Fund 2022-2023: (a) 140 End Street , Local Heritage Fund contribution \$ 4,750 (b) 112 End Street , Local Heritage Fund contribution \$ 1,500 (c) 135 End Street , Local Heritage Fund contribution \$ 4,000 (d) 226 - 230 Cressy Street, Local Heritage Fund contribution \$ 5,250 2. Should a funding offer for an approved project not be accepted or fail to proceed to completion then those funds from the Local Heritage Fund 2022-2023 may be reallocated to the next approved project of highest priority.	Director Infrastructure	Recipients informed.	Closed
2022/0816/12.8	DA 39/21 – Installation of Culverts and De-silting – 625 Henry Street That Council resolves to: - a. Approve the development application DA39/22 for the installation of 2 culverts and de-silting, on Lot 21, 22 & 23 DP 858765, 619, 623 & 625 Henry Street, Deniliquin & Lot 7012 DP 1023923 (Crown Land) - Henry Street Road Reserve as shown on the plans submitted and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons: a. The application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment. b. The proposal is appropriate on the site given the existing character of the area.	Director Infrastructure	DA approved	Closed

	<p>c. The development will have no significant adverse impacts on the natural or built environments.</p> <p>b. Impose conditions as shown in Attachment 1</p>			
2022/0816/12.9	<p>Planning Proposal – Consolidation of Comprehensive Local Environmental Plan</p> <p>That Council</p> <ol style="list-style-type: none"> 1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013 and Deniliquin LEP 1997 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to amend the Local Environmental Plans into a consolidated Local Environmental Plan for the Edward River Council area. 2. Forward the planning proposal to the Minister for Planning and Public Spaces in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, for Gateway Determination. 	Director Infrastructure	Planning Proposal forwarded.	Closed
2022/0816/12.11	<p>Special Event Application – 2022 Deni Play on the Plains Festival Ute Muster</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Classify the Ute Muster Event as a Class 1 event under the Special Events Guidelines, and 2. Approve the special event application for the 2022 Ute Muster, subject to the endorsement of the Local Area Traffic Committee. 	Director Infrastructure	Special Event Application approved.	Closed
2022/0816/12.12	<p>Town Hall External Colour Review</p> <p>That Council note this report and resolve not to amend the colour scheme as proposed by the contract architect.</p>	General Manager	Project Manager informed.	Closed
2022/0816/15.1	<p>Contract C2021/24 – Panel of Consultants</p> <p>That Council accepts all tender offers for C2021/24 - Panel of Consultants to be placed on the Panel of Consultants for external contractors to Council.</p>	Director Infrastructure	Notified	Closed
2022/0816/15.2	<p>Contract C2021/26 Sealing and Enrichment Works within the Edward River Council LGA</p> <p>That Council:</p> <ul style="list-style-type: none"> • Accepts the tender submitted by Primal Surfacing Pty Ltd and award Primal Surfacing Pty Ltd Contract C2021/26 - Sealing and Enrichment Works in the Edward River Council LGA for the 	Director Infrastructure	Contract forwarded to Primal for signing.	Closed

	<p>extended Schedule of Rates amount for the 2022/23 financial year of \$2,650,272.73 + GST, and</p> <ul style="list-style-type: none"> • Authorises the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documents for Contract C2021/26 - Sealing and Enrichment Works in the Edward River Council LGA. 			
2022/0816/15.3	<p>Contract C2022/23 – Operation and Management of Deniliquin Swim Center and Hydrotherapy Pool</p> <p>That Council:</p> <p>1) Accepts the tender submitted by Lifeguarding Services Australia Pty Ltd and award Lifeguarding Services Australia Pty Contract C2021/23 – Operation and Management of the Deniliquin Swim Centre and Hydrotherapy Pool for the Lump Sum tender price of \$236,363.52 + GST for the 2022/23 season; and</p> <p>2) Authorises the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the Contract document Contract C2021/23.</p>	Director Infrastructure	Contract has been forwarded to Lifeguarding Services Australia for signing	Closed
2022/0816/15.4	<p>Contract C2021/25 Deniliquin Airport Runway and Lighting Upgrade</p> <p>That Council:</p> <p>1. Not accept the tender submissions for Contract C2021/25 – Deniliquin Airport Runway and Lighting Upgrade, in accordance with Clause 178(1)(b) of the <i>Local Government (General) Regulations</i> since all submitted tender prices were greater than the funding for the project,</p> <p>2. Authorises the General Manager to enter into negotiations with all tenderers, in accordance with Clause 178(3)(e) of the <i>Local Government (General) Regulations</i>,</p> <p>3. Receives a further report following negotiations with the tenderers.</p>	Director Infrastructure	Further report will be brought to October meeting	October 2022
2 August 2022		Responsibility	Status	Expected Date of Completion
2022/0208/8.1	<p>Edward River Village Development</p> <p>That Council:</p> <p>1. Proceeds with Stage 1 of the Edward River Village development, including the construction of six two-bedroom units and associated civil infrastructure and electricity/NBN connection,</p>	Director Infrastructure	Noted. Allocation and inclusion in the 2022/23	Closed

	<p>2. Allocates \$520,000 from Council's Infrastructure Reserve to the Edward River Village development,</p> <p>3. Includes in the 2022/23 Operational Plan a revenue item of \$2,910,000, being the anticipated revenue obtained from the entry prices for six units as part of Stage 1 of the Edward River Village development, and</p> <p>4. Includes in the 2022/23 Operational Plan a capital expense item of \$4,430,000, being the estimated expenditure amount for the delivery of Stage 1 dwellings and associated civil infrastructure and electricity/NBN connection works.</p>		Operational Plan completed.	
19 July 2022		Responsibility	Status	Expected Date of Completion
2022/0719/11.5	<p>Councillor Obligations Under the Code of Conduct</p> <p>That Council receive and note the report:</p> <p>To demonstrate Councillors commitment to integrity in office by completing annual returns in both a timely and fulsome manner;</p> <p>The requirements for Councillors to submit pecuniary interest and related party returns and recommended publication of identifiable and consolidated interests for each Councillor on Council's website; and</p> <p>Consider the issues of capturing and securing public records, particularly in relation to Councillor communications.</p>	Executive Assistant	<p>Ensure completion of annual returns.</p> <p>2 August checked Councillors had completed forms. Provided forms for those who required them.</p> <p>Some Councillors still to complete Related Party Returns.</p>	<p>16 August 2022</p> <p>Closed</p>
28 June 2022		Responsibility	Status	Expected Date of Completion
2022/2806/11.1	<p>DA 1/22 Car Park with Solar Shade Structures – RSL Club</p> <p>That this development application be deferred until further communication with residents has occurred</p>	Manager Development Services	<p>To be taken to July Council Meeting</p> <p>At the discretion of the developer</p>	<p>19 July 2022</p> <p>To be confirmed.</p> <p>Closed</p>
2022/0628/11.8	<p>Support for Broken Hill Submission</p> <p>That Council:</p> <ul style="list-style-type: none"> Support the position of Broken Hill City Council with regards to the banning of real estate agents from serving as Councillors. 	General Manager	<p>Underway</p> <p>Motion forwarded.</p>	<p>29 July 2022</p> <p>12 August 2022</p> <p>Closed</p>

	<ul style="list-style-type: none"> Forward a motion for the next LGNSW Conference on 23-25 October 2022 to rescind resolution number 16, passed at the LGNSW Special Conference on 28 February 2022 – 1 March 2022, to adopt a policy that seeks to preclude real estate agents and their families and close contacts from serving as Councillors. Submits a motion from Edward River Council to the LGNSW Conference in October 2022 as follows: <ul style="list-style-type: none"> That Local Government NSW calls on the Premier of NSW and the Minister for Local Government to not ban Developers and Real Estate Agents from serving as Councillors. <p>Supports the rights of all to represent Local Government if they meet the current Legislative requirements.</p>			
2022/2806/11.9	<p>100 Years of Learn to Swim Signage – McLean Beach</p> <p>That Council:</p> <ol style="list-style-type: none"> Approve and fund the installation of interpretive signage at Mclean Beach to commemorate 100 years of the Deniliquin Learn to Swim program, as an opportunity to showcase the history of Mclean Beach. Allocate \$5000 from the 2022/23 'Our Rivers, Our Region' grant funding to purchase the signage. 	Manager Community & Economic Development	<p>Quotes received.</p> <p>Consultation underway.</p>	31 October 2022
2022/2806/11.11	<p>Major Projects Report – June 2022</p> <p>That Council:</p> <ol style="list-style-type: none"> Receive and note the Major Projects Program – Progress Report for May 2022. Seek a report for the next council meeting, following a review of the colour scheme for the Town Hall building 	Director Infrastructure	Colour scheme review completed.	19 August 2022 Closed
17 May 2022		Responsibility	Status	Expected Date of Completion
2022/0517/9.1	<p>Mayoral Minute – Support for Ukrainian Refugees</p> <p>That Council seek informal expressions of interest from Edward River residents, industry groups and peak bodies via usual media channels to support Ukrainian refugees with job opportunities and accommodation and potentially instigate both a humanitarian and economic opportunity for our region</p>	General Manager	Underway	Ongoing

19 April 2022		Responsibility	Status	Expected Date of Completion
2022/0419/14.1	<p>Mayoral Minute – General Manager Mid Term Performance Review 2021/22</p> <p>That Council adopt the priorities for the General Manager in the 2022 year as outlined in the Mayoral Minute and those priorities be built into the General Manager's Performance Agreement, and progress be reviewed at the General Manager's annual performance review in July 2022</p>	General Manager	<p>Currently being updated.</p> <p>20/21 Performance Review Scheduled 19 July 2022 Review rescheduled to 10 August 2022</p>	<p>30 May 2022</p> <p>19 July 2022</p> <p>10 August 2022</p> <p>Closed</p>
15 March 2022		Responsibility	Status	Expected Date of Completion
2022/0315/12.6	<p>Section 355 Committees – Appointments and Instruments of Delegation</p> <p>That Council:</p> <ol style="list-style-type: none"> 8. Appoint the recommended committee members for the following Section 355 Committees: <ol style="list-style-type: none"> a. Blighty Hall and Recreation Reserve Committee – MaryLynne Bradford, Malcolm Holm, Andrew Lostroh, Judith Plattfuss b. Conargo Memorial Hall and Recreation Ground Committee – Lynette Baker, Colin Bull, Margaret Bull, Lyn (Linda) Hardcastle, Aileen Loader, Elizabeth McNamara, Ian Paton, Michael Pisasale, Deborah Stockton c. Mayrung Hall Committee – Gordan Ball, Phyllis Ball, Stephen Ball, John Beer, Lorraine Beer, Bruce Moore, Birgit Schultz. d. Pretty Pine Hall Committee – Matthew Allitt, Ben Chartres, John Jenkins, Gabrielle van der Linde e. Wanganella Hall Committee – Simon Bain, Sarah Hooke, Tom Hooke, Amanda McCrabb, Colin McCrabb, Susie Wallace 9. Issue the standard instrument of delegation in the specific name of each committee as their Terms of Reference; 10. Adopt the revised committee guidelines and associated <i>pro forma</i> documents for the committees use, and; 	Governance Officer	Applicant appointments to be confirmed and preliminary meetings organised.	<p>30 May 2022</p> <p>Completed</p>

	<p>11. Provide committee members with the necessary documents and undertake a 'benchmark' site assessment and conduct the formal induction of committee members at their April 2022 meetings.</p> <p>12. Note that the Booroorban Hall Committee cannot be determined at this time due to insufficient numbers, and a report will be tabled with Council pending further work on this and other committees.</p>		Booroorban still outstanding – to come back to Council	30 September 2022
22 February 2022	Resolution	Responsibility	Status	Expected Date of Completion
2022/0222/11.9	<p>Edward River Council – Growth Management Strategy That Council</p> <p>1. Authorise the development of the Edward River Council Growth Management Strategy.</p> <p>2. Allocate \$227,272 funds from the sale of the Saleyards Road blocks to undertake the development of the Edward River Growth Management Strategy</p> <p>3. Allocate \$33,000 which has been allocated to the McLean Beach Masterplan from the NSW COVID Response Fund, to ensure this strategic work is encompassed in the Edward River Growth Management Strategy</p> <p>4. Allocate \$30,000 for the Residential Land Strategy from the proposed 2022-2023 Budget to ensure this strategic work is encompassed in the Edward River Growth Management Strategy</p>	Manager Community & Economic Development	<p>Brief is under development.</p> <p>Resourcing has been delayed.</p>	<p>May 2022 June 2022</p> <p>To be confirmed.</p>
18 November 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/192	<p>River Street Drainage That Council:</p> <p>1. Reviews the reconstruction of River Street, between Lilly Street and Rose Street, and the construction of underground stormwater drainage in this area as part of the 2022/23 Operational Plan, and</p> <p>2. Undertakes a review of the provision of services in the R5 – Large Lot Residential area</p>	Director Infrastructure	<p>Review underway</p> <p>Report to Council on roads-completed.</p> <p>Briefing on drainage to follow.</p>	<p>June 2022</p> <p>September 2022</p>

	6. Authorises the General Manager to negotiate a sale price that contributes to the costs to construct the required road, water and sewerage infrastructure 7. Receives a further report in February 2022.		designs and costs to be developed.	
15 July 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/96	Saleyards Strategic Plan That Council: 1. Council defer decision to divest and close the cattle yards and not adopt strategic plan for 12 months. 2. Form a user group to assist Council and the new lease holder to improve the facility. 3. Council investigate the scaling down to three runs to a 300 head of cattle capacity in 12 months. 4. Council initiate a complete WHS report on the three cattle runs. 5. Provides a report with a recommendation on the outcome of the expression of interest process by November 2021. 6. Includes the development of the Saleyards in its advocacy strategy and investigates funding opportunities to assist with future development of the sales. 7. Includes the development of the saleyards in Council's long term financial plan, and 8. Prepares a management plan for the ongoing operation of the sale yards facility.	Director Infrastructure	1. Noted to take to Council in 12 months. 2. Underway Discussions with committee progressing well. 3. Underway 4. Safe Work NSW contacted. Visited site. Waiting on Report. 5. Dependant on outcomes from User Group 6. Underway 7. To be part of LTFP for 2022/23 8. Dependant on outcomes.	November 2021 June 2022 Further updates as we progress

17 June 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/81	<p>Potential Deniliquin Airport Residential Skypark Development That Council</p> <ol style="list-style-type: none"> 1. Prepare a business case for the development of a residential Skypark at Deniliquin Airport, 2. Allocate \$30,000 from Airport Industrial Land reserve towards the business case for a residential Skypark development at the Deniliquin Airport. 	Director Infrastructure	<p>Underway. Will go to September workshop.</p> <p>1. Update to be provided to Council Briefing. Briefed June 2022. Undertake marketing plan with Real Estate Agent.</p> <p>2. Complete</p>	<p>October Council meeting February 2022</p> <p>June 2022</p> <p>October 2022</p>
19 November 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/236	<p>328 Conroy Street That Council:</p> <ol style="list-style-type: none"> 1. Enter into an agreement with the property owners of 328 Conroy Street to close the section of the Conroy Street road reserve currently fenced into 328 Conroy Street, subject to the property owners agreeing to pay all costs relating to this matter, and; 2. Commence the road closure process in accordance with the requirements of the <i>Roads Act 1993</i> for the portion of Conroy Street that is currently fenced into 328 Conroy Street, subject to the property owners entering into an agreement with Council regarding this matter. 	Acting Director Infrastructure	<p>Property owner notified.</p> <p>Property owner contacted.</p> <p>Surveyors engaged</p>	<p>February 2021</p> <p>30 April 2021</p> <p>June 2021</p> <p>November 2021</p> <p>February 2022</p> <p>June 2022</p> <p>September 2022</p>
20 August 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/164	<p>North Deniliquin Levee Upgrade Feasibility Report That Council:</p>	Manager Engineering & Assets	Underway	Waiting on funding details

	<ol style="list-style-type: none"> 1. Adopt the North Deniliquin Levee Upgrade Feasibility Report, contained as Attachment 1 to this report, and; 2. Apply to Office of Environment and Heritage for funding of the works detailed in the North Deniliquin Levee Upgrade Feasibility Report 		<p>Waiting on funding details. Feasibility being finalised. To briefing September.</p>	<p>September 2022.</p>
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12.16. MAYOR, COUNCILLOR, GENERAL MANAGER MEETINGS

Author: Executive Assistant

Authoriser: General Manager

RECOMMENDATION

That Council note the Mayor, Councillor and General Manager meetings attended on behalf of Council during the month of August 2022, undertaken either remotely, or adhering to current health guidelines.

BACKGROUND

The report details meetings undertaken on behalf of Council by the Mayor, Councillors and the General Manager during August 2022.

ISSUE/DISCUSSION

Date	Participants	Meeting
1 August 2022	Mayor, Deputy Mayor, General Manager	ARIC Committee Meeting
4 August 2022	General Manager	Ukrainian Refugees discussion with Lachlan Marshall
8 August 2022	Mayor, Deputy Mayor, Cr Shirlee Burge, Cr Linda Fawns, General Manager	LGNSW President and Chief Executive meeting in Council Chambers.
11 August 2022	Mayor, General Manager	RAMJO Statement of Strategic Regional Priorities - Workshop held in Deniliquin.
11 August 2022	Cr Shirlee Burge	Local Traffic Operational Committee meeting
12 August 2022	Mayor, General Manager	RAMJO Board Meeting - Deniliquin
13 August 2022	Mayor, Deputy Mayor, General Manager	The Hon. Benjamin Franklin tour of Town Hall and Estates Building Precinct, South West Music Presentation and Yarkuwa Presentation
16 August 2022	Cr Shannon Sampson, Cr Linda Fawns	Blighty Advancement Committee Meeting
16 August 2022	Cr Shirlee Burge	Partnership LHAC workshop - improved access to after-hours health care Deniliquin, Finley, Berrigan areas

Date	Participants	Meeting
17 August 2022	Mayor	Murray Irrigation lunch with Hon. Rose Jackson MLC and Hon. Mick Veitch MLC
17 August 2022	Cr Linda Fawns	Cultural Festival Working Group
17 August 2022	Mayor	Memorial Park User Group Committee Meeting
18 August 2022	Mayor, Cr Shirlee Burge, Cr Linda Fawns	Vietnam Veterans Day Ceremony
22 August 2022	Mayor, Cr Linda Fawns, General Manager	Journey Through Time - Edward River Art Society breakfast launch.
22 August 2022	Cr Shirlee Burge	Community Consultation Health Services Plan Deniliquin RSL Club
23 August 2022	Mayor	Town Hall Advisory Committee Meeting
23 August 2022	Mayor	Deniliquin Health Service Plan - Community Workshop
25 August 2022	Mayor, General Manager	Official Opening Deniliquin Hospital Emergency Department
26 August 2022	Mayor, General Manager	Edward River Art Society
26 August 2022	Mayor, Deputy Mayor, Cr Linda Fawns, Cr Pat Fogarty, General Manager	Deniliquin Business Chamber Gala Awards Evening
29 August 2022	Mayor, Cr Shirlee Burge, Cr Pat Fogarty, General Manager	Health Services Advocacy Committee Meeting
30 August 2022	Mayor	Town Hall Advisory Committee Meeting
30 August 2022	Mayor	RAMJO virtual meeting with Dr Kerry Chant, Chief Health Officer re Japanese Encephalitis
31 August 2022	Cr Tarria Moore	Mayrung Hall Annual General Meeting

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

13. NOTICES OF MOTIONS

14. QUESTIONS WITH NOTICE

15. CONFIDENTIAL MATTERS

15.1. GENERAL MANAGER PERFORMANCE REVIEW 2021/22

Author: General Manager

Authoriser: Mayor Cr Peta Betts

RECOMMENDATION

A report will be tabled for Council's consideration at the meeting

BACKGROUND

ISSUE/DISCUSSION

SUMMARY

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

LEGISLATIVE IMPLICATIONS

Local Government Act and Local Government (General) Regulations.

ATTACHMENTS

16. CLOSE OF MEETING